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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 636/95

of 20 February 1995

amending Regulation (EEC) No 2261/84 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organizations

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, and in particular Article 5 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 17a of Regulation (EEC) No 2261/84 ⁽²⁾, for the current marketing year the averages of the olive and oil yields for the last four marketing years must be set before 1 December and estimated production and the unit amount of the production aid that can be paid in advance must be determined before 1 April; whereas, in accordance with Article 18 of that Regulation, the olive yields and oil yields must be fixed by homogenous production zones at the latest by 31 May of each year;

Whereas, under the relevant Community provisions adopted pursuant to Article 5 (5) of Regulation No 136/66/EEC, production aid is paid to olive growers whose average production is less than 500 kg, and advances are paid to olive growers whose average production is at least 500 kg, from 16 October of each marketing year;

Whereas, with a view to improving the administration of the olive oil production aid scheme, estimated production and yields should be determined at the same time and later in each olive oil marketing year so that the information on them is more up to date; whereas the deadline for determining the average of the yields for the last four

marketing years should also be extended so as to facilitate the work involved;

Whereas, in view of the fact that more reliable data than in the past are now available for the payment of advances, the amount of aid which may be advanced and the quantity taken into consideration for the advance should be increased as a result, but in such a way that any risk of incorrect payment is excluded;

Whereas, therefore, Regulation (EEC) No 2261/84 should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2261/84 is hereby amended as follows:

1. in Article 12:

— paragraph 2 is replaced by the following:

‘2. The advance:

(a) shall be equal to the amount obtained by multiplying the unit amount of the aid fixed pursuant to Article 17a (2) by the quantity of oil stated in the aid application;

(b) may not be granted unless:

— the olive yields and oil yields have been fixed for the current marketing year in accordance with Article 18,

— the checks referred to in Article 8 (1) and the on-the-spot checks referred to in Article 14 (3a) have been carried out,

— paragraph 3 shall be deleted;

2. in Article 17a:

— in paragraph 1, the date ‘1 December’ shall be replaced by ‘1 March’,

⁽¹⁾ OJ No L 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 3179/93 (OJ No L 285, 20. 11. 1993, p. 9).

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 3. Regulation as last amended by Regulation (EEC) No 3500/90 (OJ No L 338, 5. 12. 1990, p. 3).

- in paragraph 2, the date '1 April' shall be replaced by '1 July',
- in paragraph 3, the period of 'six months' shall be replaced by 'eight months',
- in paragraph 4, the date '15 March' shall be replaced by '15 June'.

- 3. in Article 18, the date '31 May' shall be replaced by '30 June' and the date '30 April' by '31 May'.

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 February 1995.

For the Council

The President

J. PUECH

COMMISSION REGULATION (EC) No 637/95

of 24 March 1995

amending Regulation (EEC) No 3061/84 laying down detailed rules for the application of the system of production aid for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of the common organization of the market in oils and fats⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 5 (5) thereof,

Whereas Commission Regulation (EEC) No 3061/84⁽²⁾, as last amended by Regulation (EC) No 3062/94⁽³⁾, provides that crop declarations should be lodged not later than 30 November of each marketing year; whereas, however, for the 1994/95 marketing year, French olive growers have been authorized to lodge crop declarations up to 15 January 1995 as an exceptional measure because of the additional information to be taken into account;

Whereas the geographical restriction is not included in the Spanish version of Regulation (EC) No 2830/94; whereas that Regulation was likely to give Spanish olive growers the legitimate expectation of being able to submit amendments in their crop declarations up to 15 January 1995 instead of 30 November 1994; whereas, under those circumstances, Spanish olive growers should be granted the same additional deadline as that given to French olive growers; whereas it is also necessary to extend the deadline for the submission of crop declarations by producer organizations;

Whereas Council Regulation (EEC) No 2261/84⁽⁴⁾, as last amended by Regulation (EC) No 636/95⁽⁵⁾, provides for the establishment, after the end of the marketing year, of the actual olive oil production which is eligible for the aid;

Whereas Regulation (EEC) No 3061/84 provides that, for the purposes of establishing actual production, the

Member States concerned must notify the Commission of the quantity approved for aid in each Member State by 31 March at the latest after each marketing year;

Whereas, as a result of the amendment of Regulation (EEC) No 2261/84 by Regulation (EC) No 636/95, the deadline for establishing the actual production was extended by two months; whereas, as a result, the deadline for the notification of the said information by the Member States should be extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3061/84 is hereby amended as follows:

1. the third subparagraph of Article 1 (1) is replaced by the following:

'In France and Spain, however, the crop declarations referred to in the first subparagraph for the 1994/95 marketing year shall be submitted by 15 January 1995 at the latest.'

2. the following new subparagraph is added to Article 4:

'In France and Spain, however, crop declarations for the 1994/95 marketing year must be submitted by 28 February at the latest.'

3. in Article 12 (a) (3), the date '31 March' is replaced by the date '31 May'.

Article 2

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

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽³⁾ OJ No L 323, 16. 12. 1994, p. 21.

⁽⁴⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽⁵⁾ See page 1 of this Official Journal.

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

Done at Brussels, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 638/95

of 24 March 1995

on the free supply to Moldavia of intervention rye pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan and Moldavia⁽¹⁾, as amended by Regulation (EC) No 2621/94⁽²⁾, and in particular Article 4 thereof,

Whereas, Commission Regulation (EC) No 2065/94⁽³⁾, as amended by Regulation (EC) No 3078/94⁽⁴⁾, established the detailed rules applicable to the free supply of agricultural products held in intervention stocks to Georgia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan and Moldavia foreseen by Regulation (EC) No 1999/94; whereas, in addition, specific rules should be laid down for the supply of intervention rye; whereas, taking account of budgetary resources and the proper management of intervention stocks, a tendering procedure should be organized for the supply of 25 000 tonnes of rye held by the German intervention agency to Moldavia;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 25 000 tonnes (net) of rye as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Articles 2 (1) and 2 (2) thereof.

2. The supply costs shall include the take-over at the stores indicated in Annex II and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 280, 29. 10. 1994, p. 2.

⁽³⁾ OJ No L 213, 18. 8. 1994, p. 3.

⁽⁴⁾ OJ No L 325, 17. 12. 1994, p. 15.

Commission of the European Communities,
EAGGF-Guarantee,
Division VI/G.2 (Office 10/05),
Rue de la Loi/Wetstraat, 120,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 10 April 1995 at 5 p.m. (Brussels time).

In the case of non-acceptance of offers on 10 April 1995, a second closing date for the lodgement of offers shall be 20 April 1995 at 5 p.m. (Brussels time).

In this case all of the dates referred to in Annex I shall be carried forward by 10 days.

2. The offer shall relate to the total of the quantities referred to in Article 1.

3. The tendering security referred to in Article 6 (1) (f) of Regulation (EC) No 2065/94 is fixed at ECU 25 per tonne.

4. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 170 per tonne.

5. The securities referred to in paragraphs 3 and 4 shall be drawn up in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the places and by the authorities referred to in Annex III, on the basis of the model in Annex IV.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency shall deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 5

This Regulation shall enter into force on 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, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

25 000 tonnes of intervention rye destined for Moldavia.

Delivery stage :

The station Razdelnaya via Odessa (goods not unloaded) or the port of Reni via Constanza (goods unloaded on to wagons) or in the case of an overland transport (goods not unloaded) the frontier point will be designated by the successful tenderer in agreement with the Commission services.

Final delivery date at the station or the port :

26 May 1995.

The totality of the lot must be delivered to the same point of destination.

ANNEX II

(tonnes)	
Places of storage	Quantity
Gesellschaft für Lagereibetriebe mbH D-27318 Hoya	1 089
Weser-Lagerhaus GmbH D-27318 Hoya	9 762
Wunstorfer Spedition und Lagerei Pinkenburg KG D-31515 Wunstorf	3 065
Lagerhaus Mittelweser Krüger & Co KG D-31582 Nienburg	1 024
Lühring Nachf. D-31629 Estorf	1 323
Lühring Nachf. D-31633 Leese	4 940
Union Schifffahrts- und Lagerhaus-Gesellschaft mbH D-29683 Oerbke	1 344
Syring Getreidesilo und Lagerhaus D-33106 Paderborn	2 453

The characteristics of the lots shall be supplied to the tenderers by the intervention agency.

Address of the intervention agency:

GERMANY

BLE,
Adickesallee 40,
D-60322 Frankfurt am Main,
Postfach 18 02 03,
D-60083 Frankfurt am Main,
Tel.: (49) 69 1564-0, Telefax: (49) 69 1564-790/791/792.

ANNEX III

Places of take-over in Moldavia :

1. Razdelnaya — Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Odessa. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons

or

2. Port of Reni — Goods unloaded on to wagons

or

3. In the case of an overland transport (goods not unloaded) the frontier point will be designated by the successful tenderer in agreement with the Commission services.

4. Authority entitled to deliver the take-over certificate :

Cereals

State Department of Cereal Products

bd. Stefan cel Mare, 124

277012 Chisinau

Moldavia

Mr Gheorghe Ciorba (Director)

Tel. : (373-2) 22 33 09 ;

Telefax : (373-2) 26 12 55.

ANNEX IV

Take-over certificate

I, the undersigned
(name/first name/position)
acting on behalf of
certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
Number	of sacks (flour) :	
	of cartons (butter) : (meat) (!) :	
Place and date of take-over :		
Rail wagon numbers / name of boat / heavy goods vehicle registration numbers (!) :		
Numbers of seals on arrival :		
Name and address of transport company :		

Name/address of monitoring agency :

.....

.....

Name and signature of its on-the-spot representative :

.....

.....

Observations or remarks :

.....

.....

.....

.....

Signature and stamp

.....

(!) Delete as appropriate.

COMMISSION REGULATION (EC) No 639/95
of 24 March 1995
on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 976 tonnes of sugar;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilize either A or B quota sugar or C sugar in accordance with the regulations governing the market; whereas the contract for the supply of each lot is to be awarded to the tenderer submitting the lowest tender having regard to the conditions applicable to the categories of sugar in question;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

Tenders relating to the lots specified in the Annexes shall cover either sugar produced under the A or B quotas or C sugar within the meaning of points (a), (b) and (c) of the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81⁽⁶⁾. Tenders shall be rejected unless they specify the category of sugar to which they relate.

Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

⁽⁶⁾ OJ No L 177, 1. 7. 1981, p. 4.

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

Done at Brussels, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

LOT A

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1994
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipient** (3): to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (3) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.(1))
8. **Total quantity**: 976 tonnes
9. **Number of lots**: 1 (see Annex II)
10. **Packaging and marking** (9) (11): see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.(2) and V.A.(3))
Language to be used for the marking: see Annex II
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
 - A or B sugar (points (a) and (b)) or
 - C sugar (point (c))
12. **Stage of supply**: free at port of shipment (10)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 8. — 28. 5. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 10. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: at 12 noon (Brussels time) on 24. 4. 1995
 - (b) period for making the goods available at the port of shipment: 22. 5 — 11. 6. 1995
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B; fax (322) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** (4): in the case of A and B sugar: periodic refund applicable to white sugar on 20. 3. 1995, fixed by Commission Regulation (EC) No 573/95 (OJ No L 58, 16. 3. 1995, p. 5)

Notes :

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (4) For A and B sugar :

Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 157/95 (OJ No L 24, 1. 2. 1995, p. 1), shall not apply to this amount.

For C sugar :

Commission Regulation (EEC) No 2330/87 is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.

- (5) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (6) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (7) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (8) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :
 - health certificate A4 : The health certificate must be legalized by the diplomatic representation in the country of origin of the goods.
- (9) Notwithstanding OJ No C 114, point V.A(3)(c) is replaced by the following : 'the words "European Community"'.
 - (10) Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
 - (11) Shipment to take place in 20-foot containers, condition FCL/FCL, The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which to be provided to the beneficiary's forwarder.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II —
ANEXO II — BILAGA II — LIITE II

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino	Lengua que se debe utilizar en la rotulación
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland	Mærkning på følgende sprog
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland	Kennzeichnung in folgender Sprache
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού	Γλώσσα που πρέπει να χρησιμοποιηθεί για τη σήμανση
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination	Language to be used for the marking
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination	Langue à utiliser pour le marquage
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione	Lingua da utilizzare per la marcatura
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming	Taal te gebruiken voor de opschriften
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção n°	País de destino	Língua a utilizar na rotulagem
Parti	Total Kvantitet (ton)	Delkvantitet (ton)	Aktion nr	Bestämmelsesland	Märkning på följande språk
Erä	Kokonaismäärä (tonnia)	Osittaismäärä (tonnia)	Toimi N:o	Määrämaa	Merkinnässä käytettävä kieli
A	976	A1 : 18	1301/94	Perú	Español
		A2 : 54	1302/94	Perú	Español
		A3 : 18	1303/94	Perú	Español
		A4 : 36	1317/94	Guatemala	Español
		A5 : 400	1318/94	Haïti	Français
		A6 : 162	1319/94	Angola	Português
		A7 : 180	1320/94	Moçambique	Português
		A8 : 18	1321/94	Eritrea	English
		A9 : 90	1353/94	Uganda	English

COMMISSION REGULATION (EC) No 640/95

of 24 March 1995

laying down the extent to which applications lodged on 20 and 21 March 1995 for certificates for the advance-fixing of the export refund for certain poultrymeat products may be accepted

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

Having regard to Commission Regulation (EC) No 437/95 of 28 February 1995 laying down detailed rules for granting a special refund for exports of poultrymeat sector products to certain third countries⁽¹⁾, and in particular Article 3 thereof,

Whereas the export refunds for poultrymeat are laid down by Commission Regulation (EC) No 187/95⁽²⁾, as amended by Regulation (EC) No 442/95⁽³⁾;

Whereas Regulation (EC) No 437/95 lays down that refunds must be fixed in advance for control purposes;

Whereas pursuant to Article 3 of Regulation (EC) No 437/95, it may be decided to terminate the lodging of applications for advance-fixing certificates and to reduce the quantities applied for when the total quantity exceeds

40 000 tonnes; whereas, in view of the quantities for which advance-fixing certificates have been applied for, applications may be granted in full,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for certificates for the advance-fixing of the refund for products falling within CN codes 0207 21 10 and 0207 21 90 referred to in the Annex to amended Regulation (EC) No 187/95 and which must be exported under the conditions laid down in Regulation (EC) No 437/95, submitted on 20 and 21 March 1995, shall be granted in full.

Article 2

This Regulation shall enter into force on 27 March 1995.

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

Done at Brussels, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 45, 1. 3. 1995, p. 30.

⁽²⁾ OJ No L 24, 1. 2. 1995, p. 72.

⁽³⁾ OJ No L 45, 1. 3. 1995, p. 42.

COMMISSION REGULATION (EC) No 641/95**of 24 March 1995**

determining the extent to which applications lodged in March 1995 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted

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

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products⁽¹⁾, as amended by Regulation (EC) No 2389/94⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the period 1 April to 30 June 1995 are greater than the

quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to 30 June 1995 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 1 April 1995.

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

Done at Brussels, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 156, 23. 6. 1994, p. 9.

⁽²⁾ OJ No L 255, 1. 10. 1994, p. 104.

ANNEX

	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 1995
1	4,88
2	4,90
3	4,93
4	73,05
5	7,58

COMMISSION REGULATION (EC) No 642/95

of 24 March 1995

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) between Spain and the Community, with the exception of Portugal, as regards certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 3818/92⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽³⁾, as amended by Regulation (EEC) No 3831/92⁽⁴⁾, establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, artichokes, melons and strawberries are included in the list;

Whereas Commission Regulation (EEC) No 3944/89⁽⁵⁾, as last amended by Regulation (EEC) No 3308/91⁽⁶⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EC) No 145/95⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 26 March 1995 for the above products; whereas in view of last expected exports from Spain to the rest of the Community with the exception of Portugal, and of the Community market situation, a period I should be fixed for melons and for artichokes;

Whereas, on the basis of the abovementioned criteria a period I and II should be determined for tomatoes and a period II should be determined for strawberries respectively until 30 April; whereas indicative ceilings should be determined pursuant to Article 3 of Regulation (EEC) No 3210/89 for very short periods, given the sensitivity of these products;

Whereas it should be stipulated that the provisions of Regulation (EEC) No 3944/89 relating to statistical monitoring, to the use of exit documents for Spanish consignments and to the various communications from the Member States apply in order to ensure that the STM operates;

Whereas the need for accurate information justifies communications on the statistical monitoring of trade at more frequent intervals;

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

1. For melons and artichokes covered by the CN codes set out in the Annex, the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

2. For strawberries covered by CN codes 0810 10 10 and 0810 10 90, and tomatoes covered by CN codes 0702 00 15 and 0702 00 20:

- the indicative ceilings provided for in Article 83 (1) of the Act of Accession, and
- the periods provided for in Article 2 of Regulation (EEC) No 3210/89

shall be as set out in the Annex hereto.

Article 2

1. For consignments of the products referred to in Article 1 from Spain to the rest of the Community market, with the exception of Portugal, Regulation (EEC) No 3944/89, with the exception of Articles 5 and 7 thereof, shall apply.

However, the notification provided for in Article 2 (2) of that Regulation shall be made each Tuesday at the latest in respect of quantities consigned during the preceding week.

2. The notification provided for in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 for products mentioned in Article 1 (2) subject to a period II or to a period III shall be forwarded to the Commission on Tuesday each week at the latest in respect of the preceding week.

During the application of a period I, those notifications shall be made once a month, on the fifth day of each month at the latest in respect of data from the preceding month; where appropriate, that notification shall bear the word 'nil'.

Article 3

This Regulation shall enter into force on 27 March 1995.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 47.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁶⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁷⁾ OJ No L 21, 28. 1. 1995, p. 8.

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

Done at Brussels, 24 March 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and the ceilings provided for in Article 83 of the Act of Accession

Period from 27 March to 30 April 1995

Description of product	CN code	Period
Artichokes	0709 10 10	I
Melons	0807 10 90	I

Description of product	CN code	Indicative ceiling (tonnes)	Period
Strawberries	0810 10 90 0810 10 10	27. 3 – 2. 4. 1995: 18 500	II
		3. 4 – 9. 4. 1995: 21 700	II
		10. 4 – 16. 4. 1995: 23 700	II
		17. 4 – 23. 4. 1995: 23 700	II
		24. 4 – 30. 4. 1995: 24 400	II
Tomatoes	0702 00 15 0702 00 20	27. 3 – 31. 3. 1995: —	I
		1. 4 – 2. 4. 1995: 11 500	II
		3. 4 – 9. 4. 1995: 22 900	II
		10. 4 – 16. 4. 1995: 10 800	II
		17. 4 – 23. 4. 1995: 9 200	II
		24. 4 – 30. 4. 1995: 7 700	II

COMMISSION REGULATION (EC) No 643/95**of 24 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⁾, as amended by Regulation (EC) No 553/95⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, 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 Commis-

sion 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,

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 25 March 1995.

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

Done at Brussels, 24 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 56, 14. 3. 1995, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 24 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	052	100,0
	204	87,7
	212	95,9
	624	131,8
	999	103,9
0707 00 15	052	100,7
	053	166,9
	068	86,3
	204	50,7
	624	207,3
0709 90 73	999	122,4
	052	129,7
	204	91,0
	624	196,3
	999	139,0

⁽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 644/95
of 24 March 1995
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 ⁽¹⁾, as last amended by Regulation (EC) No 150/95 ⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 580/95 ⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽⁴⁾, as last amended by Regulation (EC) No 157/95 ⁽⁵⁾; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded during the reference period 16 to 25 March 1995, applying Article 4 (1), (2) and (3) of Regulation (EEC) No 3813/92 would result in a considerable reduction in the agricultural conversion rate for the Belgian franc, the German mark, the Dutch guilder and the Austrian schilling; whereas, therefore, Article 4 (5) of Regulation (EEC)

No 3813/92 applies; whereas it is necessary to fix a new agricultural conversion rate for the Italian lira, the Greek drachma, the Spanish peseta, the Swedish krona, the pound sterling and the Irish pound;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

1. In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

2. However, in the case of agricultural conversion rates fixed in advance before 1 February 1995, the ecu rates listed in Annex II shall be replaced by those set out in Annex III.

Article 3

Regulation (EC) No 580/95 is hereby repealed.

Article 4

This Regulation shall enter into force on 26 March 1995.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 58, 16. 3. 1995, p. 18.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 24, 1. 2. 1995, p. 1.

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

Done at Brussels, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Agricultural conversion rates

ECU 1 =	40,8337	Belgian and Luxembourg francs
	7,74166	Danish kroner
	1,94962	German marks
	302,187	Greek drachmas
	198,202	Portuguese escudos
	6,61023	French francs
	5,88000	Finnish marks
	2,19672	Dutch guilders
	0,829498	Irish punt
	2 269,92	Italian lire
	13,7190	Austrian schillings
	170,165	Spanish pesetas
	9,58593	Swedish kroner
	0,829882	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	39,2632	Belgian and Luxembourg francs	ECU 1 =	42,5351	Belgian and Luxembourg francs
	7,44390	Danish kroner		8,06423	Danish kroner
	1,87463	German marks		2,03085	German marks
	290,564	Greek drachmas		314,778	Greek drachmas
	190,579	Portuguese escudos		206,460	Portuguese escudos
	6,35599	French francs		6,88566	French francs
	5,65385	Finnish marks		6,12500	Finnish marks
	2,11223	Dutch guilders		2,28825	Dutch guilders
	0,797594	Irish punt		0,864060	Irish punt
	2 182,62	Italian lire		2 364,50	Italian lire
	13,1913	Austrian schillings		14,2906	Austrian schillings
	163,620	Spanish pesetas		177,255	Spanish pesetas
	9,21724	Swedish kroner		9,98534	Swedish kroner
	0,797963	Pound sterling		0,864460	Pound sterling

ANNEX III

Agricultural conversion rates fixed in advance and adjusted where they were fixed in advance before 1 February 1995

Table A			Table B		
ECU 1 =	47,4107	Belgian and Luxembourg francs	ECU 1 =	51,3615	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	350,859	Greek drachmas		380,097	Greek drachmas
	230,126	Portuguese escudos		249,302	Portuguese escudos
	7,67492	French francs		8,31450	French francs
	6,82707	Finnish marks		7,39599	Finnish marks
	2,55054	Dutch guilders		2,76308	Dutch guilders
	0,963102	Irish punt		1,04336	Irish punt
	2 635,53	Italian lire		2 855,16	Italian lire
	15,9286	Austrian schillings		17,2560	Austrian schillings
	197,573	Spanish pesetas		214,037	Spanish pesetas
	11,1299	Swedish kroner		12,0574	Swedish kroner
	0,963548	Pound sterling		1,04384	Pound sterling

COMMISSION REGULATION (EC) No 645/95**of 24 March 1995****altering the import levies on products processed from cereals and rice**

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 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 416/95 ⁽⁵⁾, as last amended by Regulation (EC) No 602/95 ⁽⁶⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁸⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93 ⁽⁹⁾, as amended by Regulation (EC) No 438/95 ⁽¹⁰⁾, as fixed in the Annex to amended Regulation (EC) No 416/95 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 25 March 1995.

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

Done at Brussels, 24 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 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 44, 28. 2. 1995, p. 40.

⁽⁶⁾ OJ No L 60, 18. 3. 1995, p. 27.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽¹⁰⁾ OJ No L 45, 1. 3. 1995, p. 32.

ANNEX

to the Commission Regulation of 24 March 1995 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies ⁽⁶⁾	
	ACP	Third countries (other than ACP)
1102 30 00	149,14	152,79
1103 14 00	149,14	152,79
1103 29 50	149,14	152,79
1104 19 91	253,26	260,55
1108 19 10	213,86	251,09

⁽⁶⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 646/95**of 24 March 1995****fixing the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽²⁾, as last amended by Regulation (EEC) No 674/91 ⁽³⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 178/95 ⁽⁴⁾, as last amended by Regulation (EC) No 584/95 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 March 1995.

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

Done at Brussels, 24 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 52.

⁽⁵⁾ OJ No L 59, 17. 3. 1995, p. 8.

ANNEX

to the Commission Regulation of 24 March 1995 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (%)		
	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾)	Third countries (except ACP and Bangladesh) (⁽⁵⁾)
1006 10 21	—	185,02	378,74
1006 10 23	—	191,22	391,15
1006 10 25	—	191,22	391,15
1006 10 27	293,36	191,22	391,15
1006 10 92	—	185,02	378,74
1006 10 94	—	191,22	391,15
1006 10 96	—	191,22	391,15
1006 10 98	293,36	191,22	391,15
1006 20 11	—	232,36	473,43
1006 20 13	—	240,11	488,94
1006 20 15	—	240,11	488,94
1006 20 17	366,70	240,11	488,94
1006 20 92	—	232,36	473,43
1006 20 94	—	240,11	488,94
1006 20 96	—	240,11	488,94
1006 20 98	366,70	240,11	488,94
1006 30 21	—	286,68	602,16
1006 30 23	—	334,89	698,49
1006 30 25	—	334,89	698,49
1006 30 27	523,87	334,89	698,49
1006 30 42	—	286,68	602,16
1006 30 44	—	334,89	698,49
1006 30 46	—	334,89	698,49
1006 30 48	523,87	334,89	698,49
1006 30 61	—	305,73	641,30
1006 30 63	—	359,47	748,78
1006 30 65	—	359,47	748,78
1006 30 67	561,59	359,47	748,78
1006 30 92	—	305,73	641,30
1006 30 94	—	359,47	748,78
1006 30 96	—	359,47	748,78
1006 30 98	561,59	359,47	748,78
1006 40 00	—	67,48	142,21

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

(⁽⁵⁾) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁽⁶⁾) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of amended Decision 91/482/EEC.

COMMISSION DIRECTIVE 95/6/EC

of 20 March 1995

amending Annexes I and II to Council Directive 66/402/EEC on the marketing of cereal seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Commission Directive 93/2/EEC⁽²⁾, and in particular Article 21a thereof,

Whereas hybrids of rye are included in the scope of Directive 66/402/EEC, but the Directive does not establish the conditions to be satisfied by the crop and the seed of hybrids of rye;

Whereas in order to establish such conditions Commission Decision 89/374/EEC of 2 June 1989 on the organization of a temporary experiment under Council Directive 66/402/EEC on the marketing of cereal seed, in order to establish the conditions to be satisfied by the crop and the seed of hybrids of rye⁽³⁾, as amended by Decision 92/520/EEC⁽⁴⁾, was adopted;

Whereas that experiment ended on 30 June 1994;

Whereas on the basis of the results of that experiment the conditions to be satisfied by the crop and the seed of hybrids of rye may now be established and Annexes I and II to Directive 66/402/EEC should be amended accordingly;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and II to Directive 66/402/EEC are amended as set out in the Annex hereto.

Article 2

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 30 June 1995. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 20 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 54, 5. 3. 1993, p. 20.

⁽³⁾ OJ No L 166, 16. 6. 1989, p. 66.

⁽⁴⁾ OJ No L 325, 11. 11. 1992, p. 25.

ANNEX

1. Annex I is amended as follows :

(a) In points 2 and 3, the words 'other than hybrids' are added after the words *Secale cereale*.

(b) The following point 3a is inserted :

'3a. Hybrids of rye.

(a) The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination.

Crop	Minimum distance
1	2
— for the production of basic seed	
— where male sterility is used	1 000 m
— where male sterility is not used	600 m
— for the production of certified seed	500 m

(b) The crop shall have sufficient identity and purity as regards the characteristics of the components, including male sterility.

In particular, the crop shall conform to the following standards or other conditions :

(i) the number of plants or the crop species, which are recognizable as obviously not being true to the component shall not exceed,

— one per 30 m² for the production of basic seed,

— one per 10 m² for the production of certified seed, this standard to apply in official field inspections to the female component only,

(ii) in the case of basic seed, where male sterility is used, the level of sterility of the male-sterile component shall be at least 98 %.

(c) Where appropriate, certified seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility.'

2. Annex II is amended as follows :

(a) In point 1, the words 'hybrid varieties of *Sorghum* spp. and *Zea Mays*' are replaced by the words 'hybrid varieties of *Secale Cereale*, *Sorghum* spp. and *Zea Mays*'.

(b) The following is added to point 1 :

'C. Hybrids of rye

Seed shall not be certified as certified seed unless due account has been taken of the results of an official post-control test, on samples of basic seed taken officially and carried out during the growing season of the seed entered for certification as certified seed to ascertain whether the basic seed met the requirements for basic seed laid down in this Decision in respect of identity and purity as regards the characters of the components, including male sterility.'

(c) Point 3 is replaced by the following :

'3. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.

In particular, the seed shall conform to the following standards in respect of *Claviceps purpurea* (maximum number of *sclerotia* or fragments of *sclerotia* in a sample of the weight specified in column 3 of Annex III).

Category	<i>Claviceps purpurea</i>
1	2
Cereals other than hybrid rye : — basic seed — certified seed	1 3
Hybrids of rye : — basic seed — certified seed	1 4 (a)

(a) The presence of five *sclerotia* or fragments of *sclerotia* in a sample of the prescribed weight shall be deemed to be in conformity with the standards, where a second sample of the same weight contains not more than four *sclerotia* or fragments of *sclerotia*.'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 March 1995

concerning the implementation of the Annex to Council Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels

(95/84/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2930/86 of 22 September 1986 defining the characteristics of fishing vessels ⁽¹⁾, as amended by Regulation (EC) No 3259/94 ⁽²⁾, and in particular Article 4 thereof and the Annex thereto,

Whereas it is appropriate to take into account the situations in the different Member States regarding the procedures and methods for the measurement of the tonnage of their fleets;

Whereas the new deadlines agreed by the Council to ensure the remeasurement of small fishing vessels with a length of less than 24 metres must be used to ensure a gradual and balanced implementation of the formulae and operations linked to the remeasurement; whereas it is therefore appropriate that annual intermediate objectives should be fixed to ensure that those operations are gradually accomplished;

Whereas in the meantime it is necessary to have estimates of the gross tonnage of the Community fleet made available before the deadline fixed for the mid-term review of the multiannual guidance programmes for the period 1993-1996 defined by Commission decisions ⁽³⁾,

Whereas rationalization at the level of each Member State and harmonization at Community level of the units of tonnage measurement are amongst the conditions for the effective implementation of the multiannual guidance

programmes for the period 1993-1996, under the transparent conditions which are needed for supervising compliance with the objectives;

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

HAS ADOPTED THIS DECISION:

Article 1

The values of the functions a_1 , a_2 and a_3 set out in Annex I to Regulation (EEC) No 2930/86 are fixed in accordance with the tables in Annex I to this Decision.

Article 2

Each Member State will forward to the Commission before 15 March 1995 the lists of vessels by segment of their multiannual guidance programme, together with their gross tonnages (GT), measured, in the case of vessels of more than 24 metres, between perpendiculars which do not undertake international voyages, and estimated, in the case of the vessels of less than 24 metres in length, between perpendiculars.

Article 3

The compilation of the parameters of the 1969 London Convention and their application to small vessels of less than 15 metres in overall length for which the parameters B_i and T_i are not available will be carried out progressively in accordance with the timetable set out in Annex 2.

⁽¹⁾ OJ No L 274, 25. 9. 1986, p. 1.

⁽²⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽³⁾ OJ No L 401, 31. 12. 1992, p. 3 ff.

The effective remeasurement of vessels from 15 metres in overall length to 24 metres in length between perpendiculars according to the provisions of the London Convention shall be carried out progressively in accordance with the timetable set out in Annex 3.

For this purpose each Member State may draw up lists of vessels selected on the basis of their age or other relevant parameters so that this timetable can be adhered to.

Article 4

The lists of vessels concerned by Articles 2 and 3 as well as the data on the gross tonnages attached to these lists are communicated to the Commission in accordance with Articles 3, 8 and 9 of Commission Regulation (EC) No 109/94⁽¹⁾. The internal number of each vessel will be communicated with these lists.

Any modification of the physical characteristics of a vessel, when such modification is carried out during the remeasurement period and when such modification is likely to result in a change in the GT tonnage for the

purposes of the London Convention, shall be the subject of a communication from the Member State concerned to the Commission, giving the tonnage values before and after modification.

For vessels having an overall length of less than 15 metres, those tonnage values shall be calculated using the formulae specified by Council Regulation (EC) No 3259/94 and Annex I to this Decision. For vessels having an overall length of 15 metres or more, those tonnage values shall be calculated in accordance with the provisions of the London Convention.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1995.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 19, 22. 1. 1994, p. 5.

ANNEX I

VALUES OF THE FUNCTIONS a_1 , a_2 AND a_3

1. New vessels of overall length less than 15 metres and existing vessels of overall length less than 15 metres for which London Convention parameters are available

$$a_1 = 0,5194 + 0,0145 L_{oa} \text{ but not to be taken less than } 0,60$$

where L_{oa} is the overall length as defined in Article 2 of Regulation (EEC) No 2930/86.

2. Existing vessels of overall length less than 15 metres for which the London Convention parameters are not available

$$a_2 = 0,4974 + 0,0255 L_{oa} \text{ but not to be taken less than } 0,60$$

For Spain, Greece and Italy, which do not have available the Oslo Convention parameters required to estimate gross tonnage using a_2 in the formula specified by Council Regulation (EC) No 3259/94, the following provisions will apply:

— Spain:

Oslo Convention parameters will be estimated on the basis of the national parameters currently available.

— Greece, Italy:

The formula to estimate gross tonnage will be developed by Greece and Italy based on the national parameters currently available.

Spain, Italy and Greece will progressively substitute the estimates of tonnage so obtained by tonnage calculated using the function a_1 according to the rate set down in Annex 2 for the application of the London Convention parameters to this category of vessels.

3. Existing vessels between 15 metres overall length and 24 metres length between perpendiculars

$$a_3 = 0,3097 B_i/T_i + L_{oa} (Y - 1900)/2767 - C \text{ but not to be taken less than } 0,65 \text{ or more than } 1,45$$

where Y is the year of construction, not to be taken less than 1950, and where B_i and T_i are the hull breadth and depth respectively as defined by the Oslo Convention. The additive adjustment C takes the following values:

— Belgium	0,35,
— Germany	0,34,
— France (Atlantic)	0,19,
— The Netherlands	0,27,
— United Kingdom	0,21,
— Ireland	0,21,
— Denmark	0,10,
— France (Mediterranean)	0,46,
— Greece	0,63,
— Portugal	0,46,
— Spain	0,36.

For Spain and Italy, which do not have available the Oslo Convention parameters required to estimate gross tonnage using a_3 in the formula specified by Council Regulation (EC) No 3259/94, the following provisions will apply:

— Spain:

Oslo Convention parameters will be estimated on the basis of the national parameters currently available.

— Italy:

The formula to estimate gross tonnage will be developed by Italy based on the national parameters currently available.

The estimates and formulae developed by Spain, Greece and Italy described in paragraphs 2 and 3 are subject to the agreement of the Commission and will be available for inspection by other Member States.

4. Exceptions

The gross tonnage of vessels whose form or constructional features are such as to render the application of these formulae unreasonable or impracticable (catamarans, trimarans and other vessels of novel design) shall be determined by the administration of the Member State concerned. Where the tonnage is so determined, the administration shall communicate to the Commission details of the method used for that purpose. These will be made available for examination by other Member States.

*ANNEX II***PROGRAMME FOR THE APPLICATION OF THE LONDON CONVENTION PARAMETERS TO SMALL VESSELS BETWEEN 0 AND 15 METRES OVERALL LENGTH FOR WHICH THE PARAMETERS B_i AND T_i ARE NOT AVAILABLE**

The number (n) of vessels to be remeasured is communicated to the Commission within the two months following the adoption of the present Decision.

The application of the London Convention parameters to the vessels concerned by this Annex is ensured according to the following rate :

- by 31 December 1995 at least 25 % of n,
 - by 31 December 1996 at least 50 % of n,
 - by 31 December 1997 at least 75 % of n,
 - by 31 December 1998 100 % of n.
-

*ANNEX III***PROGRAMME FOR THE REMEASUREMENT OF VESSELS BETWEEN 15 METRES OVERALL LENGTH AND 24 METRES LENGTH BETWEEN PERPENDICULARS**

The number of vessels to be remeasured (N) is communicated to the Commission within the two months following the adoption of the present Decision.

The effective remeasurement of the vessels concerned by this Annex is ensured according to the following rate :

- by 31 December 1997 at least 33 % of N,
 - by 31 December 1999 at least 55 % of N,
 - by 31 December 2001 at least 77 % of N,
 - by 31 December 2003 100 % of N.
-