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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 553/95

of 13 March 1995

amending Regulation (EC) No 3223/94 on detailed rules for the application of the import arrangements for fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 23 (2) 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 last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3) thereof,

Having regard to Council Regulation (EC) No 3311/94 of 20 December 1994 extending by one month the application for the agrimonetary arrangements in force on 31 December 1994 and fixing the agricultural conversion rates for the new Member States ⁽⁵⁾, and in particular the second paragraph of Article 1 thereof,

Whereas it is necessary to specify and amend certain provisions of Commission Regulation (EC) No 3223/94 ⁽⁶⁾; whereas the concept of 'importer' should be defined on the basis of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽⁷⁾, as amended by the Act of Accession of Austria, Finland and Sweden; whereas the list of representative markets referred to in Article 3 should be supplemented;

Whereas the standard amount of ECU 5 referred to in Article 4 (1) of Regulation (EC) No 3223/94 is expressed without taking account of the correction factor of 1,207509 which was applied to the agricultural conversion rate until 31 January 1995; whereas the derogation provided for in Regulation (EC) No 3311/94 should be applied to that standard amount as from 1 January 1995;

Whereas, finally, it is necessary to provide that the figures on the basis of which the security is lodged should be the same as those shown in Regulation (EEC) No 2913/92 with effect from 1 January 1995;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3223/94 is amended as follows:

1. the following paragraph is added to Article 1:

'For the purposes of this Regulation "importer" means the declarant within the meaning of Article 4 (18) of Regulation (EEC) No 2913/92';

2. in Article 3 (1), the fifth and the eight indents are replaced by the following:

— Kingdom of Spain: Madrid, Barcelona, Seville, Bilbao, Zaragoza, Valencia,

— Italian Republic: Milan, Bologna;

3. the following subparagraph is added to Article 4 (1):

'This standard amount is expressed without taking account of the correction factor of 1,207509 which was applied to the agricultural conversion rate until 31 January 1995';

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 350, 31. 12. 1994, p. 1.

⁽⁶⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽⁷⁾ OJ No L 302, 19. 10. 1992, p. 1.

4. in Article 5 (1) (a), the second subparagraph is replaced by the following :

'Where the aforementioned prices are greater by more than 8 % than the standard value applicable to the product in question at the time the declaration of release for free circulation is made, the importer must lodge the security referred to in Article 248 (1) of Regulation (EEC) No 2454/93. For this purpose, the amount of import duty for which the products may finally be liable shall be the amount of duty which he

would have paid if the product in question had been classified on the basis of the standard value concerned.'

Article 2

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

Points 3 and 4 of Article 1 shall apply with effect from 1 January 1995.

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

Done at Brussels, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 554/95

of 13 March 1995

laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 75 (5) thereof,

Whereas Commission Regulation (EEC) No 2707/86 of 28 August 1986 laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines ⁽²⁾, as last amended by Regulation (EEC) No 3826/90 ⁽³⁾ has frequently been amended; whereas, in the interests of clarity, and on the occasion of further amendments, the rules in question should be consolidated;

Whereas Council Regulation (EEC) No 2333/92 ⁽⁴⁾, as amended by the Act of Accession of Austria, Finland and Sweden, lays down general rules for the description and presentation of sparkling wines and aerated sparkling wines; whereas the detailed rules for applying the principles laid down in the abovementioned Regulation must be adopted;

Whereas, since it is compulsory throughout the Community to show the actual alcoholic strength of sparkling wines and of aerated sparkling wines, detailed rules should be enacted that will create uniform conditions of competition and so facilitate consumer choice; whereas these rules should be made to correspond with the provisions of the Council Directive 76/766/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables ⁽⁵⁾;

Whereas the first indent of the first subparagraph of Article 3 (2) of Regulation (EEC) No 2333/92 gives operators the option of showing either the name or business

name of a producer established in the Community or that of a vendor established in the Community; whereas, for the sake of better consumer information and better information of the authorities responsible for supervising the trade in sparkling wines, it should be made compulsory for the name to be preceded by the professional status of the person responsible for labelling; whereas there is no need to require this if it is apparent from the business name that the operator is a producer of sparkling wine or if the producer has had the sparkling wine produced on his behalf by another undertaking, provided in such cases that this is made clear by an expression such as 'cuvée spéciale pour' or 'Hausmarke' accompanying the name or business name of the producer; whereas neither is there any need to require it in the case of vendors if the name of the producer is accompanied by an expression indicating his professional status;

Whereas, in the light of experience, it should be made clear that the name of the vendor, where the latter is a person other than the producer, is required only if the sparkling or aerated sparkling wine is held in the name of the vendor with a view to its being placed on the market for the purposes of final consumption;

Whereas the term 'producer' and its translation in certain official Community languages are inappropriate for describing sparkling wines; whereas it should therefore be provided that the name or business name of the producer may be preceded not by the words 'producer' or 'produced by' but by an equivalent term;

Whereas it is compulsory to indicate the Member State concerned; whereas it should be made clear as a result how this is to be indicated on the labelling;

Whereas in conformity with the second indent of Article 5 (2) (c) of Regulation (EEC) No 2333/92 a list of the specific traditional terms that may be used as sales descriptions of quality sparkling wines psr should be drawn up;

Whereas in conformity with the third indent of Article 5 (2) (c) of Regulation (EEC) No 2333/92, a list of specified regions which may be used as sales descriptions for a quality sparkling wine psr should be drawn up;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 246, 30. 8. 1986, p. 71.

⁽³⁾ OJ No L 366, 29. 12. 1990, p. 58.

⁽⁴⁾ OJ No L 231, 13. 8. 1992, p. 9.

⁽⁵⁾ OJ No L 262, 27. 9. 1976, p. 149.

Whereas under the third subparagraph of Article 5 (3) of Regulation (EEC) No 2333/92, in the case of quality sparkling wines of aromatic type and of quality sparkling wines of aromatic type produced in specified regions, indication of the product type may be replaced by indication of the residual sugar content determined by analysis; whereas, in view of the inevitable variations between individual vats when the said sparkling wines are produced, some tolerance should be allowed but of limited extent so that consumers are not misled as to product characteristics;

Whereas rules on specific descriptions, in conformity with Articles 5 (2) (f) and 14 (1) of Regulation (EEC) No 2333/92, should be laid down in order to prevent any risk of confusion between sparkling wines on the one hand and the aerated sparkling wines and sparkling drinks obtained by alcoholic fermentation of a fruit or some other agricultural raw material on the other; whereas it should be required that the sales description of drinks other than sparkling wines be shown particularly clearly on the labelling;

Whereas the second indent of the first subparagraph of Article 6 (1) of Regulation (EEC) No 2333/92 makes provision for the names of geographical units to be assigned to quality sparkling wines; whereas a restricted list of these geographical units should be established;

Whereas certain provisions of Regulation (EEC) No 2333/92 are, and certain provisions of the present Regulation will be, applicable to sparkling wines originating in third countries the production rules of which have been recognized as equivalent to those set out in Title III of Council Regulation (EEC) No 2332/92⁽¹⁾, as last amended by Regulation (EC) No 1893/94⁽²⁾; whereas a list of these wines should be established;

Whereas, following the geopolitical changes which have occurred in the former Soviet Union, the new republics of the former USSR who traditionally exported sparkling wines to the Community and whose rules for the production of such wines had been recognized as equivalent to those set out in Title III of Regulation (EEC) No 2332/92 should be allowed to continue to apply them until their new rules have been examined and recognized as equivalent to the Community rules;

Whereas, in order to harmonize throughout the Community and for all categories of wine the use of variety names and synonyms and so establish the formal conditions of

competition, the existing rules on the description of wines and musts should be applied to the description of sparkling wines; whereas, in order to facilitate such application, a list of the variety names and synonyms that may be used for the description of sparkling wines should be published in the *Official Journal of the European Community*;

Whereas the third subparagraph of Article 6 (5) of Regulation (EEC) No 2333/92 stipulates that the words 'méthode champenoise' may be used on the labelling of certain sparkling wines only for a transitional period ending on 31 August 1994 and only together with an equivalent expression denoting this production method; whereas a list should be drawn up of the expressions that may accompany and later replace the words 'méthode champenoise';

Whereas transitional provisions should be adopted permitting the sale of products, the descriptions and presentation of which no longer comply with the Community provisions as a result of amendments;

Whereas, in order to facilitate the changeover from national rules on the description and presentation of sparkling wines and aerated sparkling wines to Community rules, transitional provisions will be required;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the description and presentation of sparkling wines and aerated sparkling wines.

Article 2

The actual alcoholic strength, as referred to in Article 3 (1) (d) of Regulation (EEC) No 2333/92, shall be indicated by units or half-units of percentage by volume.

Without prejudice to tolerances provided for in the reference method of analysis used pursuant to Commission Regulation (EEC) No 2676/90⁽³⁾, the alcoholic strength indicated must be not more than 0,8 % vol higher or lower than the strength determined by analysis.

⁽¹⁾ OJ No L 231, 13. 8. 1992, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 45.

⁽³⁾ OJ No L 272, 3. 10. 1990, p. 1.

The figure for the actual alcoholic strength shall be followed by the symbol '% vol' and may be preceded by the words 'actual alcoholic strength' or 'actual alcohol'.

Article 3

1. The name or business name of the producer or of a vendor established in the Community, as required by the first indent of Article 3 (2) of Regulation (EEC) No 2333/92 shall refer :

- to the producer as defined in the Article 2 of the said Regulation, or
- to the vendor, the latter being any natural or legal person not covered by the definition of the 'producer' who holds in his own name sparkling wines or aerated sparkling wines with a view to placing them on the market for the purposes of consumption. This shall also apply to associations of the abovementioned natural or legal persons.

2. The name or business name of the producer, even if indicated in code form, or of a vendor established in the Community shall be preceded, as appropriate :

- by the words 'producer' or 'produced by' or by another equivalent term,
- by the words 'distributor' or 'distributed by' or other equivalent terms.

The provisions of the first subparagraph shall not apply in the case of :

- (a) the particulars relating to the producer,
 - if the business name of the producer is in itself a clear indication that the production of sparkling wines is the producers's occupation,
 - if the wine is produced to order, provided that the name or business name of the producer is accompanied by word explaining this circumstance;
- (b) the particulars relating to the vendor, where these are accompanied by particulars relating to the producer, whether or not in coded form.

3. The name or business name of the importer as referred to in Article 3 (3) (a) of Regulation (EEC) No 2333/92 shall be preceded by the words 'importer' or 'imported by'.

4. The Member State where the producer, vendor or importer has his head office shall be indicated :

- either in full after the commune or part of commune,
- or by a capital letter or letters indicating the country, where applicable, together with the postal code of the commune in question.

Article 4

1. The specific traditional terms referred to in the second indent of Article 5 (2) (c) of Regulation (EEC) No 2333/92 which may be used as a sales description for a quality sparkling wine psr shall be :

(a) for France :

- 'appellation d'origine contrôlée',
- 'appellation contrôlée'. However where the name of a holding or vine variety or a brand name appears on the labelling bearing the term 'appellation contrôlée', the name of the specified region shall be repeated between the words 'appellation' and 'contrôlée', all these words being in characters of the same type, size and colour,
- 'appellation d'origine vin délimité de qualité supérieure' ;

(b) for Italy :

'denominazione di origine controllata', 'denominazione di origine controllata e garantita' ;

(c) for Greece :

'Ονομασία προελεύσεως ελεγχόμενη' (registered designation of origin), 'Ονομασία προελεύσεως ανωτέρας ποιότητας' (designation of origin indicative of higher quality) ;

(d) for Spain :

'denominación de origen',
'denominación de origen calificada' ;

(c) for Luxembourg :

'Marque nationale' followed by the words 'Appellation contrôlée' together with the name of the specified region 'Moselle luxembourgeoise' ;

(f) for Portugal :

'denominação de origem' ; 'denominação de origem controlada', 'indicação de proveniência regulamentada'.

2. The names of specified regions referred to in the third indent of Article 5 (2) (c) of Regulation No 2333/92 which may be used as a sales description for a quality sparkling wine psr shall be :

(a) France :

'Champagne' ;

(b) Italy :

'Asti' ;

(c) Spain :

'Cava'.

Article 5

Where the residual sugar content determined by analysis in grams per litre is indicated pursuant to the third subparagraph of Article 5 (3) of Regulation (EEC) No 2333/92 a tolerance of ± 5 grams per litre shall be permitted.

The terms 'dulce', 'doux', 'doce', 'mild', 'dolce', 'sweet', 'sød', 'γλυκὺς', 'makea' or 'söt' may also be replaced by an indication that the residual sugar content is more than 50 grams per litre.

Article 6

1. The sales description 'aerated sparkling wine' referred to in Article 5 (2) (f) of Regulation (EEC) No 2333/92 shall appear on the label bearing the compulsory information in characters of the same type with the smallest letters at least 3 mm high.

The words 'obtained by the addition of carbon dioxide' must be added to the following sales descriptions:

- 'vins mousseux gazéifiés',
- 'vino spumante gassificato',
- 'aerated sparkling wine',
- 'αεριοῦχων αφρωδῶν οίνων',
- 'vino espumoso gasificado',
- 'vinho espumoso gaseificado'.

Those additional terms shall appear:

- on the same line or on the line immediately below the line on which the sales description appears,
- in characters which are at least half the size of those indicating the sales description.

2. Sales descriptions including the words 'sparkling wine' and authorized by Member States under the second subparagraph of Article 14 (1) of Regulation (EEC) No 2333/92 for the designation of a beverage falling within CN codes 2206 00 31 and 2206 00 39 obtained by alcoholic fermentation of a fruit or other agricultural raw material shall be shown, within the same visual field as the other compulsory information, on the label in characters of the same type with the smallest letters at least 3 mm high.

Article 7

1. The names of geographical units other than specified regions, and smaller than a Member State which may be used to supplement the description of a quality sparkling wine originating in the Community within the meaning of the second indent of the first subparagraph of Article 6 (1) of Regulation (EEC) No 2333/92 are listed in Annex I of this Regulation.

2. The sparkling wines originating in a third country where the conditions governing their production have been recognized as equivalent to those referred to in Title III of Regulation (EEC) No 2332/92 are listed in Annex II to this Regulation.

Article 8

1. When drawing up the list of vine varieties referred to in section (b) of the second subparagraph of Article 6 (2) of Regulation (EEC) No 2333/92 Member States may provide for the use of only those variety names and their synonyms that appear in Annex III to Commission Regulation (EEC) No 3201/90⁽¹⁾.

The names of the 'Pinot Blanc', 'Pinot noir' and 'Pinot gris' varieties and equivalent names in other official languages of the Community may be replaced by the synonym 'Pinot'.

Only the names of varieties given in Article 1 of Regulation (EEC) No 1907/85⁽²⁾ or the synonyms for such varieties referred to in Annex IV to Regulation (EEC) No 3201/90 may be used for the description of a sparkling wine produced in the Community from wines originating in third countries.

2. Only the names of varieties and the synonyms appearing in Annex IV to Regulation (EEC) No 3201/90 may be used to describe an imported sparkling wine referred to in Annex II to this Regulation.

3. The Member States shall forward to the Commission at an early date the list of vine varieties drawn up in conformity with point (b) of the second subparagraph of Article 6 (2) of Regulation (EEC) No 2333/92 and any amendments made thereto. The Commission shall publish these lists in the *Official Journal of the European Communities*.

Article 9

The expressions equivalent to 'méthode champenoise' that may, under the third subparagraph of Article 6 (5) of Regulation (EEC) No 2333/92 be shown together with that term shall be 'bottle-fermented by the traditional method' or 'traditional method' or 'classical method' or 'classical traditional method'.

Those expressions may be translated into another official Community language.

⁽¹⁾ OJ No L 309, 8. 11. 1990, p. 1.

⁽²⁾ OJ No L 179, 11. 7. 1985, p. 21.

Article 10

1. Sparkling wines and aerated sparkling wines produced in Portugal up to 31 December 1990 the description and presentation of which do not comply with Regulation (EEC) No 2333/92 or with this Regulation may be held for sale, placed on the market or exported until stocks are exhausted provided that they comply with the Portuguese provisions in force before that date.

2. Products listed in Article 1 (1) of Regulation (EEC) No 2333/92 described and presented in accordance with the provisions of that Regulation and of this Regulation in force when they are placed on the market, the description and presentation of which no longer comply with the provisions of this Regulation following amendment thereof, may be held with a view to sale, placed on the market and exported until stocks are exhausted.

Labels carrying indications which are no longer in compliance with the provisions of Regulation (EEC) No 2333/92 or of this Regulation following amendment thereof may be used for a period of one year from the date of application of the amendment.

Material used for prepackaging on which indications which are no longer in compliance with the provisions of Regulation (EEC) No 2333/92 or of this Regulation following amendment thereof are printed directly may be used for a period of two years from the date of application of the amendment.

3. Sparkling wines and aerated sparkling wines in containers which may no longer be used after the expiry of the transitional periods referred to in Article 5 of council Directive 75/106/EEC⁽¹⁾ and in other Community provisions applicable may be held with a view to sale and placed on the market in their containers until stocks

are exhausted, provided that it may be proved, in particular by the registers referred to in Article 71 (2) of Council Regulation (EEC) No 822/87, that the product in question has been vatted, bottled and labelled before the expiry of the abovementioned transitional periods.

4. Products listed in Article 1 (1) of Regulation (EEC) No 2333/92 described and presented in accordance with the provisions of the German Democratic Republic in force before 3 October 1990 and whose description or presentation does not conform to the above Regulation and this Regulation may be held for sale, put into circulation or exported until stocks are exhausted.

The same shall apply to products produced from growths established before 3 October 1990 whose preparation was completed after that date, where their description or presentation does not conform to the abovementioned provisions but conforms to the provisions in force before that date in the German Democratic Republic.

Labels and other labelling accessories printed or manufactured before 3 October 1990, containing information not conforming to the provisions of Regulation (EEC) No 2333/92 and this Regulation may be used until 31 August 1991.

Article 11

1. Regulation (EEC) No 2707/86 is hereby repealed.
2. References to the repealed Regulation shall be construed as references to this Regulation.

Article 12

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, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 42, 15. 2. 1975, p. 1.

ANNEX I

List as provided for in Article 7 (1) of the names and geographical units which may be used to describe quality sparkling wines originating in the Community

1. *For Germany:*

Rhein-Mosel

- (a) Rhein ;
- (b) Mosel ;
- (c) Saar.

Bayern

- (a) Main ;
- (b) Lindau ;
- (c) Bayerische Donau.

2. *For Austria:*

- (a) Niederösterreich ;
- (b) Burgenland ;
- (c) Steiermark.

3. *For Spain:*

Almendralejo.

4. *For the United Kingdom:*

- (a) England ;
- (b) Wales.

ANNEX II

List as provided for in Article 7 (2) of sparkling wines originating in third countries

1. Sparkling wines originating in Bulgaria and described in the labelling as 'Висококачествено вино с географски произход' (high quality wine with a geographical designation of origin) in accordance with Bulgarian provisions.
 2. Sparkling wines originating in Hungary, where the competent official body has noted on document VI 1 that the sparkling wine in question meets Hungarian requirements as regards the basic materials which may be used for the production thereof and as regards quality.
 3. Sparkling wines originating in South Africa, where the competent official body has noted on Document VI 1 that the sparkling wine in question has been made from basic materials which may be described in accordance with South African provisions as 'cultivar wine', 'wine of origin', 'vintage wine' or 'superior wine'.
 4. Sparkling wines originating in the United States of America where the competent official body or a producer approved by the competent official body has noted on document VI 1 that the sparkling wine in question has been made from basic materials which may be described in accordance with United States provisions by an 'appellation of origin' by the name of a variety other than varieties of *Vitis labrusca*) or a 'vintage year'.
 5. Sparkling wines originating in the territory of the former Soviet Union where the competent official body has noted on Document VI 1 that the sparkling wine in question meets domestic requirements as regards the basic materials which may be used for the production thereof and as regards the quality of the finished product.
 6. Sparkling wines originating in Romania where the official body has noted on document VI 1 that the sparkling wine in question meets the Romanian requirements as regards the basic materials which may be used for the production thereof and as regards the quality of the finished product.
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COMMISSION REGULATION (EC) No 555/95**of 13 March 1995****establishing the standard import values for determining the entry price of
certain fruit and vegetables**

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994, on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the units of account on the conversion rates to be applied with the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation;

Whereas the derogation laid down in the second subparagraph of Article 1 of Council Regulation (EC) No 3311/94 of 20 December 1994 extending by one month the application of the agrimonetary arrangements in force on 31 December 1994 and fixing the agricultural conversion rates for the new Member States⁽⁴⁾ should be applied,

HAS ADOPTED THIS REGULATION :

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 March 1995.

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

Done at Brussels, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 350, 31. 12. 1994, p. 1.

ANNEX

to the Commission Regulation of 13 March 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 15	204	90,1
	212	95,6
	624	143,3
	999	109,7
0707 00 15	052	100,7
	053	166,9
	068	75,0
	204	55,2
	624	207,3
	999	121,0
	052	106,0
0709 90 73	204	84,9
	624	196,3
	999	129,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17). Code '999' stands for 'of other origin.'

COMMISSION REGULATION (EC) No 556/95

of 13 March 1995

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 the Act of Accession of Austria, Finland and Sweden, 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⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 502/95⁽⁴⁾ 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 10 March 1995, as regards floating currencies, should be used to calculate the levies ;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 502/95 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 14 March 1995.

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

Done at Brussels, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 50, 7. 3. 1995, p. 15.

ANNEX

to the Commission Regulation of 13 March 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁹⁾
0709 90 60	112,98 ⁽²⁾ ⁽³⁾
0712 90 19	112,98 ⁽²⁾ ⁽³⁾
1001 10 00	51,59 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	104,00
1001 90 99	104,00 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	140,53 ⁽⁹⁾
1003 00 10	109,67
1003 00 90	109,67 ⁽⁹⁾
1004 00 00	119,83
1005 10 90	112,98 ⁽²⁾ ⁽³⁾
1005 90 00	112,98 ⁽²⁾ ⁽³⁾
1007 00 90	117,65 ⁽⁴⁾
1008 10 00	53,73 ⁽²⁾
1008 20 00	59,23 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 11	193,63 ⁽⁹⁾
1101 00 15	193,63 ⁽⁹⁾
1101 00 90	193,63 ⁽⁹⁾
1102 10 00	242,42
1103 11 10	121,61
1103 11 90	220,84
1107 10 11	198,26
1107 10 19	151,46
1107 10 91	208,35 ⁽¹⁰⁾
1107 10 99	159,00 ⁽⁹⁾
1107 20 00	183,13 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,7245/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 2,186/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 0,7245/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 6,569 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 557/95**of 13 March 1995****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 the Act of Accession of Austria, Finland and Sweden, 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 ⁽²⁾, as last amended by Regulation (EC) No 150/95 ⁽³⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EC) No 1938/94 ⁽⁴⁾ 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 10 March 1995, 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 14 March 1995.

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

Done at Brussels, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 198, 30. 7. 1994, p. 39.

ANNEX

to the Commission Regulation of 13 March 1995 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	4,07	1,73	1,25
0712 90 19	0	4,07	1,73	1,25
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
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	1,96	1,95
1005 10 90	0	4,07	1,73	1,25
1005 90 00	0	4,07	1,73	1,25
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 15	0	0	0	0
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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 DECISION

of 6 March 1995

laying down the methods of control for maintaining the officially tuberculosis free status of bovine herds in Sweden

(Only the Swedish text is authentic)

(95/63/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as modified by the Act of Accession of Austria, Finland and Sweden, and in particular Article 3 (14) thereof,

Whereas more than 99,9 % of bovine herds in Sweden have been declared officially tuberculosis free within the meaning of Article 2 (d) of Directive 64/432/EEC and as having fulfilled the conditions for this qualification for at least 10 years ; whereas every year for the past six years at least bovine tuberculosis has not been found to be present in more than one herd per 10 000 herds ;

Whereas all bovines slaughtered in Sweden are submitted to a post-mortem examination by an official veterinarian ;

Whereas in order to maintain the qualification of officially tuberculosis free it is necessary to lay down control measures ensuring its efficacy and which are adapted to the special health situation of bovine herds in Sweden ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

1. An identification system making it possible to trace, for each bovine animal, the herds of origin and transit shall be set up.

2. Every animal slaughtered must be submitted to a post-mortem examination by an official veterinarian.

3. Every suspected case of tuberculosis in a living or dead/slaughtered animal must be notified to the competent authorities.

4. For each suspected case, the competent authorities shall carry out the investigations required in order to confirm or invalidate the suspicion, including back-tracing the herds of origin and transit. If lesions giving rise to a suspicion of tuberculosis are found at the post-mortem examination or slaughtering, the competent authorities shall submit such lesions to laboratory examination.

5. The officially tuberculosis free status of the herds of origin and transit of the suspected bovine animals shall be suspended and the period of suspension shall continue until clinical or laboratory examinations or tuberculin tests have ruled out the presence of bovine tuberculosis.

6. If the suspicion of tuberculosis is confirmed, either by tuberculin tests or by clinical or laboratory examinations, the officially tuberculosis free status of the herds of origin and transit shall be withdrawn.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

Article 2

The status of officially tuberculosis free shall remain withdrawn until such time as :

- all the animals that have been deemed to be infected have been removed from the herd,
- disinfection of premises and utensils has taken place,
- all the remaining bovine animals over six weeks of age have reacted negatively to at least two official intradermal tuberculin tests in accordance with Annex B of Council Directive 64/432/EEC of 26 June 1964, the first one carried out at least six months after the infected animal has left the herd and the second one at least six months after the first.

Article 3

Details of any breakdown herds, as well as an epidemiological report, shall be communicated to the Commission

without delay ; it being understood that a breakdown herd is a herd of origin or transit which has contained a bovine animal that has proved positive for the presence of *Mycobacterium bovis*.

Article 4

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 6 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION**of 6 March 1995****suspending the buying-in of butter in certain Member States****(Only the Danish, German, English, French, Italian, Dutch and Swedish texts are authentic)****(95/64/EC)**

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 the Act of Accession of Austria, Finland and Sweden, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87 ⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, sets out the circumstances under which the buying-in of butter and skimmed milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87 ⁽³⁾, as last amended by Regulation (EEC) No 2011/91 ⁽⁴⁾, lays down the criteria on the basis of which the buying-in of butter by invitation to tender is to be opened and suspended in a Member State or, as regards the United Kingdom and the Federal Republic of Germany, in a region;

Whereas Commission Decision 94/736/EC ⁽⁵⁾ suspends buying-in of butter in certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is currently met in Belgium, Denmark, Germany, France, Ireland, Italy, Luxembourg, Netherlands, Austria, Sweden, Great Britain and Northern Ireland; whereas the list of Member States where that suspension applies must be adapted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The buying-in of butter by invitation to tender as provided for in Article 1 (3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, Denmark, Germany, France, Ireland, Italy, Luxembourg, Netherlands, Austria, Sweden, Great Britain and Northern Ireland.

Article 2

Decision 94/736/EC is hereby repealed.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Austrian Republic, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 6 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽³⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁴⁾ OJ No L 185, 11. 7. 1991, p. 5.

⁽⁵⁾ OJ No L 294, 15. 11. 1994, p. 36.

COMMISSION DECISION

of 7 March 1995

extending the period referred to in Article 15 (2a) of Council Directive 66/403/EEC on the marketing of seed potatoes

(95/65/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/403/EEC ⁽¹⁾ of 14 June 1966 on the marketing of seed potatoes, as last amended by Commission Directive 93/108/EEC ⁽²⁾, and in particular Article 15 (2a) thereof,

Whereas in principle, with effect from certain dates, Member States may no longer determine for themselves the equivalence of seed potatoes harvested in third countries with seed potatoes harvested within the Community and complying with that Directive;

Whereas, however, since work to establish Community equivalence for all the third countries concerned had not been completed, Article 15 (2a) of that Directive permitted Member States to extend to 31 March 1994 the period of validity of equivalence which they had already for certain countries not covered by the Community equivalence;

Whereas the said work is still incomplete;

Whereas the authorization may only be extended in accordance with Member States' obligations under the common rules on plant health, laid down by Council Directive 77/93/EEC ⁽³⁾, as last amended by Directive 94/13/EC ⁽⁴⁾;Whereas by Commission Decision 93/680/EC ⁽⁵⁾ derogations provided for by certain Member States from certain

provisions of Directive 77/93/EEC in respect of seed potatoes originating in Canada have been approved until 31 March 1994;

Whereas Commission Decision 95/14/EC ⁽⁶⁾ extends that period further from 1 December 1994 to 31 March 1995;

Whereas the authorization granted to Member States by Article 15 (2a) should accordingly be extended;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

In Article 15 (2a) of Directive 66/403/EEC, '31 March 1994' is replaced by '31 March 1995'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2320/66.⁽²⁾ OJ No L 319, 21. 12. 1993, p. 39.⁽³⁾ OJ No L 26, 31. 1. 1977, p. 20.⁽⁴⁾ OJ No L 92, 9. 4. 1994, p. 27.⁽⁵⁾ OJ No L 317, 18. 12. 1993, p. 75.⁽⁶⁾ OJ No L 21, 28. 1. 1995, p. 18.

COMMISSION DECISION**of 10 March 1995****amending Decision 82/402/EEC concerning animal health conditions and veterinary certification for imports of fresh meat from certain South American countries****(Text with EEA relevance)****(95/66/EC)**

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

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 14, 15 and 16 thereof,

Whereas the animal health conditions and veterinary certification for importation of fresh meat from Brazil, among others, were established by Commission Decision 93/402/EEC ⁽²⁾, as last amended by Decision 94/732/EC ⁽³⁾;

Whereas, a Community mission carried out in Brazil in 1993 revealed a deterioration in the health situation in the states of São Paulo and Minas Gerais;

Whereas the veterinary authorities in Brazil have taken action to arrest this deterioration; whereas, in spite of these efforts, the expected results have not yet been achieved;

Whereas it is therefore justified to adopt a temporary restrictive measure regarding imports of fresh meat from those two States;

Whereas, during this period the Brazilian authorities should take the necessary measures to achieve a satisfactory situation as regards animal health; whereas however, an absence of progress in those two States during this period may require the prolongation of these measures;

Whereas it is necessary to amend Decision 93/402/EEC accordingly and to establish measures to facilitate the passage to the new certification regime;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 93/402/EEC is replaced by the Annex to this Decision.

Article 2

This Decision shall apply from the day following its publication in the *Official Journal of the European Communities*.

However, for a period of 30 days following the date of application for this Decision, Member States shall authorize the importation of fresh meat, originating from Brazil, produced and certified in accordance with the conditions laid down before that date.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 179, 22. 7. 1993, p. 1.

⁽³⁾ OJ No L 292, 12. 11. 1994, p. 37.

ANNEX

ANNEX I

DESCRIPTION OF TERRITORIES OF SOUTH AMERICA ESTABLISHED FOR THE VETERINARY CERTIFICATION OF ANIMALS

Country	Territory		Description of territory
	Code	Version	
Argentina	AR	01/93	Whole country
	AR-1	01/93	South of 42nd parallel
	AR-2	01/94	Territory north of 42nd parallel
	AR-3	01/93	Provinces of Entre Ríos, Corrientes and Misiones
	AR-4	01/93	Provinces of Catamarca, San Juan, La Rioja, Mendoza Neuquen, and Río Negro and the department of Patagones in the province of Buenos Aires
Brazil	BR	01/93	Whole country
	BR-1	01/95 ⁽¹⁾	States of : Rio Grande do Sul, Paraná, Espírito Santo, Mato Grosso do Sul (except for the municipalities of Sonora, Aquidauana, Bonoquena, Bonito, Caracol, Coxim, Jardim, Ladario, Miranda, Pedro Gomes, Porto Murtinho, Rio Negro, Rio Verde de Mato Grosso and Corumbá) and Santa Catarina
		02/95 ⁽²⁾	States of : Rio Grande do Sul, Paraná, Minas Gerais (except regional delegations of Oliveira, Passos, São Gonçalo de Sapucaí, Setelagoas and Bambuí), São Paulo, Espírito Santo, Mato Grosso do Sul (except for the municipalities of Sonora, Aquidauana, Bonoquena, Bonito, Caracol, Coxim, Jardim, Ladario, Miranda, Pedro Gomes, Porto Murtinho, Rio Negro, Rio Verde de Mato Grosso and Corumbá) and Santa Catarina
Chile	CL	01/93	Whole country
Colombia	CO	01/93	Whole country
	CO-1	01/93	The sector included within the following boundaries : from the point where the Murri river flows into the Atrato river, downstream along the Atrato river to where it flows into the Atlantic Ocean, from this point to the Panamanian border following the Atlantic coastline to Cabo Tiburón ; from this point to the Pacific Ocean following the Colombian-Panamanian border ; from this point to the mouth of the Valle River along the Pacific coast and from this point along a straight line to the point where the Murri river flows into the Atrato river
	CO-2	01/93	The municipalities of Arboletas, Necocli, San Pedro de Uraba, Turbo, Apartado, Chigorodo, Mutata, Dabeiba, Uramita, Murindo, Riosucio (right bank of the Atrato river) and Frontino
	CO-3	01/93	The sector included within the following boundaries : from the mouth of the Sinu river on the Atlantic Ocean, upstream along the Sinu river to its headwaters of Alto Paramillo, from this point to Puerto Rey on the Atlantic Ocean, following the borderline between the department of Antioquia and Córdoba, and from this point to the mouth of the Sinu river along the Atlantic coast
Paraguay	PY	01/93	Whole country
Uruguay	UY	01/93	Whole country

⁽¹⁾ Version to be applied until 30 June 1995.⁽²⁾ Version to be applied from 1 July 1995.