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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 3231/94
of 22 December 1994**

**concerning certain measures resulting from the conclusion of negotiations
under Article XXIV : 6 and other measures necessary for simplification purposes**

THE COUNCIL OF THE EUROPEAN UNION,

phasing in of the reductions resulting from the Uruguay
Round is reached in later years,

Having regard to the Treaty establishing the European
Community, and in particular Articles 28 and 113 thereof,

HAS ADOPTED THIS REGULATION :

Article 1

Having regard to the proposal from the Commission,

Whereas, for certain non-agricultural products where the
Uruguay Round reductions which amount in total to 1
percentage point or less over several years, a reduction of
a 0,5 percentage point to the present rate of duty shall be
made on 1 January 1995 and the second on 1 January
1997 respectively ;

1. For certain non-agricultural products where the
Uruguay Round reductions which amount in total to 1
percentage point or less over several years, a reduction of
a 0,5 percentage point to the present rate of duty shall be
made on 1 January 1995 and 1 January 1997 respectively.
These products are listed in Annex A.

2. The measures referred to in the Exchange of Letters
complementing the Agreement between the European
Economic Community and the United States of America
for the conclusion of negotiations under GATT
Article XXIV : 6 shall be applied by the Community until
30 June 1995 for those agricultural products to which the
tariff measures resulting from the Uruguay Round will
enter into force on 1 July 1995.

Article 2

Whereas Regulation (EC) No 532/94⁽¹⁾ extends certain
measures resulting from an Agreement between the Euro-
pean Economic Community and the United States of
America for the conclusion of negotiations under
Article XXIV : 6 of the GATT following the accession of
Spain and Portugal ; whereas, in the context of this agree-
ment the temporary measures involving reduced duty
rates in force in 1994 for agricultural products concerned
will be prolonged until the first stage of implementation
of concessions granted within the results of the Uruguay
Round for such products ; whereas, for certain chemical
products previously subject to such temporary measures,
the final rate resulting from the Uruguay Round negotia-
tions will be implemented immediately in cases where
the previous reduced rate was lower, in cases where the
rate under the temporary measure was higher, then that
rate will be maintained until the appropriate point in the

For certain chemical products listed in Annex B, the rates
of duties applicable on 1 January 1995 shall be those
indicated in column 6.

Article 3

1. This Regulation shall enter into force on the day of
its publication in the *Official Journal of the European
Communities*.

2. It shall apply from 1 January 1995.

⁽¹⁾ OJ No L 68, 11. 3. 1994, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 December 1994.

For the Council

The President

H. SEEHOFER

ANNEX A

Offers involving a total reduction of 1 percentage point or less where the reduction is formula based

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
2511 20 00	Carbonate de baryum naturel (withérite)	1,0	0,0	0,5
2512 00 00	Farines siliceuses fossiles	0,5	0,0	0,0
2513 19 00	Pierre ponce	0,9	0,0	0,4
2513 29 00	Émeri, corindon naturel, grenat naturel et autres abrasifs naturels	0,9	0,0	0,4
2526 20 00	Stéatite naturelle, talc, broyés ou pulvérisés	0,9	0,0	0,4
2701 11 10	Anthracite	0,1	0,0	0,0
2701 12 10	Houille à coke	0,1	0,0	0,0
2701 19 00	Houilles (non agglomérées)	0,5	0,0	0,0
2701 20 00	Briquettes, boulets et similaires, obtenus à partir de houille	0,1	0,0	0,0
2702 20 00	Lignites agglomérés	0,4	0,0	0,0
2704 00 19	Cokes et semi-cokes de houille	0,7	0,0	0,2
2704 00 30	Cokes et semi-cokes de lignite	0,8	0,0	0,3
2707 99 19	Huiles brutes	1,0	0,0	0,5
2711 11 00	Gaz naturel liquéfié	1,6	0,7	1,0
2711 12 91	Propane liquéfié, pureté <99 %, destiné à subir un traitement	1,5	0,7	1,0
2711 12 93	Propane liquéfié, pureté <99 %, destiné à subir une transformation	1,5	0,7	1,0
2711 12 99	Propane liquéfié, pureté <99 %	1,5	0,7	1,0
2711 13 10	Butanes liquéfiés, destinés à subir un traitement défini	1,5	0,7	1,0
2711 13 30	Butanes liquéfiés destinés à subir une transformation chimique	1,5	0,7	1,0
2711 13 90	Butanes liquéfiés	1,5	0,7	1,0
2711 14 00	Éthylène, propylène, butylène et butadiène, liquéfiés	1,5	0,7	1,0
2711 19 00	Hydrocarbures liquéfiés	1,5	0,7	1,0
2711 21 00	Gaz naturel à l'état gazeux	1,5	0,7	1,0
2711 29 00	Hydrocarbures à l'état gazeux	1,5	0,7	1,0
2712 90 11	Ozokérite, cire de lignite ou de tourbe, naturelles, brutes	1,5	0,7	1,0
2715 00 00	Mélanges bitumineux à base d'asphalte ou de bitume naturel; autres que mastics bitumineux	0,9	0,0	0,4
2804 30 00	Azote	6,0	5,5	5,5
2804 50 10	Bore	6,0	5,5	5,5
2804 69 00	Silicium, teneur en silicium <99,99 %	6,0	5,5	5,5
2804 70 00	Phosphore	6,0	5,5	5,5
2805 21 00	Calcium	5,7	5,5	5,5
2805 22 00	Strontium et baryum	5,7	5,5	5,5
2806 10 00	Chlorure d'hydrogène (acide chlorhydrique)	6,0	5,5	5,5
2806 20 00	Acide chlorosulfurique	6,0	5,5	5,5
2806 00 00	Acide nitrique; acides sulfonitriques	6,0	5,5	5,5
2812 10 10	Chlorures et oxychlorures de phosphore	6,0	5,5	5,5
2812 10 90	Chlorures et oxychlorures (sauf de phosphore)	6,0	5,5	5,5
2812 90 00	Halogénures et oxyhalogénures des éléments (non métalliques)	5,7	5,5	5,5
2813 10 00	Disulfure de carbone	6,0	5,5	5,5
2816 20 00	Oxyde, hydroxyde et peroxyde de strontium	6,0	5,5	5,5
2818 30 00	Hydroxyde d'aluminium	5,7	5,5	5,5
2823 00 00	Oxydes de titane	6,0	5,5	5,5
2825 10 00	Hydrazine et hydroxylamine et leurs sels inorganiques	6,0	5,5	5,5
2825 90 30	Oxydes d'étain	5,7	5,5	5,5
2827 36 00	Chlorure de zinc	6,0	5,5	5,5
2827 38 00	Chlorure de baryum	5,7	5,5	5,5
2827 39 00	Chlorures	6,0	5,5	5,5
2833 30 10	Bis(sulfate) d'aluminium et d'ammonium	6,0	5,5	5,5
2833 40 00	Peroxsulfates (persulfates)	6,3	5,5	5,8

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
2835 10 00	Phosphinates (hypophosphites) et phosphonates (phosphites)	6,0	5,5	5,5
2836 10 00	Carbonate d'ammonium du commerce et autres carbonates d'ammonium	6,0	5,5	5,5
2836 91 00	Carbonates de lithium	6,2	5,5	5,7
2837 19 00	Cyanures et oxycyanures (sauf de sodium)	6,2	5,5	5,7
2838 00 00	Fulminates ; cyanates et thiocyanates	6,3	5,5	5,8
2841 80 00	Tungstates (wolfrates)	6,3	5,5	5,8
2841 90 90	Sels d'acides oxométalliques ou peroxométalliques	6,3	5,5	5,8
2842 10 00	Silicates doubles ou complexes	6,0	5,5	5,5
2842 90 90	Sels et peroxosels métalliques inorganiques	6,2	5,5	5,7
2843 21 00	Nitrate d'argent	6,0	5,5	5,5
2843 29 00	Composés d'argent (sauf nitrate d'argent)	6,0	5,5	5,5
2845 90 90	Isotopes (autres que ceux du n° 2844), leurs composés	6,0	5,5	5,5
2850 00 50	Azotures	6,3	5,5	5,8
2851 00 90	Composés inorganiques N.D.A. dans le présent chapitre	6,0	5,5	5,5
2906 29 10	Alcool cinnamylque	6,3	5,5	5,8
2907 23 10	4,4'-Isopropylidènediphénol (bisphénol A, diphenylolpropane)	6,0	5,5	5,5
2915 60 90	Acides valériques, sels et esters	6,3	5,5	5,8
2915 70 10	Acide palmitique, sels et esters	6,5	5,6	6,0
2915 70 30	Sels de l'acide stéarique	6,5	5,5	6,0
2915 70 90	Acide stéarique, esters	6,5	5,5	6,0
2916 13 00	Acide méthacrylique et sels	7,4	6,5	6,9
2916 14 00	Esters de l'acide méthacrylique	7,4	6,5	6,9
2916 20 00	Acides monocarboxyliques cyclaniques, cycléniques ou cycloterpéniques	7,4	6,5	6,9
2916 31 00	Acide benzoïque, sels et esters	7,4	6,5	6,9
2916 32 10	Péroxyde de benzoyle	7,1	6,5	7,0
2916 39 00	Acides monocarboxyliques aromatiques, anhydrides, halogénures	7,1	6,5	7,0
2917 14 00	Anhydride maléique	6,9	6,5	6,5
2918 19 90	Acides carboxyliques à fonction alcool sans autre fonction oxygénée	5,9	6,5	6,5
2918 29 30	Acide 4-hydroxybenzoïque, sels et esters	7,1	6,5	6,6
2918 29 50	Acide gallique (acide 3,4,5-trihydroxybenzoïque, sels et esters)	6,6	6,5	6,5
2918 29 90	Acides carboxyliques à fonction phénol sans autre fonction oxygénée	7,4	6,5	6,9
2918 30 00	Acides carboxyliques à fonction aldéhyde ou cétone	7,4	6,5	6,9
2918 90 00	Acides carboxyliques à fonctions oxygénées supplémentaires	7,4	6,5	6,9
2919 00 11	Phosphates de tritolyle	6,6	6,5	6,5
2919 00 19	Phosphates de tributyle, de triphényle, de trixyle, de tris(2-chloroéthyle)	6,6	6,5	6,5
2919 00 91	Acides glycérophosphoriques et glycérophosphates	7,4	6,5	6,9
2919 00 99	Esters phosphoriques et sels, y compris lactophosphates	7,4	6,5	6,9
2920 10 00	Esters thiophosphoriques (phosphorothioates) et sels, dérivés	7,4	6,5	6,9
2920 90 90	Esters d'acides inorganiques	7,4	6,5	6,9
2921 19 10	Triéthylamine et sels	6,6	6,5	6,5
2921 19 30	Isopropylamine et sels	6,6	6,5	6,5
2921 19 90	Monoamines acycliques et dérivés ; sels de ces produits	6,6	6,5	6,5
2921 22 00	Hexaméthylènediamine et sels	7,1	6,5	6,6
2921 30 90	Monoamines et polyamines cyclaniques, cycléniques ou cycloterpéniques	7,1	6,5	6,6
2921 42 90	Dérivés de l'aniline : sels de ces produits	7,1	6,5	6,6
2921 43 10	Toluidines et sels	7,1	6,5	6,6
2921 43 90	Dérivés de toluidines ; sels de ces produits	7,1	6,5	6,6
2921 44 00	Diphénylamine, dérivés ; sels de ces produits	7,1	6,5	6,6
2921 45 00	1-naphtylamine « alpha-naphtylamine », 2-naphtylamine « bêta-naphtylamine »	7,1	6,5	6,6
2921 49 10	Xylidines, dérivés ; sels de ces produits	6,9	6,5	6,5
2921 49 90	Monoamines aromatiques, dérivés ; sels de ces produits	7,1	6,5	6,6
2921 51 10	O-, M-, P-phénylènediamine, diaminotoluènes, et dérivés halogénés	6,6	5,5	6,5
2922 11 00	Monoéthanolamine et sels	6,6	6,5	6,5
2922 12 00	Diéthanolamine et sels	7,1	6,5	6,6

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
2922 13 00	Triéthanolamine et sels	7,1	6,5	6,6
2922 19 00	Amino-alcools, éthers et esters	7,1	6,5	6,6
2922 30 00	Amino-aldéhydes, amino-cétones et amino-quinones	7,1	6,5	6,6
2922 49 30	Acide 4-aminobenzoïque « P-aminobenzoïque », sels et esters	7,4	6,5	6,9
2922 49 90	Amino-acides et esters (sauf à fonctions oxygénées différentes)	7,4	6,5	6,9
2922 50 00	Amino-alcools-phénols, amino-acides-phénols, composés aminés	7,4	6,5	6,9
2923 10 90	Choline : sels (sauf chlorure de choline)	7,4	6,5	6,9
2923 90 00	Sels et hydroxydes d'ammonium quaternaires	7,4	6,5	6,9
2924 21 00	Uréines et dérivés : sels de ces produits	6,9	6,5	6,5
2924 29 30	Paracétanol	7,4	6,5	6,9
2924 29 90	Amides, y compris les carbamates cycliques et dérivés ; sels	7,4	6,5	6,9
2925 11 00	Saccharine et sels	6,9	6,5	6,5
2926 19 10	3, 3', 4, 4', 5, 5', 6, 6'-Octabromo-N, N'-Éthylènediphtalimide	7,0	6,5	6,5
2925 20 10	Guanidine et sels	7,4	6,5	6,9
2925 20 90	Imines et dérivés ; sels de ces produits	7,4	6,5	6,9
2927 00 00	Composés diazoïques, azoïques ou azoxyques	7,1	6,5	6,6
2928 00 00	Dérivés organiques de l'hydrazine ou de l'hydroxylamine	7,4	6,5	6,9
2930 10 00	Dithiocarbonates (xanthates, xanthogénates)	6,6	6,5	6,5
2932 12 00	2-furaldéhyde (furfural)	6,6	6,5	6,5
2932 13 00	Alcool furfurylique et alcool tétrahydrofurfurylique	7,4	6,5	6,9
2932 90 10	Benzofuranne (Coumarone)	6,6	6,5	6,5
2932 90 30	Éthers internes	7,4	6,5	6,9
2932 90 70	Acétals cycliques et héli-acétals internes, dérivés halogénés	6,9	6,5	6,5
2933 21 00	Hydantoïne et dérivés	7,4	6,5	6,9
2933 51 90	Malonylurée (acide barbiturique) et dérivés ; sels de ces produits	7,4	6,5	6,9
2934 90 10	Thiophène	6,6	6,5	6,5
2935 00 00	Sulfonamides	6,6	6,5	6,5
2938 90 90	Hétérosides, sels, éthers, esters et autres dérivés	6,6	6,5	6,5
3105 20 10	Engrais minéraux ou chimiques contenant azote, phosphore et potassium	6,6	6,5	6,5
3105 20 90	Engrais minéraux ou chimiques contenant azote, phosphore et potassium	6,6	6,5	6,5
3105 30 00	Hydrogéoorthophosphate de diammonium (phosphate diammonique)	6,6	6,5	6,5
3105 40 00	Dihydrogéoorthophosphate d'ammonium (phosphate monoammonique)	6,6	6,5	6,5
3105 51 00	Engrais minéraux ou chimiques	6,6	6,5	6,5
3206 10 90	Pigments et préparations à base de dioxyde de titane	6,9	6,5	6,5
3206 20 10	Pigments et préparations à base de composés du chrome	6,9	6,5	6,5
3206 20 90	Pigments et préparations à base de composés du chrome	6,9	6,5	6,5
3206 30 00	Pigments et préparations à base de composés du cadmium	6,9	6,5	6,5
3206 41 00	Outremer et ses préparations	6,9	6,5	6,5
3206 42 00	Lithopone, autres pigments et préparations à base de sulfure de zinc	6,9	6,5	6,5
3206 43 00	Pigments et préparations à base d'hexacyanoferrates	6,9	6,5	6,5
3206 49 90	Matières colorantes et leurs préparations	6,9	6,5	6,5
3207 10 10	Pigments, opacifiants et couleurs préparés et préparations similaires	6,9	6,5	6,5
3207 10 90	Pigments, opacifiants et couleurs préparés et préparations similaires	6,9	6,5	6,5
3211 00 00	Siccatis préparés	6,6	6,5	6,5
3212 10 10	Feuilles pour le marquage au fer, à base de métaux communs	6,6	6,5	6,5
3212 10 90	Feuilles pour le marquage au fer	6,6	6,5	6,5
3212 90 10	Essence de perle ou essence d'Orient	7,1	6,5	6,6
3212 90 90	Teintures et autres matières colorantes	7,1	6,5	6,6
3215 11 00	Encres d'imprimerie noires	6,6	6,5	6,5
3215 19 00	Encres d'imprimerie (sauf noires)	6,6	6,5	6,5
3215 90 10	Encres à écrire et à dessiner	6,9	6,5	6,5
3215 90 30	Encres à copier et encres hectographiques ; encres pour duplicateur	7,1	6,5	6,6
3215 90 90	Encres	7,1	6,5	6,6
3307 10 00	Préparations pour le préravage, le rasage ou l'après-rasage	6,5	6,5	6,5
3307 20 00	Désodorisants corporels et antisudoraux	6,6	6,5	6,5
3307 30 00	Sels parfumés et autres préparations pour bains	6,6	6,5	6,5

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
3307 41 00	« Agarbatti » et autres préparations odoriférantes	6,6	6,5	6,5
3307 49 00	Préparations pour parfumer ou pour désodoriser les locaux	6,6	6,5	6,5
3307 90 00	Dépilatoires, produits de parfumerie ou de toilette et préparation	6,6	6,5	6,5
3506 91 00	Adhésifs à base de caoutchouc ou de matières plastiques	7,1	6,5	6,6
3506 99 10	Adhésifs à base de résines naturelles	7,0	6,5	6,5
3506 99 90	Colles et autres adhésifs préparés	7,0	6,5	6,5
3602 00 00	Explosifs préparés (autres que les poudres propulsives)	7,1	6,5	6,6
3604 10 00	Articles pour feux d'artifice	6,6	6,5	6,5
3604 90 00	Fusées de signalisation ou paragrêles et similaires, pétards	6,6	6,5	6,5
3701 10 10	Plaques et films plans, photographiques, sensibilisés	7,4	6,5	6,9
3701 10 90	Plaques et films plans, photographiques, sensibilisés	7,4	6,5	6,9
3701 30 00	Plaques et films plans, photographiques, sensibilisés	7,4	6,5	6,9
3701 91 10	Films plans, photographiques, sensibilisés	7,4	6,5	6,9
3701 91 90	Plaques et films plans, photographiques, sensibilisés	7,4	6,5	6,9
3701 99 00	Plaques et films plans, photographiques, sensibilisés	7,4	6,5	6,9
3702 10 00	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 20 00	Pellicules à développement et tirage instantanés, photographiques	7,1	6,5	6,6
3702 31 10	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 31 90	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 32 11	Microfilms ; films pour les arts graphiques, sensibilisés	7,1	6,5	6,6
3702 32 31	Microfilms sensibilisés aux halogénures d'argent	7,1	6,5	6,6
3702 32 51	Films pour les arts graphiques, sensibilisés aux halogénures d'argent	7,1	6,5	6,6
3702 32 91	Pellicules sensibilisées aux halogénures d'argent	7,1	6,5	6,6
3702 32 99	Pellicules sensibilisées aux halogénures d'argent	7,1	6,5	6,6
3702 39 00	Microfilms photographiques sensibilisés (non impressionnés)	7,1	6,5	6,6
3702 41 00	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 42 00	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 43 00	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 44 00	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 56 10	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 56 90	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3702 91 10	Films photographiques sensibilisés (non impressionnés)	7,1	6,5	6,6
3702 92 10	Films photographiques sensibilisés (non impressionnés)	7,1	6,5	6,6
3702 93 10	Microfilms : films photographiques sensibilisés (non impressionnés)	7,1	6,5	6,6
3702 94 10	Microfilms : films photographiques sensibilisés (non impressionnés)	7,1	6,5	6,6
3702 95 00	Pellicules photographiques sensibilisées (non impressionnées)	7,1	6,5	6,6
3706 90 51	Films d'actualités cinématographiques, impressionnés et développés	0,3	0,0	0,0
3806 30 00	Gommes esters	6,6	6,5	6,5
3810 10 00	Préparations pour le décapage des métaux	6,6	6,5	6,5
3811 11 10	Préparations antidétonantes à base de plomb tétraéthyle	7,2	6,5	6,5
3813 00 00	Compositions et charges pour appareils extincteurs	6,9	6,5	6,5
3814 00 10	Solvants et diluants organiques composites	6,6	6,5	6,5
3814 00 90	Solvants et diluants organiques composites	6,6	6,5	6,5
3815 11 00	Catalyseurs supportés	6,6	6,5	6,5
3815 12 00	Catalyseurs supportés	6,6	6,5	6,5
3815 19 00	Catalyseurs supportés	6,6	6,5	6,5
3815 90 00	Initiateurs de réaction, accélérateurs de réaction	6,6	6,5	6,5
3819 00 00	Liquides pour freins hydrauliques et autres liquides préparés	7,1	6,5	6,6
3823 90 20	Échangeurs d'ions	6,6	6,5	6,5
3823 90 60	Préparations antirouille contenant des aminés comme éléments actifs	7,1	6,5	6,6
3823 90 70	Solvants et diluants composites inorganiques	6,6	6,5	6,5
3909 10 00	Résines uréiques ; résines de thiourée ; sous formes primaires	6,9	6,5	6,5
3909 20 00	Résines mélaminiques, sous formes primaires	6,9	6,5	6,5
3909 30 00	Résines aminiques (sauf résines mélaminiques), sous formes primaires	6,9	6,5	6,5
3909 40 00	Résines phénoliques, sous formes primaires	6,9	6,5	6,5
3912 12 00	Acétates de cellulose plastifiés, sous formes primaires	7,0	6,5	6,5

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
3912 20 90	Nitrates de cellulose plastifiés, sous formes primaires	7,4	6,5	6,9
3912 39 10	Éthylcellulose, sous formes primaires	6,9	6,5	6,5
3913 90 10	Dérivés chimiques du caoutchouc naturel, sous formes primaires	6,6	6,5	6,5
3915 90 91	Déchets, rognures et débris, de résines époxydes	6,6	6,5	6,5
3915 90 93	Déchets, rognures et débris de cellulose et de ses dérivés chimiques	6,6	6,5	6,5
3915 90 99	Déchets, rognures et débris de matières plastiques	6,6	6,5	6,5
3916 90 90	Monofilaments	7,0	6,5	6,5
3917 29 19	Tubes et tuyaux rigides en matières plastiques	7,0	6,5	6,5
3917 32 61	Tubes et tuyaux	7,0	6,5	6,5
3917 39 19	Tubes et tuyaux	7,0	6,5	6,5
3919 10 90	Plaques, feuilles, bandes, rubans, pellicules et autres formes	7,0	6,5	6,5
3919 90 90	Plaques, feuilles, bandes, rubans, pellicules et autres formes	7,0	6,5	6,5
3920 71 90	Plaques, feuilles, pellicules, bandes et lames	6,9	6,5	6,5
3920 73 90	Plaques, feuilles, pellicules, bandes et lames	7,4	6,5	6,9
3920 79 00	Plaques, feuilles, pellicules, bandes et lames	7,1	6,5	6,6
3920 93 00	Plaques, feuilles, pellicules, bandes et lames	7,4	6,5	6,9
3920 94 00	Plaques, feuilles, pellicules, bandes et lames	7,1	6,5	6,6
3920 99 90	Plaques, feuilles, pellicules, bandes et lames	7,0	6,5	6,5
3921 90 90	Plaques, feuilles, pellicules, bandes et lames	7,0	6,6	6,5
4002 99 10	Produits modifiés par l'incorporation de matières plastiques	3,8	2,9	3,3
4003 00 00	Caoutchouc régénéré	1,0	0,0	0,5
4106 11 90	Peaux épilées de caprins, à prêtannage végétal	2,9	2,0	2,4
4106 12 00	Peaux épilées de caprins, à prêtannage autre que végétal	2,9	2,0	2,4
4106 19 00	Peaux épilées de caprins, tannées sans autre préparation	2,9	2,0	2,4
4408 10 30	Bois sciés longitudinalement, tranchés ou déroulés	4,0	3,0	3,5
4408 90 30	Bois sciés longitudinalement, tranchés ou déroulés	4,0	3,0	3,5
5004 00 10	Fils de soie écrus, décreusés ou blanchis	4,9	4,0	4,4
5004 30 90	Fils de soie	4,9	4,0	4,4
5105 10 00	Laine cardée	2,5	2,0	2,0
5105 21 00	Laine peignée en vrac	2,5	2,0	2,0
5105 29 00	Laine peignée (sauf laine peignée en vrac)	2,5	2,0	2,0
5105 30 10	Poils fins cardés	2,5	2,0	2,0
5105 30 90	Poils fins peignés	2,5	2,0	2,0
5105 40 00	Poils grossiers, cardés ou peignés	2,5	2,0	2,0
5109 90 10	Fils de laine ou de poils fins	5,3	5,0	5,0
5306 10 11	Fils de lin simples, écrus	4,6	4,0	4,1
5306 10 19	Fils de lin simples (sauf écrus)	4,6	4,0	4,1
5306 10 31	Fils de lin simples, écrus	4,6	4,0	4,1
5306 10 39	Fils de lin simples (sauf écrus)	4,6	4,0	4,1
5306 20 11	Fils de lin retors ou câblés, écrus	5,0	4,0	4,5
5306 20 19	Fils de lin retors ou câblés (sauf écrus)	5,0	4,0	4,5
5308 90 11	Fils de ramie	4,6	4,0	4,1
5308 90 13	Fils de ramie	4,6	4,0	4,1
5406 10 00	Fils de filaments synthétiques	6,0	5,0	5,5
5406 20 00	Fils de filaments artificiels	5,8	5,0	5,3
5601 10 10	Serviettes et tampons hygiéniques, couches pour bébés	5,3	5,0	5,0
5605 00 00	Filés métalliques et fils métallisés, même guipés	4,9	4,0	4,4
5701 10 10	Tapis à points noués ou enroulés	8,9	8,0	8,4
5701 90 10	Tapis à points noués ou enroulés	8,9	8,0	8,4
5702 31 10	Tapis Axminster, de laine ou poils fins (non confectionnés)	8,9	8,0	8,4
5702 31 30	Tapis Wilton, de laine ou poils fins (non confectionnés)	8,9	8,0	8,4
5702 31 90	Tapis (sauf Axminster et Wilton) et autres revêtements de sol	8,9	8,0	8,4
5702 32 10	Tapis Axminster, de matières synthétiques ou artificielles	8,9	8,0	8,4
5702 32 90	Tapis (sauf Axminster) et autres revêtements de sol	8,9	8,0	8,4
5702 39 10	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 39 90	Tapis et autres revêtements de sol	8,9	8,0	8,4

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
5702 41 10	Tapis Axminster, de laine ou poils fins, confectionnés	8,9	8,0	8,4
5702 41 90	Tapis (sauf Axminster) et autres revêtements de sol	8,9	8,0	8,4
5702 42 10	Tapis Axminster, de matières synthétiques ou artificielles	8,9	8,0	8,4
5702 42 90	Tapis (sauf Axminster) et autres revêtements de sol	8,9	8,0	8,4
5702 49 10	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 49 90	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 51 00	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 52 00	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 59 00	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 91 00	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 92 00	Tapis et autres revêtements de sol	8,9	8,0	8,4
5702 99 00	Tapis et autres revêtements de sol	8,9	8,0	8,4
5705 00 10	Tapis et autres revêtements de sol	8,9	8,0	8,4
5705 00 31	Carreaux, de matières synthétiques ou artificielles	8,9	8,0	8,4
5705 00 39	Tapis et autres revêtements de sol	8,9	8,0	8,4
5705 00 90	Tapis et autres revêtements de sol, d'autres matières textiles	8,9	8,0	8,4
5907 00 00	Toiles cirées et autres tissus recouverts d'un enduit à base d'huile	5,1	4,9	4,9
6105 10 00	Chemises et chemisettes, de coton	13,0	12,0	12,5
6105 20 10	Chemises et chemisettes, de fibres synthétiques	13,0	12,0	12,5
6105 20 90	Chemises et chemisettes, de fibres artificielles	13,0	12,0	12,5
6105 90 10	Chemises et chemisettes, de laine ou poils fins	13,0	12,0	12,5
6105 90 90	Chemises et chemisettes, de matières textiles	13,0	12,0	12,5
6107 11 00	Slips et caleçons, de coton	13,0	12,0	12,5
6107 12 00	Slips et caleçons, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6107 19 00	Slips et caleçons, de matières textiles	13,0	12,0	12,5
6107 21 00	Chemises de nuit et pyjamas, de coton	13,0	12,0	12,5
6107 22 00	Chemises de nuit et pyjamas, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6107 29 00	Chemises de nuit et pyjamas, de matières textiles	13,0	12,0	12,5
6108 11 10	Combinaisons ou fonds de robes et jupons, de fibres synthétiques	13,0	12,0	12,5
6108 11 90	Combinaisons ou fonds de robes et jupons, de fibres artificielles	13,0	12,0	12,5
6108 19 10	Combinaisons ou fonds de robes et jupons, de coton	13,0	12,0	12,5
6108 19 90	Combinaisons ou fonds de robes et jupons, de matières textiles	13,0	12,0	12,5
6108 21 00	Slips et culottes, de coton	13,0	12,0	12,5
6108 22 00	Slips et culottes, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6108 29 00	Slips et culottes, de matières textiles	13,0	12,0	12,5
6108 31 10	Chemises de nuit, de coton, en bonneterie	13,0	12,0	12,5
6108 31 90	Pyjamas, de coton, en bonneterie	13,0	12,0	12,5
6108 32 11	Chemises de nuit, de fibres synthétiques, en bonneterie	13,0	12,0	12,5
6108 32 19	Pyjamas, de fibres synthétiques	13,0	12,0	12,5
6108 32 90	Chemises de nuit et pyjamas, de fibres artificielles	13,0	12,0	12,5
6108 39 00	Chemises de nuit et pyjamas, de matières textiles	13,0	12,0	12,5
6109 10 00	T-shirts et maillots de corps, de coton	13,0	12,0	12,5
6109 90 10	T-shirts et maillots de corps, de laine ou poils fins	13,0	12,0	12,5
6109 90 30	T-shirts et maillots de corps, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6109 90 90	T-shirts et maillots de corps, de matières textiles	13,0	12,0	12,5
6110 20 10	Sous-pulls de coton	13,0	12,0	12,5
6110 30 10	Sous-pulls de fibres synthétiques ou artificielles	13,0	12,0	12,5
6115 11 00	Collants (bas-culottes), de fibres synthétiques	13,0	12,0	12,5
6115 12 00	Collants (bas-culottes), de fibres synthétiques	13,0	12,0	12,5
6115 19 10	Collants (bas-culottes), de laine ou poils fins	13,0	12,0	12,5
6115 19 90	Collants (bas-culottes), de matières textiles	13,0	12,0	12,5
6115 20 11	Mi-bas de femmes, de fibres synthétiques	13,0	12,0	12,5
6115 20 19	Bas de femmes, de fibres synthétiques	13,0	12,0	12,5
6115 20 90	Bas et mi-bas de femmes, de matières textiles	13,0	12,0	12,5
6115 91 00	Bas et mi-bas, chaussettes et autres articles chaussants	13,0	12,0	12,5
6115 92 00	Bas et mi-bas, chaussettes et autres articles chaussants	13,0	12,0	12,5

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
6115 93 30	Mi-bas (autres que les bas à varices), de fibres synthétiques	13,0	12,0	12,5
6115 93 91	Bas pour femmes, de fibres synthétiques	13,0	12,0	12,5
6115 93 99	Chaussettes et autres articles chaussants, de fibres synthétiques	13,0	12,0	12,5
6115 99 00	Bas et mi-bas, chaussettes et autres articles chaussants	13,0	12,0	12,5
6205 10 00	Chemises et chemisettes, de laine ou poils fins	13,0	12,0	12,5
6205 20 00	Chemises et chemisettes, de coton	13,0	12,0	12,5
6205 30 00	Chemises et chemisettes, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6205 90 10	Chemises et chemisettes, de lin ou de ramie	13,0	12,0	12,5
6205 90 90	Chemises et chemisettes, de matières textiles	13,0	12,0	12,5
6207 11 00	Slips et caleçons, de coton	13,0	12,0	12,5
6207 19 00	Slips et caleçons, de matières textiles (autres que coton)	13,0	12,0	12,5
6207 21 00	Chemises de nuit et pyjamas, de coton	13,0	12,0	12,5
6207 22 00	Chemises de nuit et pyjamas, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6207 29 00	Chemises de nuit et pyjamas, de matières textiles	13,0	12,0	12,5
6208 11 00	Combinaisons ou fonds de robes et jupons	13,0	12,0	12,5
6208 19 10	Combinaisons ou fonds de robes et jupons, de coton	13,0	12,0	12,5
6208 19 90	Combinaisons ou fonds de robes et jupons, de matières textiles	13,0	12,0	12,5
6208 21 00	Chemises de nuit et pyjamas, de coton, pour femmes ou fillettes	13,0	12,0	12,5
6208 22 00	Chemises de nuit et pyjamas, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6208 29 00	Chemises de nuit et pyjamas, de matières textiles	13,0	12,0	12,5
6302 21 00	Linge de lit, imprimé, de coton (autre qu'en bonneterie)	13,0	12,0	12,5
6302 22 90	Linge de lit, imprimé, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6302 29 10	Linge de lit, imprimé, de lin ou de ramie (autre qu'en bonneterie)	13,0	12,0	12,5
6302 29 90	Linge de lit, imprimé	13,0	12,0	12,5
6302 31 10	Linge de lit, de coton mélangé avec du lin	13,0	12,0	12,5
6302 31 90	Linge de lit, de coton (non mélangé avec du lin)	13,0	12,0	12,5
6302 32 90	Linge de lit, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6302 39 10	Linge de lit, de lin (autre qu'imprimé, autre qu'en bonneterie)	13,0	12,0	12,5
6302 39 30	Linge de lit, de ramie (autre qu'imprimé, autre qu'en bonneterie)	13,0	12,0	12,5
6302 39 90	Linge de lit, d'autres matières textiles	13,0	12,0	12,5
6302 51 10	Linge de table, de coton mélangé avec du lin (autres qu'en bonneterie)	13,0	12,0	12,5
6302 51 90	Linge de table, de coton (non mélangé avec du lin, autre qu'en bonneterie)	13,0	12,0	12,5
6302 52 00	Linge de table, de lin (autre qu'en bonneterie)	13,0	12,0	12,5
6302 53 90	Linge de table, de fibres synthétiques ou artificielles	13,0	12,0	12,5
6302 59 00	Linge de table, de matières textiles	13,0	12,0	12,5
6302 60 00	Linge de toilette ou de cuisine	13,0	12,0	12,5
6302 91 10	Linge de toilette ou de cuisine	13,0	12,0	12,5
6302 91 90	Linge de toilette ou de cuisine	13,0	12,0	12,5
6302 92 00	Linge de toilette ou de cuisine	13,0	12,0	12,5
6302 93 90	Linge de toilette ou de cuisine	13,0	12,0	12,5
6302 99 00	Linge de toilette ou de cuisine	13,0	12,0	12,5
6303 91 00	Vitrages, rideaux et stores d'intérieur : cantonnières et tours de lit	13,0	12,0	12,5
6303 92 90	Vitrages, rideaux et stores d'intérieur : cantonnières et tours de lit	13,0	12,0	12,5
6303 99 90	Vitrages, rideaux et stores d'intérieur : cantonnières et tours de lit	13,0	12,0	12,5
6304 19 10	Couvre-lits de coton	13,0	12,0	12,5
6304 19 30	Couvre-lits de lin ou de ramie	13,0	12,0	12,5
6304 19 90	Couvre-lits de matières textiles (autres que coton, lin ou ramie)	13,0	12,0	12,5
6304 92 00	Articles d'ameublement	13,0	12,0	12,5
6304 93 00	Articles d'ameublement	13,0	12,0	12,5
6304 99 00	Articles d'ameublement	13,0	12,0	12,5
6308 00 00	Assortiments composés de pièces de tissus et de fils	13,0	12,0	12,5
7016 90 30	Verre dit « multicellulaire » ou verre « mousse »	4,0	3,0	3,5
7016 90 90	Pavés, dalles, briques, carreaux, tuiles et autres articles	4,0	3,0	3,5
7104 20 00	Pierres synthétiques ou reconstituées, brutes ou simplement sciées	0,9	0,0	0,4
7108 13 10	Barres, fils et profilés, de section pleine	0,5	0,0	0,0
7110 19 10	Barres, fils et profilés, de section pleine	0,9	0,0	0,4

HS item or ex HS item	Description	Base rate	Offer rate	1. 1. 1995 rate
7113 11 00	Articles de bijouterie ou de joaillerie et leur parties	3,5	2,5	3,0
7113 19 00	Articles de bijouterie ou de joaillerie et leurs parties	3,5	2,5	3,0
7114 11 00	Articles d'orfèvrerie et leurs parties, en argent	3,0	2,0	2,5
7114 19 00	Articles d'orfèvrerie et leurs parties, en métaux précieux	3,0	2,0	2,5
7504 00 00	Poudres et paillettes de nickel	0,5	0,0	0,0
7801 10 00	Plomb affiné, sous forme brute	3,5	2,5	3,0
7801 91 00	Plomb avec antimoine comme autre élément prédominant en poids	3,5	2,5	3,0
7801 99 91	Alliages de plomb, sous forme brute	3,5	2,5	3,0
7801 99 99	Plomb sous forme brute	3,5	2,5	3,0
7901 11 00	Zinc (non allié)	3,5	2,5	3,0
7901 12 10	Zinc (non allié)	3,6	2,5	3,0
7901 12 30	Zinc (non allié)	3,5	2,5	3,0
7901 12 90	Zinc (non allié)	3,5	2,5	3,0
7901 20 00	Alliages de zinc	3,5	2,5	3,0
8107 10 00	Cadmium sous forme brute; autres que déchets et débris	4,0	3,0	3,5
8112 91 90	Gallium, Thallium; autres que déchets et débris	2,2	1,5	2,2
8418 99 10	Évaporateurs et condenseurs (autres que pour appareils ménagers)	3,0	2,2	2,5
8460 31 00	Machines à affûter, à commande numérique	2,5	1,7	2,0
8460 39 00	Machines à affûter (autres qu'à commande numérique)	2,2	1,7	1,7
8460 90 90	Machines à ébarber, meuler, polir ou à faire d'autres opérations	2,2	1,7	1,7
8461 20 00	Étaux-limeurs et machines à mortaiser	2,5	1,7	2,0
8461 30 00	Machines à brocher	2,5	1,7	2,0
8461 40 90	Machines à finir les engrenages	2,2	1,7	1,7
8461 50 11	Machines à scier, à scie circulaire	2,2	1,7	1,7
8461 50 19	Machines à scier (autres qu'à scie circulaire)	2,2	1,7	1,7
8461 50 90	Machines à tronçonner	2,2	1,7	1,7
8462 10 90	Machines — y compris les presses — à forger ou à estamper	2,5	1,7	2,0
8462 29 10	Machines — y compris les presses — à rouler, cintrer, plier, dresser	2,5	1,7	2,0
8462 29 91	Machines — y compris les presses — à rouler, cintrer, plier, dresser	2,5	1,7	2,0
8462 29 99	Machines — y compris les presses — à rouler, cintrer, plier, dresser	2,5	1,7	2,0
8462 39 10	Machines — y compris les presses — à cisailier	2,5	1,7	2,0
8462 39 91	Machines — y compris les presses — à cisailier	2,5	1,7	2,0
8462 39 99	Machines — y compris les presses — à cisailier	2,5	1,7	2,0
8462 49 10	Machines — y compris les presses — à poinçonner ou à gruger	2,5	1,7	2,0
8462 49 90	Machines — y compris les presses — à poinçonner ou à gruger	2,5	1,7	2,0
8901 10 90	Paquebots, bateaux de croisières et similaires	2,5	1,7	2,0
8901 20 90	Bateaux-citernes (autres que pour la navigation maritime)	2,5	1,7	2,0
8901 30 90	Bateaux frigorifiques (sauf bateaux-citernes)	2,5	1,7	2,0
8901 90 91	Cargos et bateaux pour le transport de personnes et de marchandises	2,5	1,7	2,0
8901 90 99	Cargos et bateaux pour le transport de personnes et de marchandises	2,5	1,7	2,0
8902 00 90	Bateaux de pêche; navires-usines et autres bateaux	2,5	1,7	2,0
8903 10 90	Bateaux gonflables, de plaisance ou de sport	2,5	1,7	2,0
8903 91 93	Bateaux à voile, de plaisance ou de sport	2,5	1,7	2,0
8903 91 99	Bateaux à voile, de plaisance ou de sport	2,5	1,7	2,0
8903 92 91	Bateaux, de plaisance ou de sport, à moteur	2,5	1,7	2,0
8903 92 99	Bateaux, de plaisance ou de sport, à moteur	2,5	1,7	2,0
8903 99 91	Bateaux de plaisance ou de sport	2,5	1,7	2,0
8903 99 99	Bateaux de plaisance ou de sport	2,5	1,7	2,0
8904 00 99	Bateaux-poussoirs (autres que pour la navigation maritime)	2,5	1,7	2,0
8906 00 99	Bateaux, y compris les bateaux de sauvetage (autres qu'à rames)	2,5	1,7	2,0
9113 10 10	Bracelets de montres et leurs parties, en métaux précieux	3,5	2,7	3,0
9306 30 30	Cartouches et leurs parties pour armes de guerre	2,5	1,7	2,0

ANNEX B

Specific chemical products

	Description	Bound rate	XXIV 6 rate	UR concession	1. 1. 1995 rate
2801 30 90	Bromine	9,0 %	4,5 %	5,5 %	5,5
2903 30 31	Dibromoethane and Vinyl bromide	8,6 %	3,0 %	5,5 %	5,5
2908 10 10	Brominated derivatives	6,9 %	3,0 %	5,5 %	5,5
2909 30 30	Brominated derivatives				
!ex1 New	Pentabromodiphenyloxyde, Tetradecabrompdiphonoxybenzene	7,1 %	3,0 %	free	3,0
!ex2-New	Other	7,1 %	3,0 %	5,5 %	5,5
2917 39 10	Brominated derivatives	13,0 %	8,0 %	6,5 %	8,0
2925 19 10	Octabromo-N, N'-ethylene diphthalimide	7,0 %	3,0 %	6,5 %	6,5
3811 11 10	Antiknock preparations : based on tetraethyl lead	7,2 %	free	6,5 %	6,5

COUNCIL REGULATION (EC) No 3232/94**of 20 December 1994****amending Regulation (EC) No 3610/94 relating to the continuing of the import
of New Zealand butter into the United Kingdom on special terms**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Act of Accession of Denmark, Ireland and the United Kingdom, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 3610/93⁽¹⁾ authorized the United Kingdom to import certain quantities of New Zealand butter on special terms during the 1994 calendar year;

Whereas the agreement on agriculture concluded in the Uruguay Round of the Gatt provides for continued access for New Zealand butter to the Community market; whereas, since certain changes to the arrangements under the said Agreement for this product will not enter into force until the beginning of the 1995/96 marketing year on 1 July 1995; whereas it is opportune to extend the existing arrangements for the access of New Zealand butter on special terms for the period 1 January to 30 June 1995;

Whereas the exceptional arrangements should continue in order to enable uninterrupted imports from New Zealand,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 3610/93 is hereby amended as follows:

1. paragraph 1 shall be replaced by the following:

'1. These arrangements shall apply during the period 1 January 1994 to 30 June 1995.

The quantities which may be imported shall be as follows:

- 51 830 tonnes in 1994,
- 25 915 tonnes for the period 1 January to 30 June 1995.'

2. paragraph 3 shall be deleted.

Article 2

This Regulation shall enter into force of the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 1994.

For the Council

The President

J. BORCHERT

⁽¹⁾ OJ No L 328, 29. 12. 1993, p. 5.

COUNCIL REGULATION (EC) No 3233/94**of 20 December 1994****amending Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 10 of Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes ⁽³⁾, provides for a Community financial contribution towards expenditure incurred by Member States for the introduction of the integrated system for a period of three years from 1992;

Whereas, in view of the problems encountered, particularly in setting up the alphanumeric systems for the identification of agricultural parcels, large investments may be necessary after the end of the period laid down to ensure that the integrated system is running from 1 January

1996; whereas the period during which Community financial contributions may be paid should therefore be extended by one year,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 10(2) of Regulation (EEC) No 3508/92 is hereby replaced by the following:

'2. The Community's financial contribution shall be granted for a period of four years from 1992, within the limits of the appropriations allocated for this purpose.'

Article 2

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 1994.

For the Council

The President

J. BORCHERT

⁽¹⁾ OJ No C 294, 22. 10. 1994, p. 12.

⁽²⁾ OJ No C 341, 5. 12. 1994.

⁽³⁾ OJ No L 355, 5. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 165/94 (OJ No L 24, 29. 1. 1994, p. 6).

COUNCIL REGULATION (EC) No 3234/94

of 20 December 1994

on the suspension of the import levy on sheepmeat and goatmeat sector products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has voluntary restraint agreements with Romania and Iceland and equivalent unilateral arrangements established by Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import arrangements applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986⁽¹⁾;

Whereas, pursuant to Council Regulation (EC) No 3609/93 of 22 December 1992 on the suspension of the import levy on sheepmeat and goatmeat sector products⁽²⁾, the levy on the import of live sheep and goats and sheepmeat and goatmeat from the abovementioned countries in particular has been suspended until 31 December 1994;

Whereas a voluntary restraint agreement was concluded with the Socialist Federal Republic of Yugoslavia in 1981; whereas, while the substance of the Agreement remained unchanged, certain details of the management of the import arrangements laid down were suspended and replaced by Council Regulation (EEC) No 3125/92 of 26 October 1992 on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia⁽³⁾;

Whereas it is necessary to provide for interim arrangements for trade in the sheepmeat and goatmeat sectors, pending the implementation for this sector of the access in the Uruguay Round of the General Agreement on Tariffs and Trade on 1 July 1995;

Whereas negotiations with Argentina, Australia, Bulgaria, the Czech Republic, Hungary, New Zealand, Poland, the Slovak Republic and Uruguay have led to the extension of the adjustments to the voluntary restraint agreements

until 30 June 1995 and consequently the collection of the levy applicable to those countries is suspended until that date;

Whereas it appears appropriate to extend the above suspension, subject to certain quantitative limits, to all supplier countries,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding the voluntary restraint agreements concluded with Romania, Iceland and the Socialist Federal Republic of Yugoslavia and notwithstanding Regulation (EEC) No 3643/85, the collection of the levy on imports of sheepmeat and goatmeat sector products falling within CN codes 0204, 0104 1030, 0104 1080 and 0104 2090 from Bosnia-Herzegovina, Croatia, Iceland, the former Yugoslav Republic of Macedonia, Romania, Slovenia and the countries referred to in the said Regulation shall be suspended until 30 June 1995.

For the countries referred to in the agreements referred to in the first subparagraph the quantity for the first six months of 1995 will be 50 % of the figure agreed for the whole of the year 1995, but it may be exceeded by up to 20 %, which will be taken into account during the subsequent period.

Article 2

The procedures for applying this Regulation shall be adopted in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 3013/89⁽⁴⁾.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1995.

⁽¹⁾ OJ No L 348, 24. 12. 1985, p. 2. Regulation as last amended by Commission Regulation (EEC) No 3890/92 (OJ No L 391, 31. 12. 1992, p. 51).

⁽²⁾ OJ No L 328, 29. 12. 1993, p. 4.

⁽³⁾ OJ No L 313, 30. 10. 1992, p. 3.

⁽⁴⁾ OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EC) No 1886/94 (OJ No L 197, 30. 7. 1994, p. 30).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 1994.

For the Council

The President

J. BORCHERT

COUNCIL REGULATION (EC) No 3235/94

of 20 December 1994

amending, as a result of the accession of Austria, Finland and Sweden, certain regulations in the agricultural sector providing for part-financing of certain measures in favour of the new Member States

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of 1994, and in particular Article 150 (3) thereof,

Whereas, in order to allow the new Member States to benefit from Community part-financing of certain measures regarding the monitoring of agricultural expenditure, it is appropriate to adapt certain provisions of Council Regulations (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund⁽¹⁾, (EEC) No 307/91 of 4 February 1991 on reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund⁽²⁾, (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes⁽³⁾ and (EC) No 165/94 of 24 January 1994 concerning the co-financing by the Community of remote-sensing checks⁽⁴⁾;

Whereas the conditions relating to the grant of Community co-financing provided for in the above Regulations should be specified, in particular the duration, the total annual amount, the rate of assistance and the distribution percentage between Member States,

HAS ADOPTED THIS REGULATION:

Article 1

1. Regulation (EEC) No 4045/89 is hereby amended as follows:

(a) in Article 12, 'in Articles 13, 14 and 15', shall be replaced by 'in Articles 13, 14, 15 and 16a';

(b) the following Article shall be inserted:

'Article 16a

The Community shall contribute towards the expenditure referred to in Articles 13, 14 and 15 incurred by Austria, Finland and Sweden over a period of three

years from 1 January 1995, at the rate of 50 %, without distinguishing between the type of expenditure, up to a maximum annual amount of ECU 360 000 for each of those States.'

2. Regulation (EEC) No 307/91 is hereby amended as follows:

(a) the following paragraph shall be added after Article 1 (1):

'1a. For Austria, Finland and Sweden the Community financial contribution shall be 50 % for a period of three years from 1 January 1995, up to a maximum annual amount of ECU 125 000 for Finland and ECU 250 000 for Austria and Sweden.'

(b) the following paragraph shall be added after Article 2 (1):

'1a. For Austria, Finland and Sweden, the Community financial contribution shall be 50 % for a period of three years from 1 January 1995, up to a maximum annual amount of ECU 125 000 for Finland and ECU 250 000 for Austria and Sweden.'

3. In Article 10 (2) of Regulation (EEC) No 3508/92 the second subparagraph shall be replaced by the following two subparagraphs:

'However, for Austria, Finland and Sweden the Community's financial contribution shall be granted for a period of three years from 1 January 1995, within the limits of the appropriations available.

The total amount shall be shared among the Member States as follows:

for 1995:

Belgium	2,2 %
Denmark	2,3 %
Germany	9,2 %
Greece	8,0 %
Spain	16,5 %
France	13,3 %
Ireland	4,2 %
Italy	18,1 %
Luxembourg	0,6 %
Netherlands	2,8 %
Austria	3,3 %
Portugal	5,3 %

⁽¹⁾ OJ No L 388, 30. 12. 1989, p. 18. Regulation as amended by Regulation (EEC) No 1863/90 (OJ No 170, 3. 7. 1990, p. 23).

⁽²⁾ OJ No L 37, 9. 2. 1991, p. 5.

⁽³⁾ OJ No L 355, 5. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 165/94 (OJ No L 24, 29. 1. 1994, p. 6).

⁽⁴⁾ OJ No L 24, 29. 1. 1994, p. 6.

Finland	2,7 %	Greece	8,0
Sweden	2,4 %	Spain	16,5
United Kingdom	9,1 %	France	13,3
for 1996 and 1997 :		Ireland	4,2
Austria	39,3 %	Italy	18,1
Finland	32,1 %	Luxembourg	0,6
Sweden	28,6 %.	Netherlands	2,8
		Austria	3,3
		Portugal	5,3
		Finland	2,7
		Sweden	2,4
		United Kingdom	9,1'.

4. The table in the Annex to Regulation (EC) No 165/94 is hereby replaced by the following table :

'The proportion referred to in Article 1 (2) from 1 January 1995 :

	(%)
Belgium	2,2
Denmark	2,3
Germany	9,2

Article 2

This Regulation shall enter into force on the same date as the 1994 Accession Treaty.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 December 1994.

For the Council

The President

J. BORCHERT

COMMISSION REGULATION (EC) No 3236/94**of 21 December 1994****amending, on account of the accession of Austria, Finland and Sweden,
Regulation (EEC) No 2123/89 establishing the list of representative markets for
pigmeat in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden, and in particular Article 169 thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Article 4 (6) thereof,

Whereas Article 4 (2) of Regulation (EEC) No 2759/75 provides for determination of the Community market price of slaughtered pigs on the basis of the prices recorded on the representative markets;

Whereas Commission Regulation (EEC) No 2123/89⁽³⁾, as last amended by Regulation (EEC) No 3787/90⁽⁴⁾, establishes the list of representative markets for pigmeat in the Community;

Whereas, to enable application of Article 4 (2) of Regulation (EEC) No 2759/75 in the new Member States, the Annex to Regulation (EEC) No 2123/89 must be amended by adding thereto the list of representative markets in Austria, Finland and Sweden,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2123/89 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1995, subject to the entry into force of the Treaty of Accession of Norway, Austria, Finland and Sweden.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 203, 15. 7. 1989, p. 23.

⁽⁴⁾ OJ No L 364, 28. 12. 1990, p. 26.

ANNEX

List of representative markets for pigmeat in the Community

1. The following quotation centre :
and
the following group of markets :
Anderlecht.
Genk, Lokeren, Herve.
 2. The following quotation centre :
Copenhagen.
 3. The following group of quotation centres :
Kiel, Hamburg, Bremen, Hannover, Oldenburg,
Münster, Düsseldorf, Trier, Frankfurt am Main,
Stuttgart, Nürnberg, München, Schwerin, Potsdam,
Magdeburg, Erfurt, Dresden.
 4. The following group of quotation centres :
Ebro, Mercolérida, Mercovélez, Segovia, Segura,
Silleda.
and
the following group of markets :
Murcia, Barcelona, Burgos, Fuenteovejuna, Lugo,
Pozuelo de Alarcón, Alhama de Murcia, Mollerusa,
Calamocha, Segovia, Olvega.
 5. The following group of quotation centres :
Rennes, Lyon, Nantes, Clermont-Ferrand, Bordeaux,
Caen, Lille, Toulouse, Metz, Orléans.
 6. The following group of quotation centres :
Alexandroupolis, Serres, Prevesa, Trikala, Chalkida,
Korinthos, Xanthi.
 7. The following group of markets :
Cavan, Rooskey, Roscrea, Tralee and Mitchelstown.
 8. The following group of markets :
Milano, Cremona, Mantova, Modena, Parma, Reggio
Emilia, Macerata/Perugia.
 9. The following group of markets :
Luxembourg, Esch.
 10. The following quotation centre :
Rijswijk.
 11. The quotation centre of Bletchley for the
following group of regions :
Scotland, Northern Ireland, Wales and Western
England, Northern England, Eastern England.
 12. The following group of markets :
Famalicão, Coimbra, Leiria, Montijo, Póvoa da
Galega, Rio Maior, Évora, Monchique.
 13. The following quotation centre :
Wien.
 14. The following group of markets :
Turku, Mikkeli, Kuopio, Kannus, Jyväskylä, Seinä-
joki.
 15. The following group of markets :
Helsingborg, Vara, Trelleborg, Skövde, Skara,
Kalmar, Luleå, Kristianstad.
-

COMMISSION REGULATION (EC) No 3237/94**of 21 December 1994****laying down detailed rules for the application of the arrangements for access to waters as defined in the Act of Accession of Norway, Austria, Finland and Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden, in particular Articles 92, 93, 95, 119, 120 and 123 thereof,

Whereas detailed rules should be fixed for the application of the arrangements for access to waters falling under the sovereignty or within the jurisdiction of the present Member States and for waters falling under the sovereignty or within the jurisdiction of Finland and Sweden, as provided for by the Act of Accession;

Whereas Articles 95 and 123 of the Act of Accession provide that vessels of the Community as at present constituted are to fish in the waters falling under the sovereignty or within the jurisdiction of Norway, Finland and Sweden under conditions identical to those applicable prior to the entry into force of the Act;

Whereas Articles 91 and 118 of the Act of Accession provide that Finnish and Swedish fishing vessels are to fish in waters falling under the sovereignty or within the jurisdiction of the Member States of the Union as at present constituted under conditions identical to those applicable prior to the entry into force of the Act;

Whereas Articles 93 and 120 of the Act of Accession provide that the conditions under which Finnish and Swedish fishing vessels shall carry out their fishing activities in the waters subject to the sovereignty or jurisdiction of Finland and Sweden are identical to those applicable immediately before the entry into force of this Act;

Whereas the Act of Accession provides that the arrangements for access defined in this Regulation shall apply during a transitional period ending on the date of implementation of the Community fishing permit system, which will not in any event be later than the date of expiry of the period laid down in Article 14 (2) of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁽¹⁾;

Whereas, pursuant to Article 2 (3) of the Act of Accession, the institutions of the Union may, before accession, adopt in particular the measures referred to in the Act, to enter

into force subject to and on the date of the entry into force of the accession;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

*Article 1***Scope**

This Regulation lays down detailed rules for the application of the arrangements for access as defined in the Act of Accession applicable to:

- the waters falling under the sovereignty or within the jurisdiction of Finland,
- the waters falling under the sovereignty or within the jurisdiction of Sweden,
- the waters falling under the sovereignty or within the jurisdiction of the Member States of the Community as at present constituted.

Article 2

Access by vessels of the Community to the waters referred to in Article 1 shall be authorized in accordance with the conditions laid down in this Regulation.

TITLE I

DETAILED RULES CONCERNING ACCESS TO WATERS FALLING UNDER THE SOVEREIGNTY OR WITHIN THE JURISDICTION OF SWEDEN AND FINLAND, NOT INCLUDING ICES DIVISION III A (SKAGERRAK/KATTEGAT) AND III B (ÖRESUND)

CHAPTER 1

Fishing conditions for vessels of the Community as at present constituted and Finnish vessels in waters falling under the sovereignty or within the jurisdiction of Sweden

Article 3

Fishing by vessels of the Community as at present constituted in the waters falling under the sovereignty or within the jurisdiction of Sweden within ICES division III d shall

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

be subject to prior authorization issued by Sweden at the request of the Commission and to compliance with the conditions set out in such authorization and the provisions governing fishing activities in the said zone as referred to in Annex I (1).

Article 4

Fishing by Finnish vessels in the waters falling under the sovereignty or within the jurisdiction of Sweden within ICES division III d shall be subject to compliance with the conditions referred to in Annex I (2).

CHAPTER 2

Fishing conditions for Swedish vessels in waters falling under the sovereignty or within the jurisdiction of Finland

Article 5

Fishing by Swedish vessels in the waters falling under the sovereignty or within the jurisdiction of Finland within ICES division III d shall be subject to compliance with the conditions referred to in Annex II.

GENERAL PROVISIONS

Article 6

1. In order to present applications for prior authorization to fish to the competent authorities referred, the Member States shall notify to the Commission the lists of all the Community vessels flying their flag which intend to engage in the fishing activities referred to in Article 3 together with the necessary information.
2. Following this notification, the Commission shall forward the said lists to the Norwegian or Swedish authorities referred to in paragraph 1 after verifying that the necessary information is present and that the applications comply with the conditions referred to in Annex I (1).
3. As soon as the Commission receives the list of authorized vessels transmitted by the abovementioned competent authorities, the Commission shall forward them to the Member State concerned.
4. Vessels authorized to fish on 31 December may continue their fishing activities as from the beginning of the following year, on the basis of this authorization, until the new lists of vessels for the year in question have been approved by Sweden and it has issued the prior authorization to fish.

TITLE II

DETAILED RULES CONCERNING ACCESS TO WATERS FALLING UNDER THE SOVEREIGNTY OR WITHIN THE JURISDICTION OF THE CURRENT MEMBER STATES, NOT INCLUDING ICES DIVISION III A AND ICES DIVISION III B (ÖRESUND)

CHAPTER 1

Fishing conditions for Swedish vessels in the waters falling under the sovereignty or within the jurisdiction of the current Member States

Article 7

Fishing by Swedish vessels in the waters falling under the sovereignty or within the jurisdiction of the current Member States within ICES divisions III c and d and IV shall be subject to compliance with Articles 8, 9 and 10.

Article 8

1. Fishing in ICES sub-area IV and in ICES divisions III c and d shall be subject to prior authorization to fish issued by the Commission at the request of the Swedish authorities and subject to compliance with the conditions laid down in Annexes III and IV. Copies of the said Annexes shall be kept on board each vessel.
2. Sweden shall notify to the Commission when an application for a prior authorization to fish is requested the following information :
 - (a) name of the vessel ;
 - (b) registration number ;
 - (c) external identification letters and numbers ;
 - (d) port of registration ;
 - (e) name and address of the owner or charterer ;
 - (f) gross tonnage and overall length ;
 - (g) engine power ;
 - (h) call sign and radio frequency ;
 - (i) intended method of fishing ;
 - (j) intended area of fishing ;
 - (k) species for which it is intended to fish ;
 - (l) period for which authorization is requested.

3. The Commission shall process expeditiously requests for adjustments to a list during its currency.

4. Prior authorizations to fish shall be issued for the purposes of paragraph 1 provided that the number of authorizations valid at any time does not exceed :

- 95 for the fishing of cod, sprat and herring in the Baltic Sea,
- 57 for the fishing of herring, sprat and mackerel in ICES divisions IV a and b,
- 25 for fishing of cod, haddock, whiting and others in ICES sub-area IV.

5. Each prior authorization to fish shall be valid for one vessel only. Where two or more vessels are taking part in the same fishing operation, each vessel must be in possession of a prior authorization to fish.

6. Prior authorization to fish may be cancelled with a view to the issue of new authorizations. Such cancellations shall take effect on the day before the date of issue of the new prior authorizations to fish by the Commission. New prior authorizations to fish shall take effect from their date of issue.

7. Prior authorizations to fish shall be wholly or partially withdrawn by the Commission before the date of expiry if the quotas have been exhausted.

8. Prior authorizations to fish shall be withdrawn by the Commission in the event of any failure to meet the obligations laid down in this Regulation.

9. For a period not exceeding 12 months, no prior authorization shall be issued for any vessel in respect of which the obligations laid down in this Regulation have not been met.

10. Vessels authorized to fish on 31 December may continue their fishing activities as from the beginning of the following year until the new lists of vessels for the year in question have been approved by the Commission and it has issued the prior authorizations to fish.

Article 9

Swedish vessels shall keep a log in which shall be entered the information referred to in Annex III hereto. They shall forward to the Commission the information referred to in Annex IV, in accordance with the rules laid down in that Annex.

Article 10

Where an infringement is duly established, Member States shall without delay inform the Commission of the

name of the vessel involved and of any action they have taken.

The Commission shall submit to Sweden the name and the characteristics of the vessels which will not be authorized to fish in the fishing zone of the Community as at present constituted during the following month(s), as a consequence of the infringement of Community rules.

TITLE III

DETAILED RULES CONCERNING ACCESS TO THE WATERS IN ICES DIVISION III A (SKAGERRAK AND KATTEGAT) AND IN ICES DIVISION III B (ÖRESUND)

Article 11

Fishing by Community vessels in ICES division II a (Skagerrak and Kattegat) shall be authorized subject to the quantitative catch restrictions fixed for that division.

Article 12

Fishing by Community vessels within ICES division III b (Öresund) shall be subject to compliance with the conditions laid down in Annex V.

TITLE IV

FINAL PROVISION

Article 13

This Regulation shall enter into force on the date of and subject to the entry into force of the Treaty of Accession of Norway, Austria, Finland and Sweden.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

ANNEX I

FISHING CONDITIONS FOR VESSELS OF THE COMMUNITY AS AT PRESENT CONSTITUTED AND FINNISH VESSELS IN WATERS FALLING UNDER THE SOVEREIGNTY OR WITHIN THE JURISDICTION OF SWEDEN**I. Provisions governing fishing activities of vessels of the Community as at present constituted**

- (a) Swedish provisions on the issue and administration of prior authorizations to fish for vessels of the Community as at present constituted : the Commission forwards to the Swedish authorities the lists of vessels for each type of fishing, indicating the names and characteristics of the vessels for which a prior authorization to fish is requested. Sweden must process any requests for adjustments to a list as quickly as possible.

Where an infringement is duly established, Sweden shall inform the Commission thereof forthwith. Sweden shall submit to the Commission the names and characteristics of the vessels which will not be authorized to fish in the Swedish fishing area during the following month(s), as a consequence of an infringement of Community rules.

- (b) Number of prior authorizations granted to vessels of the Community as at present constituted to fish in Swedish waters within division III d

Fishing for cod, herring and sprat :

The total number of authorizations valid during any period shall be 104.

Fishing for salmon :

The total number of authorizations valid during any period shall be 55.

- (c) Fishing conditions of Community vessels

1. Vessels of the Community as at present constituted must transmit the following information to the radio station concerned as soon as they enter the Swedish fishing waters :

- (a) active report ;
- (b) nationality of the vessel and call sign ;
- (c) side number and name of vessel ;
- (d) estimated date and time (GMT/UTC) for crossing the boundary line of the Swedish fishing area ;
- (e) ICES subdivision in which fishing is expected to commence (state only one area) ;
- (f) estimated geographical position (latitude and longitude) for entering the Swedish fishing area ;
- (g) catch on board of each species (kgs round weight) when entering the Swedish fishing area.

After the submission of the report, the vessel has to be stand-by on the same radio channel until the Swedish competent authorities inform it that the report has been registered.

2. Vessels of the Community as at present constituted which stay within the Swedish fishing area for more than 14 days have to submit a two-week report at two-week intervals, commencing on the 14th day after the first entry into the zone. The following information is to be transmitted :

- (a) two-week report ;
- (b) nationality of the vessel and call sign ;
- (c) side number and name of vessel ;
- (d) date and time (GMT/UTC) for the submission of the report ;
- (e) ICES subdivision for expected fishing operations (state only one area) ;
- (f) present geographical position (latitude and longitude) ;
- (g) number of days during which active fishing operations have been carried out since the last active report.

After the submission of the report, the vessel has to be stand-by on the same radio channel until the Swedish competent authorities inform that the report has been registered.

3. Vessels of the Community as at present constituted which intend to leave the Swedish fishing area must transmit a passive report at least one hour before crossing the boundary line of the Swedish fishing area.

The following information to be transmitted :

- (a) passive report ;
- (b) nationality of vessel and call sign ;
- (c) side number and name of vessel ;
- (d) estimated date and time (GMT/UTC) for crossing the boundary line of the Swedish fishing area ;
- (e) ICES subdivision in which the catches were taken (state only one area) ;
- (f) estimated position for the exit from the Swedish fishing area (latitude and longitude) ;

- (g) number of days during which active fishing operations have been carried out since the last active report ;
 - (h) quantity (in kgs round weight) of each species caught in the Swedish fishing area ;
 - (i) quantity (in kgs round weight) on each species on board at the time of transmission.
- After that the passive report has been submitted the vessel has to be stand-by on the same radio channel until the Swedish competent authorities inform it that the report has been registered.
- After that the passive report has been submitted, fishing in the area is no longer permitted.

II. Provisions governing fishing activities of vessels of Finland

1. Finnish vessels must transmit the following information to the radio station concerned as soon as they enter the Swedish fishing waters :

- (a) active report ;
- (b) FIN and call sign ;
- (c) side number and name of vessel ;
- (d) estimated date and time (GMT/UTC) for crossing the boundary line of the Swedish fishing area ;
- (e) ICES subdivision in which fishing is expected to commence (state only one area) ;
- (f) estimated geographical position (latitude and longitude) for entering the Swedish fishing area ;
- (g) catch on board of each species (kgs round weight) when entering the Swedish fishing area.

After the submission of the report, the vessel has to be stand-by on the same radio channel until the Swedish competent authorities inform it that the report has been registered.

2. Finnish vessels which stay within the Swedish fishing area for more than 14 days have to submit a two-week report at two-week intervals, commencing on the 14th day after the first entry into the zone. The following information is to be transmitted.

- (a) two-week report ;
- (b) FIN and call sign ;
- (c) side number and name of vessel ;
- (d) date and time (GMT/UTC) for the submission of the report ;
- (e) ICES subdivision for expected fishing operations (state only one area) ;
- (f) present geographical position (latitude and longitude) ;
- (g) Number of days during which active fishing operations have been carried out since the last active report.

After the submission of the report, the vessel has to be stand-by on the same radio channel until the Swedish competent authorities inform it that the report has been registered.

2. Finish vessels which intend to leave the Swedish fishing area must transmit a passive report at least one hour before crossing the boundary line of the Sweedish fishing area.

The following information is to be transmitted :

- (a) passive report ;
- (b) FIN and call sign ;
- (c) side number and name of vessel ;
- (d) estimated date and time (GMT/UTC) for crossing the boundary line of the Swedish fishing area ;
- (e) ICES subdivision in which the catches were taken (state only one area) ;
- (f) estimated position for the exit from the Swedish fishing area (latitude and longitude) ;
- (g) number of days during which active fishing operations have been carried out since the last active report ;
- (h) quantity (in kgs round weight) of each species caught in the Swedish fishing area ;
- (i) quantity (in kgs weight) or each species on board at the time of transmission.

After the passive report has been submitted the vessel has to be stand-by on the same radio channel until the Swedish competent authorities inform it that the report has been registered.

After the passive report has been submitted, fishing in the area is no longer permitted.

*ANNEX II***Finnish provisions applicable to fishing carried out by Swedish vessels in waters falling under the sovereignty or within the jurisdiction of Finland****Fishing conditions for Swedish vessels**

1. Swedish vessels must transmit the following information to the radio station concerned as soon as they enter the Finnish fishing zone :
 - name and registration number of the vessel,
 - call sign,
 - geographical position,
 - time of arrival in the zone,
 - the catch held on board,
 - the ICES divisions indicating their position,
 - the ICES subdivision in which fishing is expected to commence (State only one area).
 2. When leaving the Finnish fishing zone, vessels must transmit a passive report at least one hour before crossing the boundary line of the Finnish zone, adding their time of departure from the zone and the catch caught in the Finnish fishing zone.
-

*ANNEX III***Fishing conditions for Swedish vessels in the waters falling under the sovereignty or within the jurisdiction of the current Member States (logbook)**

When fishing by Swedish vessels within the 200-nautical-mile zone off the coasts of the Member States of the Community, as presently constituted, which is covered by Community rules on fisheries, the following details are to be entered in the log-book immediately after the following events :

1. after each haul :
 - 1.1. the quantity (in kilograms live-weight) of each species caught,
 - 1.2. the date and the time of the haul,
 - 1.3. the geographical position in which the catches were made,
 - 1.4. the fishing method used ;
 2. after each transshipment to or from another vessel :
 - 2.1. the indication 'received from' or 'transferred to',
 - 2.2. the quantity (in kilograms live-weight) of each species transhipped,
 - 2.3. the name, external identification letters and numbers of the vessel to or from which the transshipment occurred ;
 3. after each landing in a port of the Community :
 - 3.1. name of the port,
 - 3.2. the quantity (in kilograms live-weight) of each species landed ;
 4. after each transmission of information to the Commission of the European Communities :
 - 4.1. date and time of the transmission,
 - 4.2. type of message : IN, OUT, ICES, WKL or 2 WKL,
 - 4.3. in the case of radio transmission : name of the radio station.
-

*ANNEX IV***Fishing conditions for Swedish vessels in the waters falling under the sovereignty or within the jurisdiction of the current Member States (transmission of the informations)**

1. The information to be transmitted to the Commission of the European Communities and the timetable for its transmission are as follows:
 - 1.1. On each occasion the vessel enters the 200-nautical-mile zone off the coasts of the Member States of the Community as at present constituted which is covered by Community rules on fisheries:
 - (a) the information specified under 1.5;
 - (b) the quantity (in kilograms live-weight) of each species of fish in the hold;
 - (c) the date and ICES division within which the master intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1 on a given day, one communication shall suffice on first entry.

- 1.2. On each occasion the vessel leaves the zone referred to under 1.1:
 - (a) the information specified under 1.5;
 - (b) the quantity (in kilograms live-weight) on each species of fish in the hold;
 - (c) the quantity (in kilograms live-weight) of each species caught since the previous message;
 - (d) the ICES division in which the catches were taken;
 - (e) the quantity (in kilograms live-weight) of each species transferred to other vessels since the vessel entered the zone and the identification of the vessel to which the transfer was made;
 - (f) the quantity (in kilograms live-weight) of each species landed in a port of the Community since the vessel entered the zone.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1 on a given day, one single communication on the last exit will be sufficient.

- 1.3. At three-day intervals, commencing on the third day after the vessel first enters the zones referred to under 1.1 when fishing for herring and mackerel, and at weekly intervals, commencing on the seventh day after the vessel first enters the zones referred to under 1.1 when fishing for all species other than herring and mackerel:
 - (a) the information specified under 1.5;
 - (b) the quantity (in kilograms live-weight) of each species caught since the previous message;
 - (c) the ICES division in which the catches were made.

- 1.4. On each occasion the vessel moves from one ICES division to another:
 - (a) the information specified under 1.5;
 - (b) the quantity (in kilograms live-weight) of each species caught since the previous message;
 - (c) the ICES division in which the catches have been taken.
- 1.5.
 - (a) The name, call sign, external identification letters and numbers of the vessel and the name of its master;
 - (b) the serial number of the message for the voyage concerned;
 - (c) identification of the type of message;
 - (d) the date, the time and the geographical position of the vessel.

- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex 24189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

- 2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. Name of the radio station	Call sign of the radio station
Blåvand	AXB
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	GKA
	GKB
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Stockholm	SOJ
Göteborg	SOG
Rønne	OYE.

4. Form of the communications

The information specified under point 1 shall contain the following particulars, which shall be given in the following order:

- name of vessel,
- call sign,
- external identification letters and numbers,
- serial number of the message for the voyage in question,
- indication of the type of message according to the following code :
 - (i) message when entering one of the zones referred to under 1.1 : 'IN',
 - (ii) message when leaving one of the zones referred to under 1.1 : 'OUT',
 - (iii) message when moving from one ICES division to another : 'ICES',
 - (iv) weekly message 'WKL',
 - (v) three-day message : '2 WKL',
- the date, the time and the geographical position,
- the ICES division in which fishing is expected to commence,
- the date on which fishing is expected to commence,
- the quantity (in kilograms live-weight) of each species of fish in the hold using the code mentioned in point 5,
- the quantity (in kilograms live-weight) of each species of fish caught since the previous message using the code mentioned in point 5,
- the ICES divisions in which the catches were made,
- the quantity (in kilograms live-weight) of each species transferred to and/or from other vessels since the previous message,
- the name and call sign of the vessel to and/or from which the transfer was made,
- the quantity (in kilograms live-weight) of each species landed in a port of the Community since the previous message,
- the name of the master.

5. The code to be used to indicate the species on board in the form provided for in point 4 is as follows :

- PRA : Deep-water prawn (*Pandalus borealis*),
 - HKE : Hake (*Merluccius merluccius*),
 - GHL : Greenland halibut (*Reinhardtius hippoglossoides*),
 - COD : Cod (*Gadus morhua*),
 - HAD : Haddock (*Melanogrammus aeglefinus*),
 - HAL : Halibut (*Hippoglossus hippoglossus*),
 - MAC : Mackerel (*Scomber scombrus*),
 - HOM : Horse-mackerel (*Trachurus trachurus*),
 - RNG : Round-nose grenadier (*Coryphaenoides rupestris*),
 - POK : Saithe (*Pollachius virens*),
 - WHG : Whiting (*Merlangus merlangus*),
 - HER : Herring (*Clupea harengus*),
 - SAN : Sand-eel (*Ammodytes* spp.),
 - SPR : Sprat (*Clupea sprattus*),
 - PLE : Plaice (*Pleuronectes platessa*),
 - NOP : Norway pout (*Trisopterus esmarkii*),
 - LIN : Ling (*Molva molva*),
 - PEZ : Shrimp (*Penaeidae*),
 - ANE : Anchovy (*Engraulis encrassicholus*),
 - RED : Redfish (*Sebastes* spp.),
 - PLA : American plaice (*Hypoglossoides platessoides*),
 - SQX : Squid (*Illex*),
 - YEL : Yellowtail (*Limanda ferruginea*),
 - WHB : Blue whiting (*Gadus poutassou*),
 - TUN : Tuna (*Thunnidae*),
 - BLI : Blue ling (*Molva dypterygia*),
 - USK : Tusk (*Brosme brosme*),
 - DGS : Dogfish (*Squalus acanthias*),
 - BSK : Basking shark (*Cetorhinus maximus*),
 - POR : Porbeagle (*Lamna nasus*),
 - SQC : Common squid (*Loligo* spp.),
 - POA : Ray's bream (*Brama brama*),
 - PIL : Sardine (*Sardina pilchardus*),
 - CSH : Common shrimp (*Crangon crangon*),
 - LEZ : Megrim (*Lepidorhombus* spp.),
 - MNZ : Angler/Monk (*Lophius* spp.),
 - NEP : Norway lobster (*Nephrops norvegicus*),
 - POL : Pollack (*Pollachius pollachius*),
 - ARG : Silver smelt (*Argentina sphyraena*),
 - SAL : Atlantic salmon (*Salmo solar*),
 - OTH : Other.
-

ANNEX V

Fishing by Community vessels in Öresund is authorized subject to the following conditions :

1. Up to the seven-metre depth mark, only the following are allowed :
 - (a) fishing by net for herring ; and
 - (b) fishing by lines in the months of July to October inclusive.
 2. Beyond a depth of seven metres, fishing by trawl or seine is prohibited south of a line from Ellekilde Hage to Lerberget.
 3. Notwithstanding point 2, fishing is allowed on the Middelgrunden by 'agnvod' which does not measure more than 7,5 metres between 'armspidserne'.
 4. North of the line referred to in point 2, fishing by trawl or Danish seine is allowed up to three nautical miles from the coastline.
-

COMMISSION REGULATION (EC) No 3238/94

of 21 December 1994

providing for the determination and the administration of the variable component for certain goods originating in Poland, Hungary, Romania, Bulgaria, the Czech Republic, the Slovak Republic, Lithuania, Latvia and Estonia resulting from the processing of agricultural products referred to in the Annexes of Regulation (EC) No 3448/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Regulation (EC) No 3448/93 of 6 December 1993, laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular in the second paragraph of Article 7 thereof,

Whereas Protocol 3 of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Poland of the other part⁽²⁾, provides for reductions in the variable components for certain goods referred to in Annex II to the said Protocol within the limit of quotas fixed in Annex I to the same Protocol;

Whereas Protocol 3 of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Hungary of the other part⁽³⁾, provides for reductions in the variable components for certain goods referred to in Annex II to the said Protocol within the limit of quotas fixed in Annex I to the same Protocol;

Whereas Protocol 3 of the Interim Agreement between the European Community and the European Coal and Steel Community, of the one part, and the Republic of Romania of the other part⁽⁴⁾, on trade and related matters provides for reductions in the variable components for certain goods referred to in Annex A to the said Protocol within the limit of quotas fixed in Annex B to the same Protocol;

Whereas Protocol 3 of the Interim Agreement between the European Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria of the other part⁽⁵⁾, on trade and related matters provides for reductions in the variable components for certain goods referred to in Annex I to said Protocol

within the limit of quotas fixed in Annex II to the same Protocol;

Whereas Protocol 3 of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech Republic of the other part⁽⁶⁾, on trade and related matters provides that account shall be taken of the measures adopted pursuant to Article 14 of the Interim Agreement; whereas the said measures provide in particular for a levy reduction applicable to milk powder, butter and barley; that in consequence reductions in the variable components are provided for certain goods referred to in Table I of the Annex to the said Protocol within the limit of quotas fixed in Article 1 to Council Regulation (EC) No 315/94⁽⁷⁾;

Whereas Protocol 3 of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and the Slovak Republic of the other part⁽⁸⁾, on trade and related matters provides that account shall be taken of the measures adopted pursuant to Article 14 of the Interim Agreement; whereas the said measures provide in particular for a levy reduction applicable to milk powder, butter and barley; that in consequence reductions in the variable components are provided for certain goods referred to in Table I of the Annex to the said Protocol within the limit of quotas fixed in Article 1 to Council Regulation (EC) No 316/94⁽⁹⁾;

Whereas Protocol 2 of the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania of the other part⁽¹⁰⁾, provides for reductions in the variable components for certain goods referred to in Annex 1 to the said Protocol within the limit of quotas fixed in Annex 2 to the same Protocol;

Whereas Protocol 2 of the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the Euro-

⁽¹⁾ OJ No L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ No L 348, 31. 12. 1993, p. 2.

⁽³⁾ OJ No L 347, 31. 12. 1993, p. 2.

⁽⁴⁾ OJ No L 81, 2. 4. 1993, p. 2.

⁽⁵⁾ OJ No L 323, 23. 12. 1993, p. 1.

⁽⁶⁾ OJ No L 115, 30. 4. 1992, p. 1.

⁽⁷⁾ OJ No L 41, 12. 2. 1994, p. 12.

⁽⁸⁾ OJ No L 115, 30. 4. 1992, p. 1.

⁽⁹⁾ OJ No L 41, 12. 2. 1994, p. 15.

⁽¹⁰⁾ Not yet published in the Official Journal.

pean Coal and Steel Community, of the one part, and the Republic of Latvia of the other part⁽¹⁾, provides for reductions in the variable components for certain goods referred to in Annex 1 to the said Protocol within the limit of quotas fixed in Annex 2 to the same Protocol ;

Whereas Protocol 2 of the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia of the other part⁽²⁾, provides for reductions in the variable components for certain goods referred to in Annex 1 to the said Protocol within the limit of quotas fixed in Annex 2 to the same Protocol ;

Whereas the decision for the opening of Community quotas should be taken by the Community, in the execution of its international obligations, in the case of the goods listed in Annexes I, II, III, IV, V, VI, VII, VIII and IX to this Regulation ; whereas particular care should be taken to ensure that all Community importers have equal and continuous access to those quotas and that the charges laid down for the quotas are applied to all imports of the goods in question into all Member States until the quotas are exhausted ; that, to ensure the efficient common administration of these quotas, there are no obstacles to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports ; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within, and jointly represented by, the Benelux Economic Union, any operation concerning the administration of these tariff measures may be carried out by any one of its members ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 January to 30 June 1995, goods originating in Poland, Hungary, Romania, the Czech Republic, the

Slovak Republic, Lithuania, Latvia and Estonia which are listed in Annexes I, II, III, IV, V, VI, VII, VIII and IX to this Regulation shall be subject to a reduced variable component determined in accordance with Article 2, within the limits of the annual quotas and under the conditions set out in those Annexes.

2. For the purposes of this Regulation, 'originating goods' means goods meeting the conditions established by Protocol 4 of the European Agreement and Interim Agreement between the European Communities, of the one part, and respectively Poland, Hungary, Romania, Bulgaria, the Czech Republic and the Slovak Republic, of the other part, and by Protocol 3 attached to the Agreements with Lithuania, Latvia and Estonia.

Article 2

The reduced variable components applicable from 1 January to 30 June 1995 shall be calculated as follows :

- (a) Hungary, Romania, Bulgaria, Poland, the Czech Republic, the Slovak Republic : the difference, established in accordance with Article 3 (2) of Regulation (EC) No 3448/93 between the average threshold price and the average cif price or free-at-frontier price for each basic product shall be reduced by 30 %. However, the differences established, for common wheat, as far as Hungary, Romania and Bulgaria are concerned ; for the basic products falling within Chapter 4 of the combined nomenclature, as far as Poland, the Czech Republic and the Slovak Republic are concerned, shall be reduced by 60 %.
- (b) Lithuania, Latvia, Estonia : the difference, established in accordance with Article 3 (2) of Regulation (EC) No 3448/93 between the average threshold price and the average cif price or free-at-frontier price for each basic product shall be reduced by 10 % ; however, the differences established for the basic products falling within Chapter 4 of the combined nomenclature shall be reduced by 20 %.
- (c) the amounts thus obtained shall apply to the quantities of basic products considered to have been used in the manufacture of the goods concerned in accordance with Article 13 (2) of Regulation (EC) No 3448/93.

Article 3

The variable components to be applied to those goods which are mentioned in Annex B to Regulation (EC) No 3448/93 but not mentioned in, respectively, Annexes I, II, III, IV, V, VI, VII, VIII and IX to this Regulation, and to those goods which are mentioned in the said Annexes in amounts exceeding the quotas laid down in them, shall be those which are established by direct application of Article 4 (4) of Regulation (EC) No 3448/93.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ Not yet published in the Official Journal.

Article 4

1. The tariff quota referred to in Article 1 shall be administered by the Commission, which may take all appropriate measures in order to ensure efficient administration thereof.

2. Where an importer declares a product covered by this Regulation for free circulation in a Member State and applies to take advantage of the preferential arrangements, and that declaration is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume.

Requests for drawings, indicating the date of acceptance of the said declarations, must be sent to the Commission without delay.

The drawing shall be granted by the Commission by reference to the date of acceptance of the declaration for free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

3. If a Member State does not use the quantities drawn, it shall return them to the corresponding quota volume as soon as possible.

4. If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated on a *pro rata* basis. The Commission shall inform the Member States of the drawings made.

Article 5

This Regulation shall enter into force on 1 January 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX I

POLAND

Order No	CN code	Description	1995 quota (tonnes)	Preference
09.5401	ex 0403 0403 10 51 to 0403 10 99 0403 90 71 to 0403 90 99	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa : – Yoghurt, flavoured or containing added fruit or cocoa – Other, flavoured or containing added fruit or cocoa	14	MOBR
09.5403	ex 1704 1704 10 1704 90 30 1704 90 55	Sugar confectionery (including white chocolate), not containing cocoa : – Chewing gum, whether or not sugar-coated – White chocolate – Throat pastilles and cough drops	3 850	MOBR
09.5405	ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30, couscous, whether or not prepared	330	MOBR
09.5407	1903	Tapioca and substitutes therefor, prepared from starch in the form of flakes, grains, pearls, sittings or similar forms	37	MOBR
09.5409	2001 90 40 2008 99 91 2004 10 92 2005 20 10	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid or otherwise prepared or preserved, not containing added sugar or added spirit Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid	22	MOBR
09.5411	2101 10 99 2101 20 90	Preparations with a basis of extracts, essences and concentrates of coffee or with a basis of coffee, other than, those of CN code 2101 10 91 Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, or with a basis of tea or maté, other than those of CN code 2101 20 10	14	MOBR
09.5413	2101 30 19 2101 30 99	Roasted coffee substitutes excluding roasted chicory Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory	280	MOBR
09.5415	2106 90 10	Cheese fondues	500	MOBR

ANNEX II

HUNGARY

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5209	0710 40 0711 90 30		6 300	0 + MOBR 0 + MOBR
09.5211	1519 12 00 1519 20 00		380	0 3,3
09.5213	1704 10 11 1704 10 19 1704 10 91 1704 10 99 1704 90 30 1704 90 51*11 1704 90 51*19 1704 90 51*90 1704 90 55 1704 90 61 1704 90 65 1704 90 71 1704 90 75 1704 90 81 1704 90 99*10 1704 90 99*90	— — — Pastes, including marzipan, in immediate packing of a net content of 1 kg or more : — — — — Sugar fondant : — — — — — Containing less than 70 % by weight (including invert sugar expressed as sucrose) — — — — — Containing 70 % or more by weight (including invert sugar expressed as sucrose) — — — — — Other — — — — — Other : — — — — — Containing less than 70 % by weight (including invert sugar expressed as sucrose) — — — — — Containing 70 % or more by weight (including invert sugar expressed as sucrose)	3 150	0 + MOBR MAX 23 0 + MOBR MAX 18 0 + MOBR MAX 27 + AD S/Z 0 + MOBR MAX 27 + AD S/Z 0 + MOBR MAX 27 + AD S/Z 0 + MOBR MAX 27 + AD S/Z
09.5215	1803		710	2,2
09.5217	1804 00 00		1 150	1,6
09.5219	1805 00 00		32	1,8
09.5221		Chocolate and other food preparations containing cocoa : — cocoa powder, containing added sugar or other sweetening matter : — — Containing no sucrose or containing less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose — — Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose :	1 580	

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5221 (cont'd)	1806 10 10*11	- - - - Not otherwise sweetened than by the addition of sucrose		0
	1806 10 10*19	- - - - Other		4
		- - - Other :		
	1806 10 10*91	- - - - Not otherwise sweetened than by the addition of sucrose		0 + MOBR
	1806 10 10*99	- - - - Other		0 + MOBR
		- - Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose :		
	1806 10 30*10	- - - Not otherwise sweetened than by the addition of sucrose		0 + MOBR
	1806 10 30*90	- - - Other		0 + MOBR
		- - Containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose :		
	1806 10 90*10	- - - Not otherwise sweetened than by the addition of sucrose		0 + MOBR
	1806 10 90*90	- - - Other		0 + MOBR
	1806 20 10			0 + MOBR MAX 27 + AD S/Z
	1806 20 30			0 + MOBR MAX 27 + AD S/Z
	1806 20 50			0 + MOBR MAX 27 + AD S/Z
	1806 20 70			0 + MOBR
	1806 20 80*10			0 + MOBR MAX 27 + AD S/Z
	1806 20 80*90			0 + MOB MAX 27 + AD S/Z
	1806 20 95*10			0 + MOBR MAX 27 + AD S/Z
	1806 20 95*90			0 + MOBR MAX 27 + AD S/Z
	1806 31			0 + MOBR
	1806 32			MAX 27 + AD S/Z
	1806 90 11			} 0 + MOBR MAX 27 + AD S/Z
	1806 90 19			
	1806 90 31			
	1806 90 39			
	1806 90 50			
		- Other :		
		- - Spreads containing cocoa :		
	1806 90 60*10	- - - In immediate packings of a net capacity of 1 kg or less		} 0 + MOBR MAX 27 + AD S/Z
	1806 90 60*90	- - - Other :		
	1806 90 70			
		- - - - Other :		
	1806 90 90*11	- - - - - Containing less than 70 % by weight of sucrose		0 + MOBR MAX 27 + AD S/Z
	1806 90 90*91			
	1806 90 90*19			0 + MOB
	1806 90 90*99			MAX 27 + AD S/Z

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5223	1901 10 10		14	0 + MOBR
09.5225	1901 20		780	0 + MOBR
09.5227	1901 90 11 1901 90 19	— — — Other	1 490	0 + MOBR
		— — Other :		
		— — — Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad' :		
	1901 90 90*12	— — — — Containing cocoa :		0 + MOBR
		— — — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR
	1901 90 90*14	— — — — — Other		0 + MOBR
		— — — — — Other :		
	1901 90 90*16	— — — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR
	1901 90 90*18	— — — — — Other		0 + MOBR
		— — — — — Crushed maize, grains, pressure cooked in water, containing a salt, intended for use as intermediary products in the manufacture of cornflakes and similar preparations :		
		— — — — — Containing cocoa :		
	1901 90 90*21	— — — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight :		0 + MOBR
	1901 90 90*23	— — — — — Other		0 + MOBR
		— — — — — Other :		
	1901 90 90*27	— — — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR
	1901 90 90*29	— — — — — Other		0 + MOBR
		— — — — — Preparations for dietetic or culinary purposes :		
		— — — — — Containing cocoa :		
	1901 90 90*61	— — — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight :		0 + MOBR
	1901 90 90*63	— — — — — Other		0 + MOBR
		— — — — — Other :		
	1901 90 90*65	— — — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5227 (cont'd)	1901 90 90*67	— — — — Other		0 + MOBR
	1901 90 90*71 to 1901 90 90*77			0 + MOBR
	1901 90 90*93	— — — — Containing cocoa :		0 + MOBR
		— — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight :		0 + MOBR
	1901 90 90*95	— — — — Other		0 + MOBR
	1901 90 90*97	— — — — Other :		0 + MOBR
		— — — — Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR
	1901 90 90*99	— — — — Other : Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms		0 + MOBR
09.5228	1902 11 1902 19 1902 20 91 1902 20 99 1902 30 1902 40 10 1902 40 90		330	0 + MOBR
09.5229	1903 00 00*10 1903 00 00*90	— Tapioca and sago substitutes from potato starches — Other	37	0 + MOBR
09.5231	1904 10 1904 90 10 1904 90 90		120	0 + MOBR 0 + MOBR 0 + MOBR
09.5233	1905 10 1905 20 1905 30 11 1905 30 19 1905 30 30 1905 30 51 1905 30 59 1905 30 91 1905 30 99 1905 40 1905 90 10 1905 90 20 1905 90 30 1905 90 40 1905 90 45 1905 90 55 1905 90 60 1905 90 90		1 100	0 + MOBR MAX 24 + AD F/M 0 + MOBR 0 + MOBR MAX 35 + AD S/Z 0 + MOBR MAX 30 + AD S/Z 0 + MOBR MAX 35 + AD F/M 0 + MOBR 0 + MOBR MAX 20 + AD F/M 0 + MOBR 0 + MOBR MAX 30 + AD F/M 0 + MOBR MAX 35 + AD F/M 0 + MOBR MAX 30 + AD F/M

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5235	2001 90 30 2004 90 10 2005 80		11 070	0 + MOBR
09.5237	2101 10 99 2101 20 10*10 2101 20 10*90 2101 20 90	– Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté : – – Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch : – – – Preparations with a basis of tea or maté – – – Other	14	0 + MOBR 0 4,4 0 + MOBR
09.5239	2101 30 11 2101 30 19 2101 30 91 2101 30 99		620	7,7 0 + MOBR 8,6 0 + MOBR
09.5241	2103 10 00*10 2103 10 00*90 2103 20 00*10 2103 20 00*90 2103 30 90 2103 90 90*11 2103 90 90*19 2103 90 90*91 2103 90 90*99	– Soya sauce : – – With a vegetable oil basis – – Other – Tomato ketchup and other tomato sauces : – – Sauces with a basis of tomato purée – – Other – Other : – – – Containing tomato : – – – – With a vegetable oil basis – – – – Other – – – Other : – – – – With a vegetable oil basis – – – – Other	2 510	4,4 4,4 6 7 6,5 5,9 5,9 5,9 5
09.5243	2104 10 00*10 2104 10 00*90 2104 20	– Soups and broths and preparations therefor : – – Containing tomato – – Other	710	7 7 8,6
09.5245	2105		59	0 + MOBR MAX 27 + AD S/Z
09.5247	2106 10 10 2106 10 90		170	8,2 0 + MOBR

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5249	2106 90 10	-- Other : -- -- Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch :	1 080	0 + MOBR
	2106 90 91*10	-- -- -- Hydrolysates of proteins, autolysates of yeast		4,4
	2106 90 91*90	-- -- -- Other		
		-- -- -- Food preparations consisting of natural honey enriched with royal jelly :		4,4
	2106 90 99*12	-- -- -- -- Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*14	-- -- -- -- Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
		-- -- -- -- Other :		
		-- -- -- -- Containing 26 % or more by weight of milkfat :		
		-- -- -- -- In immediate packings of a net capacity of 1 kg or less :		
	2106 90 99*22	-- -- -- -- -- Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*24	-- -- -- -- -- Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
		-- -- -- -- -- Other :		
	2106 90 99*30	-- -- -- -- -- Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*32	-- -- -- -- -- Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOB
		-- -- -- -- -- Other :		
	2106 90 99*92	-- -- -- -- -- Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*94	-- -- -- -- -- Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOB

Order No	CN code	Description (Extracts of CN codes)	1995 quota volume (tonnes)	Duty to be applied
09.5251	2202 10 00 2202 90 10*10 2202 90 91 2202 90 95 2202 90 99	— Other : — — Not containing products of heading Nos 0401 to 0404 or fat obtained from products of heading Nos 0401 to 0404 : — — — containing sugar (sucrose or invert sugar)	1 760	0 4,4 0 + MOBR
09.5253	2203		1 420	7
09.5255	2205 10 10 2205 10 90 2205 90 10 2205 90 90		410	3,4 Ecu/hl 0,3 Ecu/% vol/hl + 2 Ecu/hl 2,8 Ecu/hl 0,3 Ecu/% vol/hl

ANNEX III

ROMANIA

Order No	CN code	Description	1995 Quotas (tonnes)	Preference
09.5431	1704	Sugar confectionery (including white chocolate), not containing cocoa; excluding liquorice extract containing more than 10 % weight of sucrose but not containing other added substances, falling within CN code 1704 90 10 ⁽¹⁾	1 840	MOBR
09.5433	1806	Chocolate and other food preparations containing cocoa ⁽¹⁾	997	MOBR
09.5435	ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared	437	MOBR
09.5437	1904	Prepared food obtained by the swelling or roasting of cereals products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared	276	MOBR
09.5439	1905	Bread, pastry, cakes, biscuits and other baker's wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	1 303	MOBR
09.5441	2101 30	Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof	153	MOBR
	2101 30 19	Roasted coffee substitutes excluding roasted chicory		
	2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory		
09.5443	2105	Ice-cream and other edible ice, whether or not containing cocoa	107	MOBR
09.5445	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 10 and 2106 90 91 and other than flavoured or coloured sugar syrups ⁽¹⁾	920	MOBR
09.5447	2202	Waters, including mineral waters and aerated, waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of CN code 2209	15	MOBR
	2202 90 91	Non-alcoholic beverages, not including fruit or vegetable		
	2202 90 95	juices of CN code 2009, containing products of CN codes		
	2202 90 99	0401 to 0404 or obtained from products of CN codes 0401 to 0404 products		

⁽¹⁾ Other than goods of CN codes 1704 90 51, 1704 90 99, 1806 20 70, 1806 20 80, 1806 20 95, 1806 90 90 and 2106 90 99 containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose).

ANNEX IV

BULGARIA

Order No	CN code	Description	1995 quota (tonnes)	Preference
09.5461	1704 10	— Chewing gum, whether or not sugar-coated	153	MOBR
09.5463		Chocolate and other food preparations containing cocoa	460	MOBR
		— Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg :		
	1806 20 10	— — Containing 31 % or more weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat		
	1806 31	— Other, in blocks, slabs or bars :		
	1806 31	— — Filled		
	1806 32	— — Not filled		
	1806 90	— Other		
09.5465	1901 10	— Preparations for infant use, put up for retail sale :	15	MOBR
09.5467	1901 90 90	— — Other	77	MOBR
		— Uncooked pasta, not stuffed or otherwise prepared :		
09.5469	1902 19	— — other	307	MOBR
09.5471	1904 10	— Prepared foods obtained by the swelling or roasting of cereals or cereal products	230	MOBR
09.5473	1905 30	— Sweet biscuits ; waffles and wafers :	537	MOBR
	1905 90	— Other :		
		— Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee :		
09.5475	2101 10 99	— — — other	153	MOBR
09.5477	2102	Yeasts (active or inactive) ; other single-cell micro-organisms, dead (but not including vaccines of heading No 3002) ; prepared baking powders :	77	MOBR
	2102 10	— active yeasts		
	2102 10 31	— — — baker's yeast, dried		
	2102 10 39	— — — other		
09.5479	2105	Ice cream and other edible ice, whether or not containing cocoa :	77	MOBR
09.5481	2106	Food preparations not elsewhere specified or included :	460	MOBR
	2106 10 90	— — — other		
	2106 10 99	— — — other		
09.5483		Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of CN code No 2009 :		
	2209 90	— other	15	MOBR

ANNEX V

CZECH REPUBLIC

Order No	CN code	Description	1995 quota (ECU)	Preference
09.5417	ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added fruit, nuts or cocoa :	3 382 400	MOBR
	0403 10 51 to 0403 10 99	— Yoghurt, flavoured or containing added fruit, nuts or cocoa		
	0403 90 71 to 0403 90 99	— Other, flavoured or containing added fruit, nuts or cocoa		
	ex 1517	Margarine ; edible mixture or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of CN code 1516 :		
	1517 10 10	— Margarine, excluding liquid margarine containing more than 10 % but not more than 15 % by weight of milk fats		
	1517 90 10	— Other, containing more than 10 % but not more than 15 % weight of milk fats		
	ex 1704	Sugar confectionery (including white chocolate), not containing cocoa; excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within CN code 1704 90 10		
	1806	Chocolate and other food preparations containing cocoa		
	1901	Malt extract; food preparations of flour, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of CN codes 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included		
	ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30, couscous, whether or not prepared		
	1903	Tapioca and substitutes therefor, prepared from starch in the form of flakes, grains, stiftings or similar forms		
	1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared		
	1905	Bread, pastry, cakes biscuits and other bakers' wares, whether or not containing cocoa communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products		
	2101 10 99	Preparations with a basis of extracts, essences and concentrates of coffee or with a basis of coffee, other than those of CN codes 2101 10 91		

Order No	CN code	Description	1995 quota (ECU)	Preference
09.5417 (cont'd)	2101 20 90	Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, or with a basis of tea or maté, other than of CN code 2101 20 10		
	2101 30 19	Roasted coffee substitutes excluding roasted chicory		
	2101 30 99	Extracts essences and concentrates of roasted coffee substitutes excluding those of roasted chicory		
	2102 10 31 2102 10 39	Baker's yeast		
	2105	Ice cream and other edible ice, whether or not containing cocoa		
	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 10 and 2106 90 91 and other than flavoured or coloured sugar syrups		
	2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages not including fruit or vegetable juices of CN code 2009 containing products of CN codes 0401, 0402 and 0404 or obtained from products of CN codes 0401, 0402 and 0404		

ANNEX VI

SLOVAK REPUBLIC

Order No	CN code	Description	1995 quota (ECU)	Preference
09.5417	ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added fruit, nuts or cocoa :	1 691 200	MOBR
	0403 10 51 to 0403 10 99	— Yoghurt, flavoured or containing added fruit, nuts or cocoa		
	0403 90 71 to 0403 90 99	— Other, flavoured or containing added fruit, nuts or cocoa		
	ex 1517	Margarine ; edible mixture or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of CN code 1516 :		
	1517 10 10	— Margarine, excluding liquid margarine containing more than 10 % but not more than 15 % by weight of milk fats		
	1517 90 10	— Other, containing more than 10 % but not more than 15 % weight of milk fats		
	ex 1704	Sugar confectionery (including white chocolate), not containing cocoa ; excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within CN code 1704 90 10		
	1806	Chocolate and other food preparations containing cocoa		
	1901	Malt extract ; food preparations of flour, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included ; food preparations of goods of CN codes 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included		
	ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30, couscous, whether or not prepared		
	1903	Tapioca and substitutes therefor, prepared from starch in the form of flakes, grains, stiftings or similar forms		
	1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example corn flakes) ; cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared		
	1905	Bread, pastry, cakes biscuits and other bakers' wares, whether or not containing cocoa communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products		
	2101 10 99	Preparations with a basis of extracts, essences and concentrates of coffee or with a basis of coffee, other than those of CN codes 2101 10 91		

Order No	CN code	Description	1995 quota (ECU)	Preference
09.5417 (cont'd)	2101 20 90	Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, or with a basis of tea or maté, other than of CN code 2101 20 10		
	2101 30 19	Roasted coffee substitutes excluding roasted chicory		
	2101 30 99	Extracts essences and concentrates of roasted coffee substitutes excluding those of roasted chicory		
	2102 10 31 2102 10 39	Bakers' yeast		
	2105	Ice cream and other edible ice, whether or not containing cocoa		
	ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 10 and 2106 90 91 and other than flavoured or coloured sugar syrups		
	2202 90 91 2202 90 95 2202 90 99	Non-alcoholic beverages not including fruit or vegetable juices of CN code 2009 containing products of CN codes 0401, 0402 and 0404 or obtained from products of CN codes 0401, 0402 and 0404		

ANNEX VII

LITHUANIA

Order No	CN code	Description	1995 quota (tonnes)	Preference
09.6501	1704 90 71	— — — — Boiled sweets whether or not filled	100	MOBR
	1704 90 75	— — — — Toffees, caramels and similar sweets		
	1806	Chocolate and other food preparations containing cocoa :		
09.6503	1806 90	— Other	250	MOBR

ANNEX VIII

LATVIA

Order No	CN code	Description	1995 quota (tonnes)	Preference
09.6505	1704 90 75	— — — — Toffees, caramels and similar sweets — Other, in blocks, slabs or bars :	30	MOBR
09.6507	1806 31 00 1806 32	— — Filled : — — Not filled :	50	MOBR
09.6509	1806 32 10	— — — With added cereal, fruit or nuts	50	MOBR
09.6511	1806 90 11	— — — — containing alcohol	15	MOBR
09.6513	2105	Ice cream and other edible ice, whether or not containing cocoa :	25	MOBR

ANNEX IX

ESTONIA

Order No	CN code	Description	1995 quota (tonnes)	Preference
09.6515	1704	Sugar confectionery (including white chocolate), not containing cocoa :	120	MOBR
	1704 10 11	— — — Gum in strips		
	1704 10 19	— — — Other		
	1704 90 71	— — — — Boiled sweets, whether or not filled		
	1704 90 75	— — — — Toffees, caramels and similar sweets		
09.6517	1806	Chocolate and other food preparations containing cocoa :	60	MOBR
09.6519	1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa ; communion wafers, empty cachets of paper and similar products :	100	MOBR
09.6521	2102 10	— Active yeasts :	15	MOBR
	2102 10 39	— — — Other		
	2105	Ice cream and other edible ice, whether or not containing cocoa :		
09.6523	2105	Ice cream and other edible ice, whether or not containing cocoa :	10	MOBR

COMMISSION REGULATION (EC) No 3239/94
of 21 December 1994

**amending various Regulations in the eggs and poultry meat sectors in view of
the accession of Austria, Finland and Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas, in accordance with Article 169 of the Act of Accession of Norway, Austria, Finland and Sweden, the following Regulations in the eggs and poultry meat sectors should be adapted : Commission Regulation (EEC) No 1868/77 of 25 July 1977 laying down detailed rules of application for Council Regulation (EEC) No 2782/75 on the production and marketing of eggs for hatching and of farmyard poultry chicks ⁽¹⁾, as last amended by Regulation (EEC) No 2773/90 ⁽²⁾; Commission Regulation (EEC) No 1274/91 of 15 May 1991 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs ⁽³⁾, as last amended by Regulation (EC) No 1259/94 ⁽⁴⁾; Commission Regulation (EEC) No 1538/91 of 5 June 1991 introducing detailed rules for implementing Council Regulation (EEC) No 1906/90 on certain marketing standards for poultry ⁽⁵⁾, as last amended by Regulation (EC) No 1026/94 ⁽⁶⁾;

Whereas Sweden envisages taking measures to postpone the application of Council Regulations (EEC) No 2782/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1057/91 ⁽⁸⁾, (EEC) No 1906/90 ⁽⁹⁾, as last amended by Regulation (EC) No 3204/93 ⁽¹⁰⁾, and (EEC) No 1907/90 ⁽¹¹⁾, as amended by Regulation (EEC) No 2617/93 ⁽¹²⁾, until 1 January 1997 in accordance with Article 167 of the Act;

Whereas, pursuant to Article 2 (3) of the Treaty of Accession, the institutions of the European Community may adopt before accession the measures referred to in Article 169 of the Act,

HAS ADOPTED THIS REGULATION :

Article 1

1. Regulation (EEC) No 1868/77 is amended as follows :

⁽¹⁾ OJ No L 209, 17. 8. 1977, p. 1.

⁽²⁾ OJ No L 267, 29. 9. 1990, p. 25.

⁽³⁾ OJ No L 121, 16. 5. 1991, p. 11.

⁽⁴⁾ OJ No L 137, 1. 6. 1994, p. 54.

⁽⁵⁾ OJ No L 143, 7. 6. 1991, p. 11.

⁽⁶⁾ OJ No L 112, 3. 5. 1994, p. 32.

⁽⁷⁾ OJ No L 282, 1. 11. 1975, p. 100.

⁽⁸⁾ OJ No L 107, 27. 4. 1991, p. 11.

⁽⁹⁾ OJ No L 173, 6. 7. 1990, p. 1.

⁽¹⁰⁾ OJ No L 289, 24. 11. 1993, p. 1.

⁽¹¹⁾ OJ No L 173, 6. 7. 1990, p. 5.

⁽¹²⁾ OJ No L 240, 25. 9. 1993, p. 1.

— in Article 1 (1), the following is added :

‘AT for Austria,
FIN for Finland,
SE for Sweden.’;

— in Annex II, the following is added to footnote ⁽¹⁾ :

‘Austria : one region only,
Finland : one region only,
Sweden : one region only.’

2. Regulation (EEC) No 1274/91 is amended as follows :

— in Article 4 (2), the following is added :

‘Austria 13
Finland 14
Sweden 15’;

— in Article 14 (1), the following is added :

‘— Parasta ennen
— Bäst före’;

— in Article 15, the following is added :

‘— Pakattu
— Förpackat den’;

— in Article 18 (1), the following is added :

under (a) :

‘— Ulkokanojen munia	— Ulkokanalasta
— Ägg från utehöns.	— Utehöns.’

under (b) :

‘— Ulkokanojen munia, voimaperäinen tuotanto	— Ulkokanalasta voimaperäinen tuotanto
— Ägg från utehöns, intensivt	— Utehöns int.’

under (c) :

‘— Lattiakanojen munia	— Lattiakanalasta
— Ägg från golvhöns	— golvhöns.’

Member of the Commission

ANNEX

ANNEX I

ARTICLE 1.1 — NAME OF POULTRY CARCASSES

	D	FIN	SE
1.	Masthuhn	Broileri	Kyckling, Slaktkyckling (broiler)
2.		Kukko, kana	Tupp, höna, gryt- eller kokhöna
3.		Chapon (syöttökukko)	Kapun
4.		Kananpoika, kukonpoika	Poussin, Coquelet
1.		(Nuori) kalkkuna	(Ung) kalkon
2.		Kalkkuna	Kalkon
1.		(Nuori) ankka, (Nuori) myskiankka	(Ung) anka, ankunge, (ung) mulardand (ung) myskand
2.		Ankka, myskiankka	Anka, mulardand, myskand
1.	Jungmastgans	(Nuori) hanhi	(Ung) gås, gåsunge
2.		Hanhi	Gås
1.		(Nuori) helmikana	(Ung) pärlhöna
2.		Helmikana	Pärlhöna

ARTICLE 1.2 — NAME OF POULTRY PARTS

	D	FIN	SE
a)		Puolikas	Halva
b)		Neljännes	Kvart
c)		Takaneljännes	Bakdelspart
d)		Rinta	Bröst
e)		Koipi-reisi	Klubba
f)	Hühnerkeule mit Rückenstück	Koipi-reisi, jossa selkäosa	Kycklingklubba med del av ryggen
g)		Reisi	Lår
h)		Koipi	Ben
i)		Siipi	Vinge
j)		Siivet kiinni toisissaan	Sammanhängande vingar
k)	Filet	Rintafilé'	Bröstfilé
l)		Rintafilé' solisluiheen	Bröstfilé med nyckelben
m)		Magret, maigret	Magret, maigret

ANNEX II

ARTICLE 9 — CHILLING METHODS

	FIN	SE
1.	Ilmajäähdytys	Luftkylning
2.	Ilmasprayjäähdytys	Evaporativ kylning
3.	Vesijäähdytys	Vattenkylning

ANNEX III

ARTICLE 10.1 — TYPES OF FARMING		
	FIN	SE
a)	Ruokittu ... % ... Kauralla ruokittu hanhi	Utfodrad med ... % ... Havreutfodrad gås
b)	Laajaperäinen sisäkasvatus	Extensivt uppfödd inomhus
c)	Ulkoilumahdollisuus	Tillgång till utomhusvistelse
d)	Ulkoiluvapaus	Traditionell utomhusvistelse
e)	Vapaa kasvatus	Uppfödd i full frihet

COMMISSION REGULATION (EC) No 3240/94

of 21 December 1994

extending the validity of Commission Regulation (EEC) No 3879/90 laying down rules for implementing the import arrangements applicable to products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99, originating in Thailand and exported from that country in 1991, 1992, 1993 and 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to certain products falling within CN codes 0714 10 and 0714 90 and coming from certain third countries⁽¹⁾, as last amended by Regulation (EC) No 3191/94⁽²⁾, and in particular Article 2 thereof,

Whereas by Decision 90/637/EEC⁽³⁾ the Council approved the renewal of the Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade until 1994; whereas the Agreement will be renewed automatically on 1 January 1995 if denounced by neither of the two parties before the deadline laid down;

Whereas the principle of that renewal, subject to certain modifications, is laid down in the Agreement concluding the Uruguay Round of the GATT multilateral trade negotiations; whereas the agricultural section of that Agreement is only due to enter into force in the Community on 1 July 1995;

Whereas, therefore, steps should be taken to ensure that trade in the products concerned is not interrupted during the first half of 1995;

Whereas the validity of Commission Regulation (EEC) No 3879/90⁽⁴⁾, as amended by Regulation (EEC) No 1509/91⁽⁵⁾, should consequently be extended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. The provisions of Regulation (EEC) No 3879/90 shall continue to apply to products falling within CN codes 0714 10 10, 0714 10 91 and 0714 10 99 originating in Thailand and exported from that country to the European Union from 1 January to 30 June 1995.
2. Export certificates issued from 1 January to 30 June 1995 shall be valid for 120 days from their date of issue.

Article 2

This Regulation shall enter into force on 1 January 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 23.

⁽⁴⁾ OJ No L 367, 29. 12. 1990, p. 115.

⁽⁵⁾ OJ No L 141, 5. 6. 1991, p. 14.

COMMISSION REGULATION (EC) No 3241/94**of 21 December 1994****laying down for the first half of 1995 detailed rules for the application of the import arrangements provided for by Council Regulation (EC) No 774/94 for high-quality beef**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues⁽¹⁾, and in particular Article 7 thereof,

Whereas Regulation (EC) No 774/94 opened a tariff quota for 18 000 tonnes of high-quality fresh, chilled or frozen beef and veal falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91; whereas the rules for the application of those arrangements must be established;

Whereas pursuant to the agreement reached in the Uruguay Round multilateral trade negotiations, which are due to apply from 1 July 1995, it is intended to maintain that quota under the minimum access arrangements; whereas, therefore, at this stage, the quota should only be opened for the first half of 1995 and for the relevant quantity for that period of the year, to wit 50 % of the 18 000 tonnes available for 1995; whereas the remaining quota will be opened after the entry into force and on the basis of the provisions concerning the implementation of the abovementioned agreements; whereas as the period of application of the abovementioned arrangements is limited to the first half year the actual period for importation is reduced; whereas as a transitional measure the latter period should therefore be extended by one month;

Whereas the exporting non-member countries have undertaken to issue certificates of authenticity guaranteeing the origin of these products; whereas the form and layout of these certificates and the procedures for using them must be specified; whereas the certificate of authenticity must be issued by an appropriate authority in a non-member country, the standing of which is such as to ensure that the special arrangements are properly applied;

Whereas, pursuant to Article 2 of Commission Regulation (EEC) No 2377/80⁽²⁾, as last amended by Regulation (EC) No 1084/94⁽³⁾, a licence is required for all imports into the Community of beef and veal products;

Whereas in order to ensure that the importing of these meats is managed efficiently it is appropriate to provide that the issuing of import licences shall be subject to verification in particular of the entries on the certificates of authenticity;

Whereas provision must be made for the Member States to transmit relevant information in connection with these special imports;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the first half of 1995, half of the special tariff quota for fresh, chilled or frozen beef and veal provided for in Article 1 (1) of Regulation (EC) No 774/94, to wit 9 000 tonnes, shall be allocated as follows:

- (a) 5 500 tonnes of chilled boned meat, falling within CN codes 0201 30 and 0206 10 95 and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals, aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts)';

- (b) 1 000 tonnes of boned meat, falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts)';

- (c) 2 500 tonnes product weight of boned meat falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition:

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽³⁾ OJ No L 120, 11. 5. 1994, p. 30.

'Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carass classification requirements :

meat from B or R class carcasses with rounded to straight conformation and a fat-cover class of 2 or 3 ; the cuts, bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality, will be boxed in cartons bearing the words "high-quality beef" ;

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation at the time it is put into free circulation of an import licence issued in accordance with this Regulation and, by way of analogy, with Article 12 (1) (b) and (c) and Article 12 (2) of Regulation (EEC) No 2377/80.

However, the reference to the Regulation referred to in Article 12 (1) (b) shall be replaced by a reference to this Regulation.

2. The certificate of authenticity shall be made out in one original and not less than one copy on a form corresponding to the model in Annex I.

The form shall measure approximately 210 × 297 mm and the paper shall weigh not less than 40 g/m².

3. The forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language or one of the official languages of the exporting country.

The relevant definition applying to the meat originating in the exporting country shall be shown on the back of the form.

4. Certificates of authenticity shall bear an individual serial number assigned by the issuing authority referred to in Article 4. The copies shall bear the same serial number as the original.

Article 3

1. Certificates of authenticity shall be valid only if they are duly completed and endorsed, in accordance with the instruction in Annexes I and II, by one of the issuing authorities listed in Annex II.

2. Certificates of authenticity shall be deemed to have been duly endorsed if they state the date and place of

issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 4

1. The issuing authorities listed in Annex II shall :
 - (a) be recognized as competent by the exporting country ;
 - (b) undertake to verify the entries made on the certificates of authenticity ;
 - (c) undertake to communicate to the Commission each Wednesday any information enabling the entries made on the certificates of authenticity to be verified.
2. The list may be revised by the Commission where any issuing authority is no longer recognized, where it fails to fulfil one of the obligations incumbent on it or where a new issuing authority is designated.

Article 5

1. With regard to meat under Article 1 :
 - (a) the original of the certificate of authenticity plus a copy hereof shall be presented to the competent authority together with the application for the first import licence related to the certificate of authenticity.

The original certificate of authenticity shall be retained by the abovementioned authority ;
 - (b) within the limit of the quantity appearing in it, a certificate of authenticity may be used for the issue of several import licences. If so, the competent authority shall endorse the certificate of authenticity in respect of the degree of attribution ;
 - (c) the competent authority may only issue the import licence after it is satisfied that all information on the certificate of authenticity correspond to the information received from the Commission through weekly communications on the matter. The licence shall be issued immediately thereafter.

2. By way of derogation from paragraph 1 (c) the competent authority may in exceptional cases and upon duly motivated application issue an import licence on the basis of the pertinent certificate of authenticity before the information from the Commission is received. In such cases, the security for the import licences shall amount to ECU 30 per 100 kg net weight.

3. The certificates of authenticity and the import licences shall be valid for three months from the date of their respective issue. However, their term of validity shall expire on 31 July 1995.

Article 6

Without prejudice to this Regulation the provisions of Regulations (EEC) No 2377/80 and (EEC) No 3719/88 ⁽¹⁾ shall apply.

However, by way of derogation from the second subparagraph of Article 14 (3) of Regulation (EEC) No 3719/88 the amount of ECU 100 laid down in that provision shall be replaced by the amount of ECU 25.

Article 7

By the 15th of each month and in respect of the preceding month the Member States shall notify the Commis-

sion of the quantities of products referred to in Article 1 that have been :

- the subject of import licences issues,
- released for free circulation,

broken down by country of origin and combined nomenclature code.

Article 8

This Regulation shall enter into force on 1 January 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

1. Exporter (name and address)		2. Certificate No	ORIGINAL	
4. Consignee (name and address)		3. Issuing authority		
6. Means of transport		5. CERTIFICATE OF AUTHENTICITY BEEF AND VEAL SPECIAL AUTONOMOUS/QUOTA TARIFF 1.1.1995 — 30.6.1995 Commission Regulation (EC) No 3241/94		
7. Marks, numbers, number and kind of packages ; description of goods		8. Gross weight (kg)	9. Net weight (kg)	
10. Net weight (in words)				
11. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf. Place :Date : Signature and stamp (or printed seal)				

to be filled in either by typewriter or hand in block capitals.

DEFINITION

**High-quality beef originating in.....
(appropriate definition)**

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY****— SECRETARÍA DE AGRICULTURA, GANADERÍA Y PESCA**

for meat originating in Argentina, answering the definition in Article 1 (a).

— INSTITUTO NACIONAL DE CARNES (INAC)

for meat originating in Uruguay, answering the definition in Article 1 (b).

— DEPARTAMENTO NACIONAL DE INSPECÇÃO DE PRODUTOS DE ORIGEM ANIMAL (DIPOA)

for meat originating in Brazil, answering the definition in Article 1 (c).

COMMISSION REGULATION (EC) No 3242/94

of 21 December 1994

derogating from Regulations (EEC) No 19/82 and (EEC) No 3653/85 as regards imports of sheepmeat and goatmeat sector products originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1886/94⁽²⁾, and in particular Article 15 (2) thereof,

Having regard to Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 1837/80⁽³⁾, as last amended by Commission Regulation (EEC) No 3890/92⁽⁴⁾, and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import arrangements applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986, as last amended by Regulation (EEC) No 3890/92⁽⁵⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 3234/94 of 22 December 1994 suspending the import levy on sheepmeat and goatmeat sector products⁽⁶⁾, and in particular Article 2 thereof,

Whereas, in accordance with Article 14 of Regulation (EEC) No 3013/89, the levies applicable to the products in question are limited to the amounts resulting from voluntary restraint agreements; whereas Article 7 (2) of Commission Regulation (EEC) No 19/82⁽⁷⁾, as last amended by Regulation (EC) No 3581/93⁽⁸⁾, stipulates that the levy applicable to imports under voluntary restraint agreements is to be limited to 10 % *ad valorem*; whereas by Decision⁽⁹⁾ the Council in the name of the Community approved the extension to 30 June 1995 of

the adjustments to the agreements between the European Community and Argentina, Australia, Bulgaria, the Czech Republic, the Slovak Republic, Hungary, New Zealand, Poland and Uruguay on trade in sheepmeat and goatmeat sector products; whereas by virtue of these adjustments the levy is reduced to zero;

Whereas pursuant to Regulation (EEC) No 3643/85, Article 3 (2) of Commission Regulation (EEC) No 3653/85⁽¹⁰⁾, as last amended by Regulation (EEC) No 2779/93⁽¹¹⁾, stipulates that the levy applicable to imports originating in third countries other than those having concluded voluntary restraint agreements with the Community is to be limited to 10 % *ad valorem*;

Whereas by way of derogation from the voluntary restraint agreements concluded with Iceland, Romania and the Federal Republic of Yugoslavia and by way of derogation from Regulation (EEC) No 3643/85, Article 1 of Council Regulation (EC) No 3234/94 suspends until 31 December 1994 collection of the levy applicable to imports of sheepmeat and goatmeat sector products of CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0240;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 7 (2) of Regulation (EEC) No 19/82, import licences issued up to 30 June 1995 for sheepmeat and goatmeat sector products of CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 on presentation of export certificates issued by Argentina, Australia, Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Iceland, New Zealand, Poland, Romania or Uruguay shall show one of the following in box 24:

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 30.

⁽³⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽⁴⁾ OJ No L 391, 31. 12. 1992, p. 51.

⁽⁵⁾ OJ No L 348, 24. 12. 1985, p. 2.

⁽⁶⁾ See page 14 of this Official Journal.

⁽⁷⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽⁸⁾ OJ No L 326, 28. 12. 1993, p. 21.

⁽⁹⁾ Not yet published in the Official Journal.

⁽¹⁰⁾ OJ No L 348, 24. 12. 1985, p. 21.

⁽¹¹⁾ OJ No L 252, 9. 10. 1993, p. 10.

- Exacción limitada a cero [aplicación del Reglamento (CE) n° 3242/94],
- Importatgift begrænset til nul (jf. forordning (EF) nr. 3242/94),
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EG) Nr. 3242/94),
- Εισφορά περιορισμένη στο μηδέν [εφαρμογή του κανονισμού (ΕΚ) αριθ. 3242/94],
- Levy limited to zero (application of Regulation (EC) No 3242/94),
- Prélèvement limité à zéro [application du règlement (CE) n° 3242/94],
- Prelievo limitato a zero [applicazione del regolamento (CE) n. 3242/94],
- Heffing beperkt tot nul (toepassing van Verordening (EG) nr. 3242/94),
- Direito nivelador limitado a zero [aplicação do Regulamento (CE) n° 3242/94],
- Inontimaksutta [Asetuksen (EY) n:o 3242/94 mukaisesti],
- Importavgiften begränsad till nul (tillämpning av förordning (EG) nr 3242/94).

Article 2

Import licences issued up to 30 June 1995 for sheepmeat and goatmeat sector products of CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 originating in Bosnia-Herzegovina, Croatia, the former Yugoslav Republic of Macedonia or Slovenia shall show one of the following in box 24 :

- Exacción limitada a cero [aplicación del Reglamento (CE) n° 3242/94],
- Importatgift begrænset til nul (jf. forordning (EF) nr. 3242/94),
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EG) Nr. 3242/94),
- Εισφορά περιορισμένη στο μηδέν [εφαρμογή του κανονισμού (ΕΚ) αριθ. 3242/94],
- Levy limited to zero (application of Regulation (EC) No 3242/94),
- Prélèvement limité à zéro [application du règlement (CE) n° 3242/94],
- Prelievo limitato a zero [applicazione del regolamento (CE) n. 3242/94],

- Heffing beperkt tot nul (toepassing van Verordening (EG) nr. 3242/94),
- Direito nivelador limitado a zero [aplicação do Regulamento (CE) n° 3242/94],
- Inontimaksutta [Asetuksen (EY) n:o 3242/94 mukaisesti],
- Importavgiften begränsad till nul (tillämpning av förordning (EG) nr 3242/94).

Article 3

By way of derogation from Article 3 (2) of Regulation (EEC) No 3653/85, import licences issued up to 30 June 1995 for sheepmeat and goatmeat sector products of CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 shall show one of the following in box 24 :

- Exacción limitada a cero [aplicación del Reglamento (CE) n° 3242/94],
- Importatgift begrænset til nul (jf. forordning (EF) nr. 3242/94),
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EG) Nr. 3242/94),
- Εισφορά περιορισμένη στο μηδέν [εφαρμογή του κανονισμού (ΕΚ) αριθ. 3242/94],
- Levy limited to zero (application of Regulation (EC) No 3242/94),
- Prélèvement limité à zéro [application du règlement (CE) n° 3242/94],
- Prelievo limitato a zero [applicazione del regolamento (CE) n. 3242/94],
- Heffing beperkt tot nul (toepassing van Verordening (EG) nr. 3242/94),
- Direito nivelador limitado a zero [aplicação do Regulamento (CE) n° 3242/94],
- Inontimaksutta [Asetuksen (EY) n:o 3242/94 mukaisesti],
- Importavgiften begränsad till nul (tillämpning av förordning (EG) nr 3242/94).

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3243/94

of 21 December 1994

laying down detailed rules for the application of the import arrangements provided for by Council Regulations (EC) No 307/94 and (EC) No 3073/94 for high-quality beef and frozen buffalo meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3071/94 of 12 December 1994 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1995) ⁽¹⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EC) No 3073/94 of 12 December 1994 opening a Community tariff quota for frozen buffalo meat falling within CN code 0202 30 90 (1995) ⁽²⁾, and in particular Article 2 thereof,

Whereas Regulations (EC) No 3071/94 and (EC) No 3073/94 opened quotas for high-quality beef and veal and for buffalo meat; whereas the rules for the application of these arrangements must be established;

Whereas the exporting non-member countries have undertaken to issue certificates of authenticity guaranteeing the origin of these products; whereas the form and layout of these certificates and the procedures for using them must be specified; whereas the certificate of authenticity must be issued by an appropriate authority in a non-member country, the standing of which is such as to ensure that the special arrangements are properly applied;

Whereas, pursuant to Article 2 of Commission Regulation (EEC) No 2377/80 ⁽³⁾, as last amended by Regulation (EC) No 1084/94 ⁽⁴⁾, a licence is required for all imports into the Community of beef and veal products; whereas some of the non-member countries exporting meat under this Regulation have undertaken to restrict their exports of such products; whereas the licence must be endorsed as required by the provisions in Article 12 of Regulation (EEC) No 2377/80;

Whereas in order to ensure that the importing of these meats is managed efficiently it is appropriate, as the case may be, to provide that the issuing of import licences

shall be subject to verification in particular of the entries on the certificates of authenticity;

Whereas the limiting of the abovementioned scheme to the first half year entails a reduction in the period for importation; whereas as a transitional measure the latter period should therefore be extended by one month;

Whereas provision must be made for the Member States to transmit relevant information in connection with these special imports;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The tariff quota for fresh, chilled beef and veal provided for in Article 1 of Regulation (EC) No 3071/94 shall be allocated as follows:

(a) 8 500 tonnes of chilled, boned or boneless meat, falling within CN codes 0201 30 and 0206 10 95, and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts)';

(b) 2 500 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91, and answering the following definition:

'Selected cuts of fresh, chilled or frozen beef derived from bovine animals which do not have more than four permanent incisor teeth, the carcasses of which have a dressed weight of not more than 327 kilograms (720 pounds), a compact appearance with a good eye of meat of light and uniform colour, and adequate but not excessive fat cover. The meat shall be certified "high-quality beef EC"';

(c) 1 150 tonnes of boned or boneless meat, falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91, and answering the following definition:

⁽¹⁾ OJ No L 325, 17. 12. 1994, p. 1.

⁽²⁾ OJ No L 325, 17. 12. 1994, p. 5.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 120, 11. 5. 1994, p. 30.

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts)';

- (d) 5 000 tonnes product weight of meat, falling within CN codes 0201, 0202, 0206 10 95 and 0206 29 91, and answering the following definition :

'Carcasses of any cuts from cattle not over 30 months of age which have been fed for 100 days or more on a nutritionally balanced, high-energy-feed concentration ration containing no less than 70 % grain and at least 20 pounds total feed per day. Beef graded USDA "UNITED STATES DEPARTMENT OF AGRICULTURE", "choice" or "prime" automatically meets the definition above. Meat graded A 2, A 3 und A 4 under the standards of the Canadian Ministry of Agriculture automatically meets the definition above'.

2. The tariff quota for frozen buffalo meat provided for in Article 1 (1) of Regulation (EC) No 3073/94 shall be administered in accordance with the provisions of this Regulation.

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation at the time it is put into free circulation :

- with regard to meat under Article 1 (1) (d), of a certificate of authenticity and of an import licence issued in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80,
- with regard to meat under Article 1 (1) (a), (b) and (c) and 1 (2), of an import licence issued in accordance with this Regulation and, by way of analogy, with Article 12 (1) (b) and (c) and Article 12 (2) of Regulation (EEC) No 2377/80.

However, the reference to the Regulation referred to in Article 12 (1) (b) shall be replaced by a reference to this Regulation.

2. The certificate of authenticity shall be made out in one original and not less than one copy on a form corresponding to the model in Annex I.

The form shall measure approximately 210 × 297 mm and the paper shall weigh not less than 40 g/m².

3. The forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language or one of the official languages of the exporting country.

The relevant definition in Article 1 (1) applying to the meat originating in the exporting country shall be shown on the back of the form.

4. Certificates of authenticity shall bear an individual serial number assigned by the issuing authority referred to in Article 4. The copies shall bear the same serial number as the original.

5. The original and the copies thereof shall be either typewritten or handwritten. In the latter case, they must be completed in black ink and in block capitals.

Article 3

1. Certificates of authenticity shall be valid only if they are duly completed and endorsed, in accordance with the instruction in Annexes I and II, by one of the issuing authorities listed in Annex II.

2. Certificates of authenticity shall be deemed to have been duly endorsed if they state the date and place of issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 4

1. The issuing authorities listed in Annex II shall :
- (a) be recognized as competent by the exporting country ;
 - (b) undertake to verify the entries made on the certificates of authenticity ;
 - (c) undertake to communicate to the Commission each Wednesday any information enabling the entries made on the certificates of authenticity to be verified.

2. The list may be revised by the Commission where any issuing authority is no longer recognized, where it fails to fulfil one of the obligations incumbent on it or where a new issuing authority is designated.

Article 5

1. With regard to meat under Article 1 (1) (a), (b) and (c) and 1 (2) :

- (a) The original of the certificate of authenticity plus a copy hereof shall be presented to the competent authority together with the application for the first import licence related to the certificate of authenticity. The original certificate of authenticity shall be retained by the abovementioned authority.

- (b) Within the limit of the quantity appearing in it, a certificate of authenticity may be used for the issue of several import licences. If so, the competent authority shall endorse the certificate of authenticity in respect of the degree of attribution.
- (c) The competent authority may only issue the import licence after it is satisfied that all information on the certificate of authenticity correspond to the information received from the Commission through weekly communications on the matter. The licence shall be issued immediately thereafter.
2. By way of derogation from paragraph 1 (c) the competent authority may in exceptional cases and upon duly motivated application issue an import licence on the basis of the pertinent certificate of authenticity before the information from the Commission is received. In such cases, the security for the import licences shall amount to ECU 3 per 100 kg net weight.
3. The certificates of authenticity and the import licences shall be valid for three months from the date of their respective issue. However, their term of validity shall expire on 31 July 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

Article 6

Without prejudice to this Regulation the provisions of Regulations (EEC) No 2377/80 and (EEC) No 3719/88 ⁽¹⁾ shall apply.

However, by way of derogation from the second subparagraph of Article 14 (3) of Regulation (EEC) No 3719/88 the amount of ECU 100 laid down in that provision shall be replaced by the amount of ECU 25.

Article 7

By the 15th of each month and in respect of the preceding month the Member States shall notify the Commission of the quantities of products referred to in Article 1 that have been :

- the subject of import licences issued,
- released for free circulation,

broken down by country of origin and combined nomenclature code.

Article 8

This Regulation shall enter into force on 1 January 1995.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

1. Exporter (name and address)	2. Certificate No	ORIGINAL	
4. Consignee (name and address)	3. Issuing authority		
6. Means of transport	5. CERTIFICATE OF AUTHENTICITY BEEF AND VEAL Regulation (EC) No 3243/94		
7. Marks, numbers, number and kind of packages ; description of goods		8. Gross weight (kg)	9. Net weight (kg)
10. Net weight (in words)			
11. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf. (a) for high-quality beef ⁽¹⁾ ; (b) for buffalo meat ⁽¹⁾ . Place : Date : Signature and stamp (or printed seal)			

⁽¹⁾ Delete as appropriate.

DEFINITIONS

**High-quality beef originating in
(appropriate definition)**

Buffalo meat originating in Australia

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY****— SECRETARÍA DE AGRICULTURA, GANADERÍA Y PESCA :**

for meat originating in Argentina, answering the definition in Article 1 (1) (a).

— AUSTRALIAN MEAT AND LIVESTOCK CORPORATION :

for meat originating in Australia :

(a) and meeting the definition in Article 1 (1) (b) ;

(b) as referred to in Article 1 (2).

— INSTITUTO NACIONAL DE CARNES (INAC) :

for meat originating in Uruguay, answering the definition in Article 1 (1) (c).

**— FOOD SAFETY AND INSPECTION SERVICE (FSIS) OF THE UNITED STATES DEPARTMENT OF
AGRICULTURE (USDA) :**

for meat originating in the United States of America, answering the definition in Article 1 (1) (d).

**— FOOD PRODUCTION AND INSPECTION BRANCH-AGRICULTURE CANADA, DIRECTION
GÉNÉRALE PRODUCTION ET INSPECTION DES ALIMENTS-AGRICULTURE CANADA :**

for meat originating in Canada, answering the definition in Article 1 (1) (d).

COMMISSION REGULATION (EC) No 3244/94**of 21 December 1994****amending Regulation (EC) No 3108/94 on the transitional measures to be taken
as regards trade in agricultural products as a result of the accession of Austria,
Finland and Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden ⁽¹⁾, and in particular Article 149 (1) thereof,

Having regard to Regulation (EC) No 3109/94 of 19 December 1994 on the transitional measures to be taken as regards trade in agricultural products as a result of the accession of Austria, Finland and Sweden ⁽²⁾, and in particular Article 4 (6) thereof,

Whereas Article 4 (5) of Regulation (EC) No 3108/94 establishes the list of products in respect of which the provisions relating to surplus stocks in the new Member States apply; whereas on the basis of certain information at the Commission's disposal, there is also a risk of deflection of trade and market disturbance in the case of the mushrooms covered by the arrangements laid down in Council Regulation (EEC) No 1796/81 of 30 June 1981

on measures applicable to imports of mushrooms of the species *Agaricus* spp. falling within CN codes 0711 90 40, 2003 10 20 and 2003 10 30 ⁽³⁾, as last amended by Regulation (EEC) No 1122/92 ⁽⁴⁾; whereas, under the circumstances, these products should be added to the list mentioned above,

HAS ADOPTED THIS REGULATION:

Article 1

The following codes are added at the end of each of the three indents in Article 4 (5) of Regulation (EC) No 3108/94: '0711 90 40, 2003 10 20, 2003 10 30'.

Article 2

This Regulation shall enter into force on the day of the entry into force of the Act of Accession of Norway, Austria, Finland and Sweden.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No C 241, 29. 8. 1994, p. 21.

⁽²⁾ OJ No L 328, 20. 12. 1994, p. 42.

⁽³⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽⁴⁾ OJ No L 117, 1. 5. 1992, p. 98.

COMMISSION REGULATION (EC) No 3245/94**of 21 December 1994**

repealing Regulation (EEC) No 1267/93 laying down detailed rules for the application of Council Regulation (EEC) No 1108/93 with respect to the management of a quota of 5 000 tonnes of petfood, falling within CN code 2309 10 and originating in Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden, and in particular Article 169 (2) thereof⁽¹⁾,

Whereas, pursuant to Article 2 (3) of the Treaty of Accession, the institutions of the European Community may adopt before accession the measures referred to in Article 169 of the Act, which measures shall enter into force only subject to and on the date of entry into force of the Treaty;

Whereas the grounds for Commission Regulation (EEC) No 1267/93 of 26 May 1993 laying down detailed rules for the application of Council Regulation (EEC) No 1108/93 with respect to the management of a quota of

5 000 tonnes of petfood, falling within CN code 2309 10 and originating in Sweden⁽²⁾ no longer exist because of the accession of Norway and Sweden to the European Union; whereas that Regulation should accordingly be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1267/93 is hereby repealed.

Article 2

This Regulation shall enter into force subject to and on the date of entry into force of the Treaty of Accession of Norway, Austria, Finland and Sweden.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No C 241, 29. 8. 1994, p. 21.

⁽²⁾ OJ No L 129, 27. 5. 1993, p. 14.

COMMISSION REGULATION (EC) No 3246/94**of 21 December 1994****amending Regulation (EEC) No 611/77 fixing the specific levy in respect of live bovine animals and beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden and in particular Article 169 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 1884/94 ⁽²⁾, and in particular Article 10 (5) thereof,

Whereas Commission Regulation (EEC) No 611/77 of 18 March 1977 fixing the specific levy in respect of live bovine animals and beef and veal other than frozen ⁽³⁾, as last amended by Regulation (EEC) No 1049/92 ⁽⁴⁾ lays down the procedures for calculating the levy applying to Sweden and Switzerland; whereas as a result of the accession of Sweden to the European Union, this country should be withdrawn from the scope of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 611/77 is hereby amended as follows:

1. The words 'Sweden and' are deleted from Article 1.
2. Paragraphs 2 and 3 of Article 2 are replaced by the following:

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

'2. This average shall be equal to the weighted average of the prices for adult bovine animals recorded in Switzerland in accordance with the Annex to this Regulation.'

3. Article 4 is replaced by the following:

'4. Where Switzerland takes measures on veterinary or health protection grounds in particular which affect the prices recorded on the markets, the Commission may take as a basis the prices last recorded on the market before such measures were put into effect.'

Article 2

Annexes I and II to Regulation (EEC) No 611/77 are replaced by the Annex to this Regulation.

Article 3

This Regulation shall enter into force on the day of the entry into force of the Act of Accession of Norway, Austria, Finland and Sweden.

It shall apply for the first time for the calculation of levies valid from the day following that date.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 27.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽⁴⁾ OJ No L 111, 29. 4. 1992, p. 7.

*ANNEX***1. Representative market (quotation centre): Berne.****2. Categories, qualities and coefficients :**

Categories and qualities	Weighting coefficients
Génisses et bœufs A	18,8
Génisses et bœufs B	9,9
Génisses et bœufs C	2,6
Génisses et bœufs D	1,7
Vaches A	4,7
Vaches B	3,1
Vaches C	14,6
Vaches D	14,0
Vaches E	15,6
Taureaux A 1	7,5
Taureaux A 2	2,4
Taureaux B 1	2,0
Taureaux B 2	1,2
Taureaux C	1,0
Taureaux D	0,5
Taureaux E	0,4

COMMISSION REGULATION (EC) No 3247/94**of 21 December 1994****amending Regulation (EEC) No 2456/93 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the special and general intervention measures for beef**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Norway, Austria, Finland and Sweden, and in particular Articles 150 (3) and 169 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1884/94 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 2456/93 ⁽³⁾, as last amended by Regulation (EC) No 1738/94 ⁽⁴⁾, lays down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef; whereas, in view of the accession of Austria, Finland and Sweden, Annexes III and VIII relating to products eligible for intervention and the addresses of the intervention agencies respectively should be adjusted accordingly;

Whereas, in the case of Finland and Sweden, provision should be made for phasing out the products of Category A classes 02 and 03 over a five year period;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2456/93 is hereby amended as follows:

1. The following subparagraph is added to Article 4 (1):
'In the case of Finland and Sweden, those quantities shall be phased out over five calendar years in accordance with the table in Annex IVa.'
2. Annex III is replaced by Annex I to this Regulation.
3. Annex IV as set out in Annex II to this Regulation is inserted after Annex IV.
4. Annex VIII is replaced by Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the day of the entry into force of the Act of Accession of Norway, Austria, Finland and Sweden.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 27.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 182, 16. 7. 1994, p. 14.

ANNEX I

ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ ΙΙΙ — ANNEX III — ANNEXE III
— ALLEGATO III — BIJLAGE III — ANEXO III

Productos elegibles para la intervención

Produkterne, der er kvalificeret til intervention

Interventionsfähige Erzeugnisse

Προϊόντα επιλέξιμα για την παρέμβαση

Products eligible for intervention

Produits éligibles à l'intervention

Prodotti ammissibili all'intervento

Produkten die in aanmerking komen voor interventie

Produtos elegíveis para a intervenção

BELGIQUE/BELGIË

Carcasses, demi-carcasses :

Hele dieren, halve dieren :

- Catégorie A classe U2 /
Categorie A, klasse U 2
- Catégorie A classe U3 /
Categorie A, klasse U 3
- Catégorie A classe R2 /
Categorie A, klasse R 2
- Catégorie A classe R3 /
Categorie A, klasse R 3

DANMARK

Hele og halve kroppe :

- Kategori A, klasse R2
- Kategori A, klasse R3
- Kategori A, klasse O2
- Kategori A, klasse O3
- Kategori C, klasse R3
- Kategori C, klasse O3

DEUTSCHLAND

Ganze oder halbe Tierkörper :

- Kategorie A, Klasse U2
- Kategorie A, Klasse U3
- Kategorie A, Klasse R2
- Kategorie A, Klasse R3
- Kategorie C, Klasse R3
- Kategorie C, Klasse R4
- Kategorie C, Klasse O3

ΕΛΛΑΔΑ

Ολόκληρα ή μισά σφάγια

- Κατηγορία Α, κλάση R2
- Κατηγορία Α, κλάση R3

ESPAÑA

Canales o semicanales :

- Categoría A, clase U2
- Categoría A, clase U3
- Categoría A, clase R2
- Categoría A, clase R3

FRANCE

Carcasses, demi-carcasses :

- Catégorie A classe U2
- Catégorie A classe U3
- Catégorie A classe R2
- Catégorie A classe R3
- Catégorie C classe U2
- Catégorie C classe U3
- Catégorie C classe U4
- Catégorie C classe R3
- Catégorie C classe R4
- Catégorie C classe O3

IRELAND

Carcases, half-carcases :

- Category C class U3
- Category C class U4
- Category C class R3
- Category C class R4
- Category C class O3

ITALIA

Carcasse e mezzene :

- Categoria A classe U2
- Categoria A classe U3
- Categoria A classe R2
- Categoria A classe R3

LUXEMBOURG

Carcasses, demi-carcasses :

- Catégorie A classe R2
- Catégorie C classe R3
- Catégorie C classe O3

NEDERLAND

Hele dieren, halve dieren :

- Kategorie A, klasse R 2
- Kategorie A, klasse R 3

ÖSTERREICH

Ganze oder halbe Tierkörper :

- Kategorie A, Klasse U2
- Kategorie A, Klasse U3
- Kategorie A, Klasse R2
- Kategorie A, Klasse R3

PORTUGAL

Carcças ou meias-carcças :

- Categoria A, classe U2
- Categoria A, classe U3
- Categoria A, classe R2
- Categoria A, classe R3

FINLAND

Carcases, half-carcases :

- Category A, class R2
- Category A, class R3
- Category A, class O2
- Category A, class O3

SWEDEN

Carcases, half-carcases :

- Category A, class R2
- Category A, class R3
- Category A, class O2
- Category A, class O3

UNITED KINGDOM

A. Great Britain

Carcases, half-carcases :

- Category C, class R3
- Category C, class R4

B. Northern Ireland

- Category C, class U3
- Category C, class U4
- Category C, class R3
- Category C, class R4'

ANNEX II

ANNEX IVa

Maximum quantities of products of Category A, classes 02 and 03 eligible for intervention
in the Member States referred to the fourth subparagraph of Article 4 (1)

<i>(in tonnes)</i>		
Year	Finland	Sweden
1995	13 280	7 450
1996	10 620	5 960
1997	7 970	4 470
1998	5 310	2 980
1999	2 660	1 490'

ANNEX III

ANEXO VIII — BILAG VIII — ANHANG VIII — ΠΑΡΑΡΤΗΜΑ VIII — ANNEX VIII —
ANNEXE VIII — ALLEGATO VIII — BIJLAGE VIII — ANEXO VIII

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção

Belgique/Belgie:

Bureau d'intervention et de restitution belge
Rue de Trèves 82
B-1040 Bruxelles
Belgisch Interventie-en Restitutiebureau
Trierstraat 82
B-1040 Brussel
Tel. (32/2) 287 24 11 ; telex 24076 OBEA BRU B / 65567 OBEA BRU B ; telefax (32/2) 230 25 33.

Bundesrepublik Deutschland:

Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Abteilung 31
Adickesallee 40
D-60322 Frankfurt am Main
Tel. (069) 1564-772/773 ; Telex 411727 ; Telefax (069) 1564-790/791.

Danmark:

EF-Direktoratet
Nyropsgade 26
DK-480 København V
tlf. 33 92 70 00 ; telex 15137 DK ; fax 33 92 69 48, 33 92 69 23.

Ελλάδα:

Κτηνοτροφική
Σταδίου 33
GR-Aθήνα 10559
Τηλ. 321 23 59, τέλεξ 221683.

España:

SENPA (Servicio Nacional de Productos Agrarios)
Calle Beneficencia 8
E-28005 Madrid
Tel. (91) 347 65 00, 347 63 10 ; télex SENPA 23427 E, SENPA 41818 E ; telefax (91) 521 98 32, 522 43 87.

France:

OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél. (331) 45 38 84 00 ; télex 205476 ; télécopieur (331) 45 38 36 77.

Ireland:

Department of Agriculture, Food and Forestry
Kildare Street
IRL-Dublin 2
Tel. (01) 678 90 11 ext. 2278 ; telex 93292 AGRIEI ; telefax (01) 661 62 63.

Italia:

Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
via Palestro, 81,
I-00185 Roma
Tel. 49 49 91 ; telex 61 30 03

Luxembourg :

Service d'économie rurale, section « cheptel et viande »
113-115, rue de Hollerich
L-1741 Luxembourg
Tél. (352) 478/443 ; télex 2537.

Nederland :

Ministerie van Landbouw, Natuurbeheer en Visserij
Voedselvoorzieningsin- en-verkoopbureau (VIB)
Burg. Kessenplein 3
Postbus 960
NL-6430 AZ Hoensbroek
Tel. (045) 23 83 83 ; telex 56396 ; telefax (045) 22 27 35.

Österreich :

AMA-Agrarmarkt Austria
Dresdner Straße 70
A-1201 Wien
Tel. 0222/33 151-220 ; telefax 0222/33 151-297.

Portugal :

INGA — Instituto Nacional de Intervenção e Garantia Agrícola
Rua Camilo Castelo Branco, nº 45 - 2º
P-1000 Lisboa
Tel. 355 88 12/7 ; telex 66207/8/9/10 ; telefax 53 32 51.

Finland :

Ministry of Agriculture and Forestry
Department of Agricultural Policy
Mariankatu 23, PO Box 232
FIN-00171 Helsinki
Tél. (358) 016 01 ; telefax (358) 0160 2442.

Sweden :

Jordbruksverket-Swedish Board of Agriculture
Livestock Products Market
S-55182 Jönköping
Tel. (46) 36 15 50 00 ; telex 70991 SJV-S ; fax (46) 36 19 05 46.

United Kingdom :

Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
UK-Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26 ; telex 84 83 02.

COMMISSION DECISION No 3248/94/ECSC

of 22 December 1994

extending the validity of Decision No 1478/94/ECSC of 27 June 1994 on the introduction or transitional tariff measures for products covered by the Treaty establishing the ECSC for Bulgaria, the Czech Republic, Slovakia, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, until 31 December 1994 to take account of German unification

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 95 (1) thereof,

Whereas the tariff applied to products governed by the ECSC Treaty is fully applicable to the territory of the former German Democratic Republic as from 3 October 1990, the date of German unification;

Whereas the former German Democratic Republic had concluded numerous agreements with Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia which provided for a yearly exchange of specific goods in maximum quantities or to maximum values at a zero rate of duty; whereas the former German Democratic Republic had concluded long-term cooperation and investment agreements with Czechoslovakia, Poland and the USSR which give rise to reciprocal deliveries of goods covered by the Treaty establishing the ECSC at zero rates of duty for many years to come;

Whereas agreements of the first type not renewed after 31 December 1990 and agreements of the second type will be renegotiated at Community, German or private enterprise level, but whereas this process of renegotiation will take some time;

Whereas the maximum quantities or values mentioned in these agreements do not entail legally-binding obligations between the parties; whereas non-enforcement thereof cannot therefore give rise to any compensation by the European Coal and Steel Community;

Whereas it is necessary, therefore, during a transitional period to attenuate the impact resulting from German unification on both types of agreement as otherwise serious repercussions on enterprises in the territory of the former German Democratic Republic and in Bulgaria, the Czech Republic, Slovakia, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, could result and, indeed the stability of the economies of these countries might be adversely affected thereby;

Whereas for these reasons it is appropriate to suspend temporarily the customs duties applied to products covered by the ECSC Treaty originating in Bulgaria, the Czech Republic, Slovakia, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, which are covered by the above-mentioned agreements between the former German Democratic Republic and these countries up to the maximum quantities or values laid down therein;

Whereas it is appropriate, in view of the special circumstances of German unification, for the said suspension of duties to be applicable to the products concerned only in so far as they are put into free circulation in the territory of the former German Democratic Republic;

Whereas it is necessary to make provision for determining the origin of the goods which will be covered by the said suspension of duties;

Whereas in view of the difficulties in applying these measures and the fact that some of their consequences are unforeseeable, it is appropriate to emphasize the transitional character of these measures and restrict their duration to a one-year period up to 31 December 1995 for a last time;

Whereas a similar transitional arrangement was set up until 31 December 1992 by Council Regulation (EEC) No 3568/90⁽¹⁾ and by Commission Decision No 3788/90/ECSC⁽²⁾, extended until 31 December 1993 by Council Regulation (EEC) No 1343/93⁽³⁾ and by Commission Decision No 153/93/ECSC⁽⁴⁾; these arrangements have been replaced by Regulation (EC) No 665/94⁽⁵⁾ and by Commission Decision No 1478/94/ECSC⁽⁶⁾ for the year 1994;

⁽¹⁾ OJ No L 353, 17. 12. 1990, p. 1.

⁽²⁾ OJ No L 364, 28. 12. 1990, p. 27.

⁽³⁾ OJ No L 133, 2. 6. 1993, p. 1.

⁽⁴⁾ OJ No L 151, 23. 6. 1993, p. 23.

⁽⁵⁾ OJ No L 83, 26. 3. 1994, p. 1.

⁽⁶⁾ OJ No L 159, 28. 6. 1994, p. 37.

Whereas it is appropriate to provide for special measures and a procedure to implement them, in case the temporary suspension of duties causes or threatens to cause serious injury to a branch of Community industry;

Whereas this Decision implies a derogation from Recommendation No 1-64 of the High Authority of the ECSC concerning an increase. In the protective duty on iron and steel products at the external frontiers of the Community;

Whereas this Decision does not otherwise affect the powers of the Member States with regard to commercial policy referred to in Article 71 of the Treaty;

Whereas these measures are solely related to the customs tariff and in any event, must not prejudice the application of Community measures under the common commercial policy;

Having consulted the Consultative Committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

In Article 1 of Decision No 1478/94/ECSC, the year '1994' is replaced by the year '1995'.

Article 2

This Decision shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1995.

This Decision shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 December 1994.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EC) No 3249/94**of 27 December 1994****establishing the quantity of certain cheeses available for the first quarter of 1995
under the arrangements provided for by the Interim Agreements concluded by
the Community with Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1588/94 of 30 June 1994 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreements between the Community, of the one part, and Bulgaria and Romania, of the other part ⁽¹⁾, as amended by Regulation (EC) No 3109/94 ⁽²⁾, and in particular Article 4 (4) thereof,

Whereas, pursuant to Commission Regulation (EC) No 1812/94 ⁽³⁾ determining the extent to which applications lodged in July 1994 for import certificates for these products may be accepted, the applications for import licences lodged cover a smaller quantity of products than those available; whereas, as a result of the adoption of

Regulation (EC) No 1588/94, additional quantities of products are available; whereas, the quantity of each product available for the period 1 January to 31 March 1995 should be established,

HAS ADOPTED THIS REGULATION:

Article 1

The quantity available for the period 1 January to 31 March 1995 pursuant to Regulation (EC) No 1588/94 is set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 December 1994.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 167, 1. 7. 1994, p. 8.

⁽²⁾ OJ No L 328, 20. 12. 1994, p. 45.

⁽³⁾ OJ No L 189, 23. 7. 1994, p. 59.

*ANNEX***Total quantity available for the period 1 January to 31 March 1995**

<i>(tonnes)</i>		
Country	CN codes and products	Quantities
Romania	ex 0406 90 29 ⁽¹⁾ ex 0406 90 86 ⁽¹⁾ ex 0406 90 87 ⁽¹⁾ ex 0406 90 88 ⁽¹⁾	666,650
Bulgaria	ex 0406 90 ⁽²⁾ ex 0406 90 ⁽³⁾	990,150

⁽¹⁾ Manufactured from cows' milk.⁽²⁾ White brined cheese of cows' milk⁽³⁾ Kashkaval Vitosha, made from cows' milk.

COMMISSION REGULATION (EC) No 3250/94
of 27 December 1994
fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1866/94⁽²⁾, and in particular Article 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽³⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁴⁾, as last amended by Regulation (EC) No 2484/94⁽⁵⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁷⁾;

Whereas equally account must be taken of Council Regulation (EC) No 3641/93 of 20 December 1993, on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria, of the other part⁽⁸⁾, whereas Commission Regulation (EC) No 1550/94⁽⁹⁾, as amended by Regulation (EC) No 2221/94⁽¹⁰⁾, for the importation of products falling within CN codes 2309 90 31 and 2309 90 41 originating in Bulgaria;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹¹⁾, as amended by Regulation (EC) No 3528/93⁽¹²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹³⁾, as amended by Regulation (EC) No 547/94⁽¹⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁸⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽⁹⁾ OJ No L 166, 1. 7. 1994, p. 43.

⁽¹⁰⁾ OJ No L 239, 14. 9. 1994, p. 6.

⁽¹¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽¹³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 December 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 27 December 1994 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies ⁽¹⁾	
	ACP	Third countries (other than ACP)
2309 10 11	14,03	24,91
2309 10 13	574,88	585,76
2309 10 31	43,85	54,73
2309 10 33	604,70	615,58
2309 10 51	87,69	98,57
2309 10 53	648,54	659,42
2309 90 31	14,03	24,91 ⁽²⁾
2309 90 33	574,88	585,76
2309 90 41	43,85	54,73 ⁽²⁾
2309 90 43	604,70	615,58
2309 90 51	87,69	98,57
2309 90 53	648,54	659,42

⁽¹⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽²⁾ The levy may be reduced in accordance with the Agreement between the Community and Bulgaria (OJ No L 333, 31. 12. 1993, p. 16) and Regulation (EC) No 623/94 (OJ No L 78, 22. 3. 1994, p. 7).

COMMISSION REGULATION (EC) No 3251/94

of 27 December 1994

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 2807/94 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁵⁾, as amended by Regulation (EC) No 547/94⁽⁶⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

Whereas Austria, Sweden and Finland will be members of the European Union as from 1 January 1995; whereas the refunds on cheese exported to these States should accordingly be discontinued;

Whereas Commission Regulation (EEC) No 896/84⁽⁷⁾, as last amended by Regulation (EEC) No 222/88⁽⁸⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of

varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 1 January 1995.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.
⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.
⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.
⁽⁷⁾ OJ No L 91, 1. 4. 1984, p. 71.
⁽⁸⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 27 December 1994 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000		5,18	0402 21 91 500		118,10
0401 10 90 000		5,18	0402 21 91 600		128,54
0401 20 11 100		5,18	0402 21 91 700		134,75
0401 20 11 500		8,00	0402 21 91 900		141,68
0401 20 19 100		9,18	0402 21 99 100		105,31
0401 20 19 500		8,00	0402 21 99 200		106,08
0401 20 91 100		10,65	0402 21 99 300		107,46
0401 20 91 500		12,41	0402 21 99 400		115,39
0401 20 99 100		10,65	0402 21 99 500		118,10
0401 20 99 500		12,41	0402 21 99 600		128,54
0401 30 11 100		15,94	0402 21 99 700		134,75
0401 30 11 400		24,58	0402 21 99 900		141,68
0401 30 11 700		36,93	0402 29 15 200		0,6000
0401 30 19 100		15,94	0402 29 15 300		0,9158
0401 30 19 400		24,58	0402 29 15 500		0,9682
0401 30 19 700		36,93	0402 29 15 900		1,0450
0401 30 31 100		43,98	0402 29 19 200		0,6000
0401 30 31 400		68,67	0402 29 19 300		0,9158
0401 30 31 700		75,72	0402 29 19 500		0,9682
0401 30 39 100		43,98	0402 29 19 900		1,0450
0401 30 39 400		68,67	0402 29 91 100		1,0531
0401 30 39 700		75,72	0402 29 91 500		1,1539
0401 30 91 100		86,30	0402 29 99 100		1,0531
0401 30 91 400		126,85	0402 29 99 500		1,1539
0401 30 91 700		148,02	0402 91 11 110		5,18
0401 30 99 100		86,30	0402 91 11 120		10,65
0401 30 99 400		126,85	0402 91 11 310		18,15
0401 30 99 700		148,02	0402 91 11 350		22,42
0402 10 11 000		60,00	0402 91 11 370		27,47
0402 10 19 000		60,00	0402 91 19 110		5,18
0402 10 91 000		0,6000	0402 91 19 120		10,65
0402 10 99 000		0,6000	0402 91 19 310		18,15
0402 21 11 200		60,00	0402 91 19 350		22,42
0402 21 11 300		91,58	0402 91 19 370		27,47
0402 21 11 500		96,82	0402 91 31 100		21,05
0402 21 11 900		104,50	0402 91 31 300		32,47
0402 21 17 000		60,00	0402 91 39 100		21,05
0402 21 19 300		91,58	0402 91 39 300		32,47
0402 21 19 500		96,82	0402 91 51 000		24,58
0402 21 19 900		104,50	0402 91 59 000		24,58
0402 21 91 100		105,31	0402 91 91 000		86,30
0402 21 91 200		106,08	0402 91 99 000		86,30
0402 21 91 300		107,46	0402 99 11 110		0,0518
0402 21 91 400		115,39	0402 99 11 130		0,1065

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 11 150		0,1769	0403 90 61 100		0,0518
0402 99 11 310		20,94	0403 90 61 300		0,0800
0402 99 11 330		25,30	0403 90 63 000		0,1065
0402 99 11 350		33,90	0403 90 69 000		0,1594
0402 99 19 110		0,0518	0404 90 11 100		60,00
0402 99 19 130		0,1065	0404 90 11 910		5,18
0402 99 19 150		0,1769	0404 90 11 950		18,15
0402 99 19 310		20,94	0404 90 13 120		60,00
0402 99 19 330		25,30	0404 90 13 130		91,58
0402 99 19 350		33,90	0404 90 13 140		96,82
0402 99 31 110		0,2282	0404 90 13 150		104,50
0402 99 31 150		35,31	0404 90 13 911		5,18
0402 99 31 300		0,4398	0404 90 13 913		10,65
0402 99 31 500		0,7572	0404 90 13 915		15,94
0402 99 39 110		0,2282	0404 90 13 917		24,58
0402 99 39 150		35,31	0404 90 13 919		36,93
0402 99 39 300		0,4398	0404 90 13 931		18,15
0402 99 39 500		0,7572	0404 90 13 933		22,42
0402 99 91 000		0,8630	0404 90 13 935		27,47
0402 99 99 000		0,8630	0404 90 13 937		32,47
0403 10 22 100		5,18	0404 90 13 939		33,95
0403 10 22 300		8,00	0404 90 19 110		105,31
0403 10 24 000		10,65	0404 90 19 115		106,08
0403 10 26 000		15,94	0404 90 19 120		107,46
0403 10 32 100		0,0518	0404 90 19 130		115,39
0403 10 32 300		0,0800	0404 90 19 135		118,10
0403 10 34 000		0,1065	0404 90 19 150		128,54
0403 10 36 000		0,1594	0404 90 19 160		134,75
0403 90 11 000		60,00	0404 90 19 180		141,68
0403 90 13 200		60,00	0404 90 31 100		60,00
0403 90 13 300		91,58	0404 90 31 910		5,18
0403 90 13 500		96,82	0404 90 31 950		18,15
0403 90 13 900		104,50	0404 90 33 120		60,00
0403 90 19 000		105,31	0404 90 33 130		91,58
0403 90 31 000		0,6000	0404 90 33 140		96,82
0403 90 33 200		0,6000	0404 90 33 150		104,50
0403 90 33 300		0,9158	0404 90 33 911		5,18
0403 90 33 500		0,9682	0404 90 33 913		10,65
0403 90 33 900		1,0450	0404 90 33 915		15,94
0403 90 39 000		1,0531	0404 90 33 917		24,58
0403 90 51 100		5,18	0404 90 33 919		36,93
0403 90 51 300		8,00	0404 90 33 931		18,15
0403 90 53 000		10,65	0404 90 33 933		22,42
0403 90 59 110		15,94	0404 90 33 935		27,47
0403 90 59 140		24,58	0404 90 33 937		32,47
0403 90 59 170		36,93	0404 90 33 939		33,95
0403 90 59 310		43,98	0404 90 39 110		105,31
0403 90 59 340		68,67	0404 90 39 115		106,08
0403 90 59 370		75,72	0404 90 39 120		107,46
0403 90 59 510		86,30	0404 90 39 130		115,39
0403 90 59 540		126,85			
0403 90 59 570		148,02			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 39 150		118,10	0405 00 19 500		156,10
0404 90 51 100		0,6000	0405 00 19 700		160,00
0404 90 51 910		0,0518	0405 00 90 100		160,00
0404 90 51 950		20,94	0405 00 90 900		206,00
0404 90 53 110		0,6000	0406 10 20 100		—
0404 90 53 130		0,9158	0406 10 20 230	028	—
0404 90 53 150		0,9682		400	31,80
0404 90 53 170		1,0450		404	—
0404 90 53 911		0,0518		***	39,07
0404 90 53 913		0,1065			
0404 90 53 915		0,1594	0406 10 20 290	028	—
0404 90 53 917		0,2458		400	31,80
0404 90 53 919		0,3693		404	—
0404 90 53 931		20,94		***	39,07
0404 90 53 933		25,30			
0404 90 53 935		33,90	0406 10 20 610	028	11,00
0404 90 53 937		35,31		037	—
0404 90 59 130		1,0531		039	—
0404 90 59 150		1,1539		400	71,05
0404 90 59 930		0,5279		404	—
0404 90 59 950		0,7572		***	72,89
0404 90 59 990		0,8630			
0404 90 91 100		0,6000	0406 10 20 620	028	16,29
0404 90 91 910		0,0518		037	—
0404 90 91 950		20,94		039	—
0404 90 93 110		0,6000		400	78,34
0404 90 93 130		0,9158		404	—
0404 90 93 150		0,9682		***	79,92
0404 90 93 170		1,0450			
0404 90 93 911		0,0518	0406 10 20 630	028	19,55
0404 90 93 913		0,1065		037	—
0404 90 93 915		0,1594		039	—
0404 90 93 917		0,2458		400	89,03
0404 90 93 919		0,3693		404	—
0404 90 93 931		20,94		***	90,24
0404 90 93 933		25,30			
0404 90 93 935		33,90	0406 10 20 640	028	—
0404 90 93 937		35,31		037	—
0404 90 99 130		1,0531		039	—
0404 90 99 150		1,1539		400	105,89
0404 90 99 930		0,5279		404	—
0404 90 99 950		0,7572		***	105,89
0404 90 99 990		0,8630			
0405 00 11 200		120,98	0406 10 20 650	028	22,40
0405 00 11 300		152,20		037	—
0405 00 11 500		156,10		039	—
0405 00 11 700		160,00		400	52,94
0405 00 19 200		120,98		404	—
0405 00 19 300		152,20		***	110,24

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		037	—
	037	—		039	—
	039	—		400	35,44
	400	17,16		404	—
	404	—		***	39,65
	***	17,16	0406 30 10 250	028	—
0406 10 20 830	028	—		037	—
	037	—		039	—
	039	—		400	35,44
	400	29,30		404	—
	404	—		***	39,65
	***	29,30	0406 30 10 300	028	—
0406 10 20 850	028	—		037	—
	037	—		039	—
	039	—		400	52,04
	400	35,53		404	—
	404	—		***	58,18
	***	35,53	0406 30 10 350	028	—
0406 10 20 870		—		037	—
0406 10 20 900		—		039	—
0406 20 90 100		—		400	35,44
0406 20 90 913	028	—		404	—
	400	69,19		***	39,65
	404	—	0406 30 10 400	028	—
	***	69,19		037	—
0406 20 90 915	028	—		039	—
	400	92,25		400	52,04
	404	—		404	—
	***	92,25		***	58,18
0406 20 90 917	028	—	0406 30 10 450	028	—
	400	98,00		037	—
	404	—		039	—
	***	98,00		400	75,77
0406 20 90 919	028	—		404	—
	400	109,54		***	84,66
	404	—	0406 30 10 500		—
	***	109,54	0406 30 10 550	028	—
0406 20 90 990		—		037	—
0406 30 10 100		—		039	—
0406 30 10 150	028	—		400	35,44
	037	—		404	16,29
	039	—		***	39,65
	400	16,32	0406 30 10 600	028	—
	404	—		037	—
	***	18,60		039	—
				400	52,04
				404	22,81
				***	58,18

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 10 650	028	—	0406 30 31 730	028	—
	037	—		037	—
	039	—		039	—
	400	75,77		400	52,04
	404	—		404	—
	***	84,66		***	58,18
0406 30 10 700	028	—	0406 30 31 910	028	—
	037	—		037	—
	039	—		039	—
	400	75,77		400	35,44
	404	—		404	—
	***	84,66		***	39,65
0406 30 10 750	028	—	0406 30 31 930	028	—
	037	—		037	—
	039	—		039	—
	400	92,48		400	52,04
	404	—		404	—
	***	103,34		***	58,18
0406 30 10 800	028	—	0406 30 31 950	028	—
	037	—		037	—
	039	—		039	—
	400	92,48		400	75,77
	404	—		404	—
	***	103,34		***	84,66
0406 30 10 800	028	—	0406 30 39 100	028	—
	037	—		037	—
	039	—		039	—
	400	92,48		400	35,44
	404	—		404	16,29
	***	103,34		***	39,65
0406 30 31 100	028	—	0406 30 39 300	028	—
	037	—		037	—
	039	—		039	—
	400	16,32		400	52,04
	404	—		404	22,81
	***	18,60		***	58,18
0406 30 31 300	028	—	0406 30 39 500	028	—
	037	—		037	—
	039	—		039	—
	400	16,32		400	52,04
	404	—		404	22,81
	***	18,60		***	58,18
0406 30 31 500	028	—	0406 30 39 700	028	—
	037	—		037	—
	039	—		039	—
	400	35,44		400	75,77
	404	—		404	—
	***	39,65		***	84,66
0406 30 31 710	028	—	0406 30 39 930	028	—
	037	—		037	—
	039	—		039	—
	400	35,44		400	75,77
	404	—		404	—
	***	39,65		***	84,66

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 39 950	028	—	0406 90 06 900		—
	037	—	0406 90 07 000	028	—
	039	—		037	—
	400	92,48		039	—
	404	—		400	105,89
0406 30 90 000	***	103,34		404	—
	028	—		***	129,78
	037	—	0406 90 08 100	028	—
	039	—		037	—
	400	92,48		039	—
0406 40 50 000	404	—		400	105,89
	***	103,34		404	—
	028	—		***	129,78
	400	97,75	0406 90 08 900		—
	404	—	0406 90 09 100	028	—
0406 40 90 000	***	103,04		037	—
	028	—		039	—
	400	97,75		400	105,89
	404	—		404	—
	***	103,04		***	129,78
0406 90 02 100	028	—	0406 90 09 900		—
	037	—	0406 90 12 000	028	—
	039	—		037	—
	400	105,89		039	—
	404	—		400	105,89
0406 90 02 900	***	129,78		404	—
	028	—		***	129,78
	037	—	0406 90 14 100	028	—
	039	—		037	—
	400	105,89		039	—
0406 90 03 100	404	—		400	105,89
	***	129,78		404	—
	028	—		***	129,78
	037	—	0406 90 14 900		—
	039	—	0406 90 16 100	028	—
0406 90 03 900	400	105,89		037	—
	404	—		039	—
	***	129,78		400	105,89
	028	—		404	—
	037	—		***	129,78
0406 90 04 100	039	—	0406 90 16 900		—
	400	105,89	0406 90 21 900	028	—
	404	—		037	—
	***	129,78		039	—
	028	—		400	105,89
0406 90 04 900	037	—		404	—
	039	—		***	123,56
	400	105,89	0406 90 23 900	028	—
	404	—		037	—
	***	129,78		039	—
0406 90 05 100	400	105,89		400	52,94
	404	—		404	—
	***	129,78		***	110,24
	028	—			
	037	—			
0406 90 05 900	039	—			
	400	105,89			
	404	—			
	***	129,78			
	028	—			
0406 90 06 100	037	—			
	039	—			
	400	105,89			
	404	—			
	***	129,78			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 25 900	028	—	0406 90 35 990	028	—
	037	—		037	—
	039	—		039	—
	400	52,94		400	105,89
	404	—		404	—
	***	110,24		***	105,89
0406 90 27 900	028	—	0406 90 37 000	028	—
	037	—		037	—
	039	—		039	—
	400	45,72		400	105,89
	404	—		404	—
	***	93,42		***	129,78
0406 90 31 119	028	—	0406 90 61 000	028	—
	037	—		037	73,31
	039	—		039	73,31
	400	50,89		400	150,68
	404	13,03		404	114,03
	***	73,27		***	150,68
0406 90 31 151	028	—	0406 90 63 100	028	—
	037	—		037	85,55
	039	—		039	85,55
	400	47,57		400	172,77
	404	12,19		404	130,32
	***	68,29		***	172,77
0406 90 31 159	—	—	0406 90 63 900	028	—
0406 90 33 119	028	—		037	57,02
	037	—		039	57,02
	039	—		400	122,18
	400	50,89		404	65,16
	404	13,03		***	134,39
	***	73,27	0406 90 69 100	—	—
0406 90 33 151	028	—		028	—
	037	—		037	57,02
	039	—		039	57,02
	400	47,57		400	122,18
	404	12,19		404	65,16
	***	68,29		***	134,39
0406 90 33 919	028	—	0406 90 73 900	028	—
	037	—		037	34,75
	039	—		039	34,75
	400	50,89		400	123,00
	404	13,03		404	97,75
	***	73,27		***	123,00
0406 90 33 951	028	—	0406 90 75 900	028	—
	037	—		037	—
	039	—		039	—
	400	47,57		400	52,94
	404	12,19		404	—
	***	68,29		***	102,60
0406 90 35 190	028	—	0406 90 76 100	028	19,55
	037	34,75		037	—
	039	34,75		039	—
	400	129,13		400	47,87
	404	73,31		404	—
	***	129,13		***	90,24

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 76 300	028	—	0406 90 85 995	028	22,40
	037	—		037	—
	039	—		039	—
	400	52,94		400	52,94
	404	—		404	—
	...	110,24		...	110,24
0406 90 76 500	028	—	0406 90 85 999		—
	037	—		0406 90 86 100	—
	039	—		0406 90 86 200	11,00
	400	61,09		028	11,00
	404	—		037	—
	...	110,24		039	—
0406 90 78 100	028	19,55	0406 90 86 300	400	72,89
	037	—		404	—
	039	—		...	72,89
	400	47,87		028	16,29
	404	—		037	—
	...	90,24		039	—
0406 90 78 300	028	—	0406 90 86 400	400	78,34
	037	—		404	—
	039	—		...	79,92
	400	52,94		028	19,55
	404	—		037	—
	...	110,24		039	—
0406 90 78 500	028	—	0406 90 86 900	400	89,03
	037	—		404	—
	039	—		...	90,24
	400	61,09		028	—
	404	—		037	—
	...	110,24		039	—
0406 90 79 900	028	—	0406 90 87 100	400	105,89
	037	—		404	—
	039	—		...	105,89
	400	45,72			—
	404	—		0406 90 87 200	11,00
	...	93,42		028	11,00
0406 90 81 900	028	—	0406 90 87 300	037	—
	037	—		039	—
	039	—		400	72,89
	400	105,89		404	—
	404	—		...	72,89
	...	105,89		028	16,29
0406 90 85 910	028	—	0406 90 87 400	037	—
	037	34,75		039	—
	039	34,75		400	78,34
	400	129,13		404	—
	404	73,31		...	79,92
	...	129,13		028	19,55
0406 90 85 991	028	—		037	—
	037	—		039	—
	039	—		400	89,03
	400	105,89		404	—
	404	—		...	90,24
	...	105,89			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 87 951	028	—	2309 10 15 500		0,45
	037	34,75	2309 10 15 700		0,52
	039	34,75	2309 10 19 010		—
	400	123,00	2309 10 19 100		—
	404	73,31	2309 10 19 200		0,22
	***	123,00	2309 10 19 300		0,29
0406 90 87 971	028	22,40	2309 10 19 400		0,37
	037	—	2309 10 19 500		0,45
	039	—	2309 10 19 600		0,52
	400	60,28	2309 10 19 700		0,55
	404	—	2309 10 19 800		0,59
	***	110,24	2309 10 70 010		—
0406 90 87 972	028	—	2309 10 70 100		17,10
	400	31,80	2309 10 70 200		22,80
	404	—	2309 10 70 300		28,50
	***	39,07	2309 10 70 500		34,20
0406 90 87 979	028	22,40	2309 10 70 600		39,90
	037	—	2309 10 70 700		45,60
	039	—	2309 10 70 800		50,16
	400	60,28	2309 90 35 010		—
	404	—	2309 90 35 100		—
	***	110,24	2309 90 35 200		0,22
0406 90 88 100		—	2309 90 35 300		0,29
0406 90 88 200	028	11,00	2309 90 35 400		0,37
	037	—	2309 90 35 500		0,45
	039	—	2309 90 35 700		0,52
	400	72,89	2309 90 39 010		—
	404	—	2309 90 39 100		—
	***	72,89	2309 90 39 200		0,22
0406 90 88 300	028	16,29	2309 90 39 300		0,29
	037	—	2309 90 39 400		0,37
	039	—	2309 90 39 500		0,45
	400	78,34	2309 90 39 600		0,52
	404	—	2309 90 39 700		0,55
	***	79,92	2309 90 39 800		0,59
2309 10 15 010		—	2309 90 70 010		—
2309 10 15 100		—	2309 90 70 100		17,10
2309 10 15 200		0,22	2309 90 70 200		22,80
2309 10 15 300		0,29	2309 90 70 300		28,50
2309 10 15 400		0,37	2309 90 70 500		34,20
			2309 90 70 600		39,90
			2309 90 70 700		45,60
			2309 90 70 800		50,16

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3478/93 (OJ No L 317, 18. 12. 1993, p. 32).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

(**) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 3252/94**of 27 December 1994****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 3035/94 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 26

December 1994, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 3035/94 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 December 1994.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 321, 14. 12. 1994, p. 28.

ANNEX

to the Commission Regulation of 27 December 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	84,21 ⁽²⁾ ⁽³⁾
0712 90 19	84,21 ⁽²⁾ ⁽³⁾
1001 10 00	2,52 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	51,84
1001 90 99	51,84 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	107,59 ⁽⁶⁾
1003 00 10	81,88
1003 00 90	81,88 ⁽⁹⁾
1004 00 00	91,42
1005 10 90	84,21 ⁽²⁾ ⁽³⁾
1005 90 00	84,21 ⁽²⁾ ⁽³⁾
1007 00 90	86,25 ⁽⁴⁾
1008 10 00	31,41 ⁽⁹⁾
1008 20 00	32,62 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	0
1101 00 00	110,51 ⁽⁹⁾
1102 10 00	187,90
1103 11 10	36,79
1103 11 90	132,58
1107 10 11	103,16
1107 10 19	79,83
1107 10 91	156,63 ⁽¹⁰⁾
1107 10 99	119,78 ⁽⁹⁾
1107 20 00	137,79 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with amended Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽¹¹⁾ The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 3253/94**of 27 December 1994****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1866/94⁽²⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EC) No 1938/94⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 26

December 1994, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 December 1994.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 39.

ANNEX

to the Commission Regulation of 27 December 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 12	1st period 1	2nd period 2	3rd period 3
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	15,04	13,71	12,34
1001 90 99	0	15,04	13,71	12,34
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	22,06	19,19	17,27
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	26,77	24,40	21,97	21,97
1107 10 19	0	20,00	18,23	16,41	16,41
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 19 October 1994

relating to the legal aspects of electronic data interchange

(Text with EEA relevance)

(94/820/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas Council Decision 91/385/EEC⁽¹⁾ established the second phase of the Tedis programme (trade electronic data interchange systems), Article 3 thereof relating to the legal aspects of electronic data interchange (EDI); whereas Annex 1 to that Decision provides for the finalization of the draft European Model EDI Agreement;

Whereas agreements for the participation of the EFTA countries, namely Austria, Finland, Iceland, Norway, Sweden and Switzerland, were approved by the Council in 1989⁽²⁾;

Whereas EDI, by facilitating the exchanges of data between users, can contribute increasingly to the competitiveness of European undertakings in the manufacturing and services sectors;

Whereas the promotion and swift development of EDI in Europe and between Europe and third countries requires a better understanding on the part of economic operators

of the legal implications of conducting transactions by the use of EDI;

Whereas the work already initiated in the field of electronic data interchange during the first phase of the Tedis programme (1988 to 1989), established by Council Decision 87/499/EEC⁽³⁾, resulted in the preparation of a draft of a 'European Model EDI Agreement';

Whereas a 'European Model EDI Agreement' would contribute to the promotion of EDI by providing a flexible and concrete approach to the legal issues raised by the use of EDI, encouraging cooperation between users for the exchange of EDI messages;

Whereas the use of a 'European Model EDI Agreement' would improve the legal framework by providing a uniform approach to the legal issues; whereas it would increase the legal certainty for trading partners and reduce the uncertainty arising from the use of EDI; whereas it would avoid the need for every undertaking, especially small and medium-size companies, to draft their own 'Interchange Agreement' and consequently avoid duplication of work;

Whereas the 'European Model EDI Agreement' consists of legal provisions which need to be supplemented by technical specifications provided in a technical Annex according to the user's specific needs;

⁽¹⁾ OJ No L 208, 30. 7. 1991, p. 66.

⁽²⁾ Council Decisions 89/689/EEC, 89/690/EEC, 89/691/EEC, 89/692/EEC, 89/693/EEC and 89/694/EEC, OJ No L 400, 30. 12. 1989, pp. 1, 6, 11, 16, 21 and 26.

⁽³⁾ OJ No L 285, 8. 10. 1987, p. 35.

Whereas the 'European Model EDI Agreement' aims at ensuring an appropriate protection of confidential and personal data, in particular in the light of the proposal for a Council Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽¹⁾;

Whereas the 'European Model EDI Agreement' supports international and European standards;

Whereas the need for standardized 'Interchange Agreements' is recognized by other international organizations involved in the promotion of EDI such as the United Nations Economic Commission for Europe (UN/ECE) — Working Party on Facilitation of International Trade Procedures through its Programme of work on Legal Issues, and the United Nations Commission on International Trade Law (Uncitral);

Whereas the existence of a uniform European approach to issues relating to the use of EDI will improve the position of undertakings within the Member States in their negotiating power when trading via EDI with third countries;

Whereas the Commission will continue to monitor the developments in this area and, should the need occur, take the appropriate measures to up-date, revise and supplement this European Model EDI Agreement,

HEREBY RECOMMENDS :

1. That economic operators and organizations conducting their trading activities by EDI use the European Model EDI Agreement and its commentary, as set out in the Annexes hereto;
2. That Member States facilitate the use of this 'European Model EDI Agreement' and provide the most appropriate measures to that end.

Done at Brussels, 19 October 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ COM (92) 422 final - SYN 287.

ANNEX 1

EUROPEAN MODEL EDI AGREEMENT

LEGAL PROVISIONS

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EUROPEAN MODEL EDI AGREEMENT

LEGAL PROVISIONS

This European Model Electronic Data Interchange (EDI) Agreement is concluded by and between :

.....
and
.....

hereinafter referred to as 'the parties',

Article 1 Object and scope

- 1.1. The 'European Model EDI Agreement', hereinafter referred to as 'the Agreement', specifies the legal terms and conditions under which the parties, conducting transactions by the use of electronic data interchange (EDI), operate.
- 1.2. The Agreement consists of the legal provisions set out in the following and shall be completed by a Technical Annex
- 1.3. Unless otherwise agreed by the parties, the provisions of the Agreement are not intended to govern the contractual obligations arising from the underlying transactions effected by the use of EDI.

Article 2 Definitions

- 2.1. For the purpose of the Agreement, the following terms are defined as follows ;
- 2.2. EDI :
Electronic data interchange is the electronic transfer, from computer to computer, of commercial and administrative data using an agreed standard to structure an EDI message.
- 2.3. EDI message :
An EDI message consists of a set of segments, structured using an agreed standard, prepared in a computer readable format and capable of being automatically and unambiguously processed.

2.4. UN/Edifact :

As defined by the UN/ECE ⁽¹⁾, the United Nations rules for electronic data interchange for administration, commerce and transport, comprise a set of internationally agreed standards, directories and guidelines for the electronic interchange of structured data, and in particular, interchange related to trade in goods and services, between independent computerized information systems.

2.5. Acknowledgement of receipt :

The acknowledgement of receipt of an EDI message is the procedure by which, on receipt of the EDI message, the syntax and semantics are checked, and a corresponding acknowledgement is sent by the receiver.

Article 3 Validity and formation of contract

- 3.1. The parties, intending to be legally bound by the Agreement, expressly waive any rights to contest the validity of a contract effected by the use of EDI in accordance with the terms and conditions of the Agreement on the sole ground that it was effected by EDI.
- 3.2. Each party shall ensure that the content of an EDI message sent or received is not inconsistent with the law of its own respective country, the application of which could restrict the content of an EDI message, and shall take all necessary measures to inform without delay the other party of such an inconsistency.
- 3.3. A contract effected by the use of EDI shall be concluded at the time and place where the EDI message constituting acceptance of an offer reaches the computer system of the offeror.

Article 4 Admissibility in evidence of EDI messages

To the extent permitted by any national law which may apply, the parties hereby agree that in the event of dispute, the records of EDI messages, which they have maintained in accordance with the terms and conditions of this Agreement, shall be admissible before the Courts and shall constitute evidence of the facts contained therein unless evidence to the contrary is adduced.

Article 5 Processing and acknowledgement of receipt of EDI messages

- 5.1. EDI messages shall be processed as soon as possible after receipt, but in any event, within the time limits specified in the Technical Annex.
- 5.2. An acknowledgement of receipt is not required unless requested.
- An acknowledgement of receipt can be requested by specific provision included in the Technical Annex or by express request of the sender in an EDI message.
- 5.3. Where an acknowledgement is required, the receiver of the EDI message to be acknowledged shall ensure that the acknowledgement is sent within one business day of the time of receipt of the EDI message to be acknowledged, unless an alternative time limit has been specified in the Technical Annex.
- A business day means any day except a Saturday, Sunday or any declared public holiday in the intended place of receipt of an EDI message.
- The receiver of an EDI message requiring an acknowledgment shall not act upon the content of the EDI message until such acknowledgment is sent.
- 5.4. If the sender does not receive the acknowledgement of receipt within the time limit, he may, upon giving notification to the receiver to that effect, treat the EDI message as null and void as from the expiration of that time limit or initiate an alternative recovery procedure as specified in the Technical Annex, to ensure effective receipt of the acknowledgment.
- In case of failure of the recovery procedure, within the time limit, the EDI message will definitely be treated as null and void, as from the expiration of that time limit, upon notification to the receiver.

⁽¹⁾ United Nations Economic Commission for Europe.

Article 6 Security of EDI messages

- 6.1. The parties undertake to implement and maintain security procedures and measures in order to ensure the protection of EDI messages against the risks of unauthorized access, alteration, delay, destruction or loss.
- 6.2. Security procedures and measures include the verification of origin, the verification of integrity, the non-repudiation of origin and receipt and the confidentiality of EDI messages.
- Security procedures and measures for the verification of origin and the verification of integrity, in order, to identify the sender of any EDI message and to ascertain that any EDI message received is complete and has not been corrupted, are mandatory for any EDI message. Where required, additional security procedures and measures may be expressly specified in the Technical Annex.
- 6.3. If the use of security procedures and measures results in the rejection of, or in the detection of an error in an EDI message, the receiver shall inform the sender thereof, within the specified time limit.
- The receiver of an EDI message which has been rejected, or which contains an error shall not act upon the EDI message before receiving instructions from the sender. Where a rejected or erroneous EDI message is retransmitted by the sender, the EDI message should clearly state that it is a corrected EDI message.

Article 7 Confidentiality and protection of personal data

- 7.1. The parties shall ensure that EDI messages containing information specified to be confidential by the sender or agreed mutually to be confidential between the parties, are maintained in confidence and are not disclosed or transmitted to any unauthorized persons nor used for any purposes other than those intended by the parties.
- When authorized, further transmission of such confidential information shall be subject to the same degree of confidentiality.
- 7.2. EDI messages shall not be regarded as containing confidential information to the extent that such information is in the public domain.
- 7.3. The parties may agree to use a specific form of protection for certain messages such as a method of encryption to the extent permitted by law in either of their respective countries.
- 7.4. Where EDI messages which include personal data are sent or received in countries where no data protection law is in force, and until a relevant Community legislation is implemented, each party agrees as a minimum standard, to respect the provisions of the automatic processing of personal data ⁽¹⁾.

Article 8 Recording and storage of EDI messages

- 8.1. A complete and chronological record of all EDI messages exchanged by the parties in the course of a trade transaction shall be stored by each party, unaltered and securely, in accordance with the time limits and specifications prescribed by the legislative requirements of its own national law, and, in any event, for a minimum of three years following the completion of the transaction.
- 8.2. Unless otherwise provided by national laws, EDI messages shall be stored by the sender in the transmitted format and by the receiver in the format in which they are received.
- 8.3. Parties shall ensure that electronic or computer records of the EDI messages shall be readily accessible, are capable of being reproduced in a human readable form and of being printed, if required. Any operational equipment required in this connection shall be retained.

⁽¹⁾ Convention No 108 of the Council of Europe of 28 January 1981.

Article 9 **Operational requirements for EDI**

- 9.1. The parties undertake to implement and maintain the operational environment to operate EDI according to the terms and conditions of this Agreement, which includes but is not limited to the following :
- 9.2. **Operational equipment**
- The parties shall provide and maintain, the equipment, software and services necessary to transmit, receive, translate, record and store EDI messages.
- 9.3. **Means of communication**
- The parties shall determine the means of communication to be used, including the telecommunication protocols and if required, the choice of third party service providers.
- 9.4. **EDI message standards**
- All EDI messages shall be transmitted in accordance with the UN/Edifact standards, recommendations and procedures⁽¹⁾ as approved by the United Nations Economic Commission for Europe (UN/ECE-NP 4) and with European standards.
- 9.5. **Codes**
- Data element code lists referred to in EDI messages shall include UN/Edifact maintained code lists, international code lists issued as ISO international standards and UN/ECE or other officially published code lists.
- Where such code lists are not available, preference shall be given to the use of code lists published, maintained and ensuring correspondences with other coding systems.

Article 10 **Technical specifications and requirements**

The Technical Annex shall include the technical, organizational and procedural specifications and requirements to operate EDI according to the terms of this Agreement, which includes but is not limited to the following :

- operational requirements for EDI, as referred to in Article 9, including, operational equipment, means of communication, EDI message standards and codes,
- processing and acknowledgement of EDI messages,
- security of EDI messages,
- recording and storage of EDI messages,
- time limits,
- procedures for tests and trials to establish and monitor the adequacy of the technical specifications and requirements.

Article 11 **Liability**

- 11.1. No party to this Agreement shall be liable for any special, indirect or consequential damages caused by a failure to perform its obligations of this Agreement.
- 11.2. No party to this Agreement shall be liable for any loss or damage suffered by the other party caused by any delay or failure to perform in accordance with the provisions of this Agreement, where such delay or failure is caused by an impediment beyond that party's control and which could not reasonably be expected to be taken into account at the time of conclusion of the Agreement or the consequences of which could not be avoided or overcome.

⁽¹⁾ UN/Edifact Syntax Rules ISO 9735 — EN 29735, UN/Edifact TDED ISO 7372 — EN 27372. The Untdid (United Nations trade data interchange directory) includes also the UN/Edifact message design guidelines, Syntax implementation guidelines, Data elements directory, Code list, Composite data elements directory, Standard segments directory, UNSMs directory and Uncid.

- 11.3. If a party engages any intermediary to perform such services as the transmission, logging or processing of an EDI message, that party shall be liable for damage arising directly from that intermediary's acts, failures or omissions in the provision of said services.
- 11.4. If a party requires another party to use the services of an intermediary to perform the transmission, logging or processing of an EDI message, the party who required such use shall be liable to the other party for damage arising directly from that intermediary's acts, failures or omissions in the provision of said services.

Article 12 **Dispute resolution**

Alternative 1 ⁽¹⁾

Arbitration clause

Any dispute arising out of or in connection with this Agreement, including any question regarding its existence, validity or termination, shall be referred to and finally resolved by the arbitration of a (or three) person(s) to be agreed by the parties, or failing agreement, to be nominated by ⁽²⁾, in accordance with and subject to the rules of procedure of ⁽³⁾.

Alternative 2 ⁽¹⁾

Jurisdiction clause

Any dispute arising out of or in connection with this contract shall be referred to the courts of ⁽⁴⁾, which shall have sole jurisdiction.

Article 13 **Applicable law**

Without prejudice to any mandatory national law which may apply to the parties regarding recording and storage of EDI messages or confidentiality and protection of personal data, the Agreement is governed by the law of ⁽¹⁾.

Article 14 **Effect, modifications, term and severability**

14.1. **Effect**

The Agreement shall be effective from the date on which it is signed by the parties.

14.2. **Modifications**

Where required, additional or alternative provisions to the Agreement, agreed in writing by the parties, will be considered as part of the Agreement as from their signature.

14.3. **Term**

Any party may terminate the Agreement by giving not less than one month's notice either by registered post or by any other means agreed between the parties. Termination of the Agreement shall only affect transactions after that date.

Notwithstanding termination for any reason, the rights and obligations of the parties referred to in Articles 4, 6, 7 and 8 shall survive termination.

14.4. **Severability**

Should any Article or part of an Article of the Agreement be deemed invalid, all other Articles shall remain in full force and effect.

⁽¹⁾ A choice is to be made by the parties between Alternative 1 'Arbitration clause' or Alternative 2 'Jurisdiction clause'.

⁽²⁾ An 'appointing authority' has to be completed by the parties.

⁽³⁾ A 'choice of procedure of commercial arbitration' has to be completed by the parties.

⁽⁴⁾ A 'country' has to be completed by the parties.

ANNEX 2

EUROPEAN MODEL EDI AGREEMENT

LEGAL PROVISIONS

COMMENTARY

Introduction

The 'European Model EDI Agreement' provides EDI users with a set of provisions which constitute a model for an 'interchange agreement'. To avoid confusion with technical interchange agreements it has been called an 'EDI Agreement', a name which also reflects its object as described in Article 1.

It is mainly the result of a consensus process reached at European level and intends to cover the needs of European undertakings and organizations. However it has been drafted by taking into account the international developments in this field.

To provide the appropriate legal framework, the European Model EDI Agreement consists of a full agreement to regulate relationships between economic operators or other users of EDI which needs to be formally executed. As a model it offers the possibility for adaptation where required⁽¹⁾.

I. Objectives of the European Model EDI Agreement

Different legal issues have been identified with the use of EDI for the purposes of commercial transactions or other purposes involving legal consequences. Although these issues do not prevent the use of EDI they are creating legal uncertainty. One of the most pragmatic ways to address these issues is to resolve them, to the extent possible, in a contractual framework.

The objective of the 'European Model EDI Agreement' is to provide the EDI users with a tool which answers the need for a contractual basis, thus avoiding the necessity to start the drafting of their own agreement and the consequent duplication of work.

The availability of such a model at European level is also an opportunity to improve the consistency of these agreements outside national boundaries, with the consequent increase of security that can be expected from such an approach.

II. Content of the European Model EDI Agreement

The Agreement can be adopted, as it is provided, by the parties. As a bilateral document it allows the parties to fill in their references and adopt it as such. It can also be used as a multilateral agreement and be adopted by a group of companies, by one or more organizations, by a community of users or by any users group.

Article 1 **Object and scope**1.1. **EDI**

The object of the European Model EDI Agreement, 'the Agreement', as of most interchange agreements, is to govern the EDI relationships between the parties and the terms and conditions under which the parties using EDI for their transactions operate.

1.2. **Legal provisions and Technical Annex**

The 'European Model EDI Agreement' provides for the legal provisions which need to be addressed when using EDI. Some of the legal provisions include general references to technical matters. These technical matters require further specifications. They are often found in so-called 'users manuals'.

The legal provisions of the 'European Model EDI Agreement' need to be completed by a Technical Annex which will include the necessary technical specifications as determined by the parties. The Technical Annex is left to the EDI users to develop, draft and/or agree according to their needs, although the basic requirements referred to in the legal provisions have to be taken into account.

⁽¹⁾ Modifications might prove necessary in cases where an inconsistency with a national law occurs, which cannot be completely excluded.

In the current legal environment, the legal provisions should be signed by the parties to show that they intend to enter into an agreement. Subsequent rights and obligations and the legal consequences of the use of EDI between the parties will derive from this Agreement.

As a model agreement, it can be amended to suit the specific needs of the parties. Article 14 contains the provisions relating to modifications of the legal provisions.

1.3. Underlying transactions

It should be emphasized that the Agreement only governs the EDI relations between the parties and is not, unless otherwise agreed by the parties, intended to govern the substance of transactions which will effectively be carried out using EDI.

Article 2 Definitions

2.1. The definitions which have been inserted in this Article are the general definitions of EDI, EDI message, UN/Edifact and acknowledgement of receipt, as these are basic definitions used throughout the Agreement.

They aim at ensuring an unambiguous understanding of these terms used in the Agreement. Some specific definitions, which have been referred to only once, have been inserted in the corresponding Articles.

2.2. EDI

Many EDI definitions exist and the choice of the definition here is essentially based on a definition which has been widely used and has been referred to, notably by the UN/Edifact rapporteurs⁽¹⁾. It emphasises the essential features of EDI.

The use of the term 'agreed standard' includes, but is not limited to, the use of UN/Edifact standards and may be applied to such other standards as the parties may agree.

2.3. EDI message

EDI is based on the use of structured and coded messages, the main characteristic of which is their ability to be processed by computers and transmitted automatically and without ambiguity. This definition emphasizes these essential characteristics, which make EDI specific in comparison with other data exchange such as electronic mail.

2.4. UN/Edifact

The definition is the official definition adopted by the United Nations Economic Commission for Europe — Working Party on Facilitation of International Trade Procedures.

In the Agreement it is intended that EDI relates to the exchange of messages structured on the basis of UN/Edifact standards and recommendations. UN/Edifact standards are European and international and are those approved by standardization bodies such as CEN and ISO. As such, they should be recommended taking account of the support to these standards provided for by the Tedis programme, acting as the Secretariat of the Edifact Board for western Europe, and according to the European Commission standardization approach.

2.5. Acknowledgement of receipt

As they are different kind of acknowledgement of receipt of an EDI message, it is essential to indicate clearly which level of acknowledgement is referred to, in order to avoid confusion. This definition reflects the level chosen within the Agreement in particular as it is referred to in Article 5.

Article 3 Validity and formation of contract

3.1 and 3.2. Validity of contract

Paragraph 3.1 attempts to emphasise the intention of the parties to form valid and binding contracts by EDI and to provide proof of this intention to third parties. As such the provision provides that parties will not challenge the validity of transactions effected by use of EDI, on the sole ground of that means.

⁽¹⁾ Introduction to UN/Edifact, UN/Edifact Rapporteurs' Team, April 1991.

The law applicable to the data transferred might be different from one country to the other and the parties may not necessarily be aware of national law's restrictions on the content of an EDI message. It is reasonable to ensure that parties will take care to respect the national legislation applicable to the content of the EDI message. A provision in relation with this is included in paragraph 3.2.

Whenever the data included in an EDI message received is inconsistent with the national law of the receiver, the obligation on him will be to inform the other party of this inconsistency and he may then be able to take measures to avoid breach of its own law.

An example of such legal requirement, which might impose limitation on the content of a message. Is the case where messages are sent from a country with no personal data protection legislation to a country where restrictions exist.

3.3. Formation of contract

Paragraph 3.3 is relating to the time and place where a contract is concluded or formed. The determination of the moment and time of formation of a contract is important with regard to the legal consequences it involves. Rules have been defined as regards contracts concluded by mail or telephone but uncertainty still exists on the kind of rule which might be applicable to contracts concluded by EDI. A clear provision regarding the applicable rule would, as a consequence, ensure more security.

A majority of Member States approve, for contracts concluded where parties are not in the presence of each other, the application of the 'reception rule' which ensures that acceptance takes place at the place and at the time of receipt of such acceptance by the offeror. The Vienna Convention on the international sale of goods provides for this rule to be applicable to contracts concluded 'at distance'. The conclusion of a study carried out in the first phase of the Tedis programme supports the view that this rule is the best to apply to EDI contracts ⁽¹⁾, in particular as it avoids, to a large extent, the risks of conflicts of laws in connection with the use of EDI. These elements justify the endorsement of that rule in the EDI Agreement.

The reception rule, in the case of the European Model EDI Agreement, is to be understood as the rule whereby an EDI message is received at the time and the place where the message reaches the computer of information system of the offeror.

Article 4 Admissibility in evidence of EDI messages

The area of admissibility and evidential value is one where uncertainty is still predominant. As in most countries legal provisions regarding evidence are not mandatory, specifically in the commercial area, agreement between parties can be reached on the questions of evidence. By reaching an agreement between parties, this uncertainty can be partly reduced.

Effecting transactions by EDI as an alternative to paper, implies that the EDI messages will replace effectively the documents that were exchanged previously on paper. It implies that the parties can rely on these exchanges of messages to provide the evidence of the facts which have happened, in the case of a dispute for example.

Within the boundaries of any law which may apply and provided that the parties have respected the provisions of the Agreement, these EDI messages should be admissible before the Courts as evidence and should also be recognized as a means to provide evidence of the facts that are recorded unless evidence to the contrary is provided.

This Article intends to reflect these views. National legal requirements may however limit the application of such a clause.

Article 5 Processing and acknowledgement of receipt of EDI messages

5.1. Processing of EDI messages

In this Article 'processing' means that the EDI message is dealt with by the receiver. As EDI means increased automatic processing, time limits are of the utmost importance.

⁽¹⁾ Formation of EDI contract. Report prepared by the CRID for the European Commission, 1991.

The parties should commit themselves to deal with the EDI messages they receive in a fixed time which should be included in the Technical Annex. In the case where no time limit has been decided by the parties they should process messages as soon as possible after receipt.

A list of the provisions of the Agreement where time limits have been included and which are subject to specification in the Technical Annex or modification is annexed to this document.

This provision is included, not only to ensure commercial efficiency and good business practices, but also in order to define the contractual rights and obligations of the parties in the event where a message is not received, is late or contains errors and the contract is thereby frustrated.

5.2. Acknowledgement of EDI messages

The acknowledgement of receipt concept has often been misunderstood in particular with regard to the content of the EDI message itself. The definition introduced in this Agreement (Article 2) aims at clarifying the level of acknowledgement which is envisaged in this Model EDI Agreement.

Different levels of acknowledgement are available. Acknowledgement can be automatically transmitted at the level of the telecommunication network when the message is made available to the receiver, it can be automatically sent upon the receipt of the EDI message at the information system of the receiver without any verification, it can be sent after some verification has been achieved, it can also at some stage mean acceptance of the content of the message or confirmation that the receiver will act on the content of the message.

The level chosen in the European Model EDI Agreement does more than simply confirm the receipt. It corresponds to the level where verification of semantics and syntax is achieved and consists of a response to the EDI message sent stating that the message has been received and that the syntax and semantics of the message are correct.

Parties may require other levels of acknowledgement, which in that case should be determined by them, according to their needs and the appropriate details should be included in the Technical Annex.

The principle stated in Article 5 is that an acknowledgement of receipt of an EDI message is not required unless requested.

Provision may be made, in the Technical Annex, for all EDI messages or for certain categories of messages (i.e. all 'ORDER' messages) to be automatically checked and acknowledged. Alternatively, if no specific provision has been made regarding acknowledgement, the appropriate segment for a request for acknowledgement may be included within a message sent. Not all messages will require an acknowledgement and the Technical Annex should clearly differentiate between those which do and those which do not.

5.3. Time limit and acknowledgement of receipt transmission

EDI is characterized notably by an increased reliability due to a reduction in errors, faster and more accurate information flows and by an increased automation of the processing of data. Acknowledgements contribute to the reliability and accuracy of EDI and time limits are in this context critical.

The importance of the time limit for sending the acknowledgement derives from the fact that the EDI message may not be acted upon, and hence contractual obligations may not be carried out, until the acknowledgement, when required, has been sent.

One business day is deemed to be an appropriate time limit in the EDI environment. However, 'Just-in-Time' management or other priorities may require more strict adjustment of time, or it may seem inappropriate or unpractical and an extension might be required, in which case the parties should adjust the time limit and complete the EDI Agreement as they will agree.

Although this provision provides definition of a business day, it may prove useful for the parties to specify more precisely the public or other holidays or the time of availability of the system.

An obligation to send an acknowledgement of an EDI message is placed on the receiver, who should not act on a message, which requires an acknowledgement to be sent, if such acknowledgement has not been forwarded.

5.4. Failure of receipt of an acknowledgement

In the case where an acknowledgement is not received by the sender of an EDI message who has requested such an acknowledgement, within the applicable time limit, it is reasonable that he is allowed to assume that there has been a problem with the message or that the receiver does not want to, or cannot, deal with it and consequently that he should be able to consider such message as null and void provided he so advises the receiver. This latter condition will be particularly useful in the situation where a problem has occurred with the transmission of the acknowledgement. Time limits again will be critical.

Alternatively, the parties may determine a recovery procedure for the cases where technical problems have occurred and the sender of an EDI message for which an acknowledgement is required may initiate such kind of recovery procedure if he does not receive the acknowledgement within the prescribed time limit. The details of such procedure should be determined in the Technical Annex.

Article 6 Security of EDI messages**6.1. Obligations of parties**

A satisfactory level of security for messages must be ensured to avoid any risks that may be associated with the exchange of messages by EDI, and such a level will depend upon the importance of the transactions or messages exchanged.

6.2. Security procedures and measures

Verifications of origin and integrity are stated to be mandatory for any EDI message as they constitute a basic level of security. Parties are, however, strongly recommended to agree, where required, on additional security measures, the degree of which will no doubt depend on the value and importance of the subject-matter of the messages and the possible liability in the event of an unsuccessful exchange of messages.

Control measures are provided in the UN/Edifact directories and guidelines, such as specific checks, acknowledgement of receipt, control count, reference number, identification etc. More elaborated controls may be necessary, in particular when transactions are important and could mean the use of some specific messages to increase the security such as those recommended by security experts⁽¹⁾, or any other available security means or method, including, as an example, digital signatures.

The means, methods and specifications of security and the messages to be used between the parties, to ensure the level of security required, should be set out in detail in the Technical Annex.

6.3. Failure of security procedures

Information of the sender about the failure of an EDI message exchange or about an error in a message needs to be ensured in specified time limits in order to allow the sender to initiate any possible action, whenever this is possible.

In case of a rejection of an EDI message or of detection of an error, instructions from the sender have to be required before any other action is undertaken about the message itself.

Article 7 Confidentiality and protection of personal data**7.1. Confidentiality**

The level of confidentiality to be maintained for EDI messages is intended to reflect the level adhered to in the paper environment. The level of confidentiality of a message should be maintained whenever a message is subject to subsequent transmission.

7.2. Public domain

Information in the public domain is intended to be understood in the general sense of the words, that is, any information which is commonly known and to which a member of the public might have easy access.

⁽¹⁾ The Security Group working under the auspices of Joint Rapporteurs Team — JRT or western European Edifact Board — WEEB is working on the preparation of recommendations in this area.

7.3. Specific form of protection

The reference to encryption is included as a reminder that such a method can be used to protect the data but that restrictions on encryption exist under certain national laws. If parties wish to agree to use such a method of encryption, appropriate authorizations or declarations should be arranged for by them, where required.

7.4. Personal data protection

Personal data shall be subject to the regulation in force for the transmission of such data in the countries to or from where it is transmitted. Most Member States have adopted legislation relating to the protection of personal data, however the kind of protection often differs. The European Commission has submitted to the Council of Ministers a proposal for a directive in this field. When this proposal is adopted, this agreement should be amended accordingly in order to introduced the respect of the provisions of the Directive. In the meantime it seems appropriate to refer to the Convention of the Council of Europe for the cases where national laws are not providing any guidance.

It is reasonable to provide that trading partners and EDI users in Europe, operating in a Member State who did not adopt legislation in this field, should apply the principles set out in this Convention. The Council of Europe is preparing a model contract, which has already been circulated, which aims at ensuring equivalent data protection in the context of transborder data flows. This might constitute a basis for solving issues which might fall outside the scope of the existing national laws ⁽¹⁾.

Article 8 Recording and storage of EDI messages

8.1. Storage procedure and time limits

The requirements for storage of EDI messages have in some countries been set up by legislation, in most cases fiscal legislation. In those countries where no provisions has been made for EDI storage, analogy should be applied by reference to the paper requirements. The time of storage requirements is different from country to country ⁽²⁾ and may also vary according to the area and circumstances.

For this reason, the parties should ensure that the time they will observe complies with their own national legislation. Some of the Tedis studies have analysed these issues and may provide guidance; harmonization might prove necessary in this field ⁽³⁾.

The Uncid code of conduct suggests a period of storage of three years. The same duration of storage has been adopted by the fiscal legislation of some countries. Such a period of time should be considered as a minimum requirement to store information in an accurate and secure way. This time period of three years is suggested as the time limit to consider by parties in the EDI Agreement, should there be no other legal requirement.

If the national law's requirements are different or longer, compliance with the law should be respected. It must be stressed that most Member States' laws require a longer period of storage, most of the time 7 or 10 years and sometimes more. It must also be emphasized that such storage may need to be ensured for various purposes, including but not limited to, audit, accountancy, tax, evidence and other administrative or legal requirements.

It is reasonable, as EDI is still in a growing phase and that a relevant business practice is not necessarily well established, to ensure a careful storage of the information.

The EDI messages sent or received should, for the security of the transaction, be stored completely and in a chronological order, in a secure way and without alteration.

⁽¹⁾ Council of Europe, Model contract to ensure equivalent data protection in the context of transborder data flows, 14 September 1992, T-PD (92) 7.

⁽²⁾ See Wilde Sapte, Report on authentication, storage and use of codes in EDI messages, Report for the European Commission, 1993. This report will be published in 1994.

⁽³⁾ Wilde Sapte, *idem*, Credit and IT Law Group, Report on the legal constraints and inadequacies relating to the use of EDI in the field of accounting in the Member States, November 1992 (available in English) and in the EFTA countries, December 1993 (available in English in 1994).

More legal requirements in connection with the storage of the data may exist at national level and should be carefully followed ⁽¹⁾.

8.2. Format of storage

The data transferred using EDI shall be stored in the format in which it has been sent or in the format in which it has been received (i.e. a UN/Edifact format).

This format has been provided as it is the only format of the data which can be considered as originally received and will constitute, if necessary, evidence of the EDI message as it has been sent or received, before any translation of the message has happened.

If a digital signature has been applied to an EDI message, it will only be possible to verify it against the format in which the message has been sent.

Ideally the data should also be stored in the format in which it is translated in the information system of the receiver or from the information system of the sender. This will, however, be a matter for decision of the parties.

The readability of, and the possibility to print out the messages are criteria most required by national legislation and should be complied with.

To ensure that readability is maintained, any material, software or any other operational equipment which may be required to access the data and read it, should be retained by the parties, even in the case where updating of systems have occurred. The parties may wish or need, in such cases, to keep the availability of such equipment without retaining it themselves. Such possibility should only be relied on after verification of national legislation requirements.

Note that, in view of the constant updating of the UN/Edifact standards, it is of particular importance that, for the purposes of proof, the relevant UN/Edifact directories and software used should also be accessible in order to ensure readability and reproduction of the message if necessary.

Article 9 Operational requirements for EDI

9.1. Operational environment

The objective of this provision is to include in the Agreement the basic operational requirements required to operate EDI. The list of operational and technical elements which are mentioned in Article 9 is not exhaustive. The details regarding these operational requirements, where required, will be developed in the Technical Annex, in accordance with Article 10.

9.2. Operational equipment

Although EDI is independent from the hardware, the software and the telecommunication means, the ability to exchange EDI messages requires information systems to be able to effectively receive, send and process EDI messages. Basic requirements in that respect include the efficient working of the equipment used for the transfer of messages, including hardware, appropriate software and software translation.

9.3. Method of communication

Parties need to determine the method of transmission that they will use including, in particular, the telecommunications protocols and, where necessary, the choice of third party service providers, which might be used to provide a range of services.

9.4. EDI message standards

EDI message standards are essential to EDI. UN/Edifact standards are international and European standards (ISO 9735/CEN 29735 — ISO 7372) and strong support for the UN/Edifact standards and recommendations has been expressed within the activities of the Tedis programme, in particular, within those relating to the Secretariat of the western European Edifact Board which is also an associated body of CEN ⁽²⁾.

⁽¹⁾ Ciredit and IT Law Group, *idem*.

⁽²⁾ CEN, Comité européen de normalisation.

The United Nations Economic Commission for Europe issues the recommendations for the approved UN/Edifact standards, guidelines and directories and these recommendations should be followed to ensure the same level of use of EDI message standards world-wide.

As mentioned above all the appropriate specifications required to exchange EDI messages need to be determined by the parties.

Other standards are available. In the case where parties wish to use any of these other standards they have to reach an agreement on these and have to determine also all appropriate details and specifications.

9.5.

Codes

Code lists which are used for EDI are essential. In implementing UN/Edifact messages, the code lists maintained under UN/Edifact procedures are part of the technical specifications. However many other code lists may be referred to and used.

Where possible the use of international standards or officially published code lists is recommended. These may not cover all the needs of the parties. In that case it is recommended, in order to promote efficiency, that preference should be given to the use of code lists which are published and maintained by known organizations, and which ensure the correspondence with other coding systems (for example statistical code lists).

Article 10

Technical specifications and requirements

The legal provisions are intended to deal mainly with matters relating to substantive legal issues. Basic principles and rules regarding the technical specifications are provided in the Agreement to ensure appropriate agreement and reference to them.

The Technical Annex is the complement to the legal provisions in which the parties will have to determine all the technical requirements and specifications which are required in order to properly exchange EDI messages.

Although it is not easy to provide a list of all the elements which need to be taken into account, as these will vary according to the needs of the parties, it can be emphasized that relevant specifications with regard to the following points need to be provided :

- the specifications relating to the operational requirements (Article 9), including :
 - specifications required in relation to software and translation software for the purpose of EDI exchanges,
 - communication protocols and third party services,
 - UN/Edifact message standards and recommendations, including the list of messages and their references,
 - the conditional elements where needed,
 - the messages design guidelines,
 - the implementation guidelines,
 - the directories
 - the code lists,
 - the reference to the documentation,
 - the versions and updates. The parties should agree, in the Technical Annex, the method that they will use to implement updated versions of messages, rules, guide-lines and directories,
- the specifications required for the processing and acknowledgement of EDI messages,
- the specifications relating to security means for EDI messages,
- the specifications relating to recording and storage,
- the time limits. Time limits may be of critical importance in EDI, in particular when EDI is combined with other techniques such as JIT (Just-in-Time). Some time limits have been inserted in the Model EDI Agreement but may require adjustments according to the needs. Other time limits have to be determined by the parties,

- the tests and trial procedures. Technical experts have made it clear that it may prove not only useful, but also sometimes necessary, to run tests to ensure the proper working of the systems and telecommunications. Practice shows that such tests are, in fact, usually conducted by parties commencing use of EDI and this generally happens in two steps. Firstly EDI messages are exchanged in parallel with the paper documents and secondly, when this test is satisfactory, EDI messages are exchanged without paper support. It may also be necessary to conduct further tests from time to time, for example after changes to the system have been implemented.

Article 11 **Liability**

11.1. **Exclusion of liability**

Special, indirect or consequential damages liability in connection with the Agreement have been excluded⁽¹⁾.

11.2. *Force majeure*

An exception to liability is made in the case of what is commonly known as *force majeure*. The concept of *force majeure* included in this Article is in line with the concept developed by the United Nations Convention on Contracts for the International Sale of Goods or Vienna Convention of 11 April 1980, and, in the absence of uniform national law on this point, provides a definition which the parties may expand, if they wish, by citing various situations in which liability may be exempted.

11.3. **Intermediaries' liability**

Liability for the actions of a third party is included in many agreements and generally accepted since often the third party will effectively be acting as an agent of the user. Moreover, it is the party who will use the service of a third party provider and who has the contractual relationship with the service provider who will be in the best position to sue the service provider in the case where its liability could be engaged.

11.4. **It should be noted that a difference exists between paragraphs 9.2 and 9.3. Where one party imposes the use of a particular intermediary on the other, it seems fair that the party who imposes such use should be responsible for damages which result from using that intermediary instead of the one who has to make use of it.**

Parties should be careful to ensure that adequate insurance covers any possible risk resulting from a message sent, bearing in mind the value of the transactions to be effected by EDI.

Article 12 **Dispute resolution**

Two alternative provisions have been provided in the Model EDI Agreement in order to allow parties for their best choice.

The first alternative provides a clause on arbitration, if the parties decide to resolve their dispute by this way. The second alternative proposed provides a jurisdiction clause, where the choice of a jurisdiction is to be agreed in the case where the parties decide that dispute will be referred to Court.

It should perhaps be emphasized that because of the relationships that EDI creates between users there is a great potential for dispute to be resolved by negotiation.

It is only when such negotiation will fail that the provisions on dispute resolution will become effective and useful.

Alternative 1 :

Arbitration clause

Parties may wish to decide to resolve their dispute by way of arbitration. Arbitration may prove a practical procedure to resolve a dispute involving parties of different countries. It offers the advantage of the choice of arbitrator(s) or of the appointing authority and of a more speedy procedure although this is not always the rule. It can be attractive for the confidentiality of the procedure, which is sometimes favoured by parties. The arbitration award is in principle final although appeal is possible.

⁽¹⁾ For more details see 'The liability of EDI networks operators', Report prepared by CRID for the European Commission, 1991.

Many countries still require a written and clear statement on arbitration when this is the choice of dispute resolution and parties are therefore advised to include such clause in this Agreement.

The parties need to define how the arbitrator will be nominated. A choice can be made between one or three person(s) nominated by agreement or in case of failure of an agreement on the arbitrator(s), an appointing authority can proceed to the nomination.

The parties should therefore indicate which will be the appointing authority. They are national authorities, such as chamber of commerce appointed arbitration chamber, and international ones such as the ICC, Uncitral or the London Court of International Arbitration, as examples.

The rules of procedure relating to the arbitration should be determined as well. In an international context these may be the Uncitral Arbitration Rules, the ICC Court of Arbitration Rules, the London Court of International Arbitration Rules, the Economic Commission for Europe's Arbitration Rules⁽¹⁾ or it can be a national legal system applicable to the arbitration.

Alternative 2 :

Jurisdiction clause

In the case where the parties intend to have their litigation solved by a court, the second alternative provision provides for the parties to choose the competent court and stipulate it in their agreement.

In the case where the parties do not make such a choice, the competent court shall be determined by reference to the Convention on jurisdiction and the enforcement of judgments in civil and commercial matters⁽²⁾.

Article 13

Applicable law

The security of the EDI relationships will be enhanced by an unequivocal specification of the applicable law. As to the law applicable to the Agreement, which is essential, giving consideration to the fact that EDI users may deal with many countries, they are advised to indicate clearly their choice of law.

In the absence of a stated choice, the Agreement will fall back on the provisions of the Convention on the law applicable to contractual obligations⁽³⁾, but this may lead to uncertainty regarding the governing law of the contract as the law will be decided at the time of dispute by determining the law with which the contract is most closely connected.

This will be determined by looking at the country where the party who is to effect the performance which is characteristic of the contract has, at the time of conclusion of the contract, his habitual residence or in the case of a company its central administration. If the contract is, however, entered into in the course of that party's trade or profession, that country will generally be the country where the place of business is situated. Certain exceptions exist to this rule and are listed in Article 4 of the Convention.

Article 14

Effects, term and severability

14.1.

Effect

This Article states that the Agreement does not come into effect until it is signed by the parties.

14.2.

Modifications

As the Agreement, subject of this recommendation is a model agreement, it is a fundamental characteristic of it, that terms of the Agreement can be amended by consent of the parties involved.

To ensure the necessary stability and coherence of the legal provisions, any modification, addition or alternative provisions to the legal provisions shall only be made in the same manner as the Agreement is adopted by the parties, namely by embodying them in a written and signed form.

⁽¹⁾ For more details see notably Schmitthoff, *The Law and Practice of International Trade*, Stevens, 1986, pp. 574 to 629.

⁽²⁾ Convention 72/454/EEC (OJ No L 299, 31. 12. 1972, p. 32).

⁽³⁾ Rome Convention 80/934/EEC, 19 June 1980 (OJ No L 266, 9. 10. 1980, p. 1).

14.3. Term

The period of one month proposed in this Article regarding termination notice may be extended by the parties. It is not advised to reduce it as it is considered as a minimum.

Paragraph 14.3 provides that some rights and obligations relating to the contract are of fundamental importance and shall be respected even following termination of the contract.

14.4. Severability

The final paragraph has been inserted to avoid one party terminating the Agreement simply because one clause has become invalid and it is also intended to prevent parties from terminating an agreement to avoid certain obligations.

ANNEX 3

EUROPEAN MODEL EDI AGREEMENT

LEGAL PROVISIONS

1. List of Articles of the legal provisions of the European Model EDI Agreement which provides for completion by the parties

The following list includes the items reflected in the legal provisions that allows for completion of modification by the parties within the EDI Agreement, legal provisions.

1. *Time limits*

Time limits are referred to in the following paragraphs 5.3, 6.3, 8 and 14.3.

These time limits can be modified in the legal provisions if needed.

2. *Arbitration and jurisdiction clause, applicable law*

Article 12 contains two alternatives on which a choice has to be made. Both alternatives require completion by the parties.

Article 13 requires the completion of the choice of law.

2. List of Articles of the European Model EDI Agreement which provides for specifications to be developed in the Technical Annex.

The following list includes the items reflected in the legal provisions that require specifications to be developed in the Technical Annex by the parties. This list is not exhaustive and can be completed by other specifications.

1. *Time limits*

Time limits which need to be specified in the Technical Annex are referred to in the following paragraphs: 5.1 and 5.4.

2. *Acknowledgement of receipt*

EDI messages to be acknowledged

By reference to paragraph 5.2, the EDI messages which need to be always acknowledged without specific request will be specified.

Specific conditions

Any specific conditions regarding acknowledgement of receipt will be specified.

Alternative recovery procedure

The alternative recovery procedure referred to in paragraph 5.4 will be specified if it is decided to use any.

3. *Security procedures and measures*

The security procedures and measures to fulfil the requirements set forth in Article 6 will be specified.

These procedures and measures are relating to:

- unauthorized access, alteration, delay, destruction, loss,
- verification of origin,
- verification of integrity,
- non-repudiation of origin/receipt,
- confidentiality.

4. *Confidential information*

EDI messages which will contain confidential information can be listed where possible.

Authorization for disclosure can be specified where required.

Method of encryption, where available or in use, can be specified.

5. *Recording and storage*

Any specifications necessary for the recording and storage of EDI messages will be included.

6. *Operational requirements and technical specifications*

All necessary specifications regarding the following technical requirements will be developed :

- equipment,
- software,
- services,
- communication services,
- communication protocols,
- message standards, directories, versions, syntax, type of messages, segments, data elements,
- codes,
- procedure for tests and trials,
- availability,

7. *Modifications*

Any modifications made to the legal provisions need to be specified and agreed in the form provided by Article 14.

GLOSSARY

CCC	Customs Cooperation Council
EDI	Electronic data interchange
EFTA	European Free Trade Association
ICC	International Chamber of Commerce
Tedis	Trade electronic data interchange systems
Uncid	Uniform rules of conduct for the interchange of trade data by teletransmission
Uncitral	United Nations Commission for International Trade Law
UNECE	United Nations Economic Commission for Europe
UN/Edifact	United Nations electronic data interchange for administration, commerce and transport
Untdid	United Nations trade data interchange directory
