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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 682/95**of 27 March 1995****extending the 1994/95 milk year**

THE COUNCIL OF THE EUROPEAN UNION,

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⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas the target price for milk and the intervention prices for butter and skimmed-milk powder were fixed under the reform of the common agricultural policy by Regulation (EEC) No 2072/92 ⁽²⁾ for the period 1 July

1993 to 30 June 1995; whereas the 1994/95 milk year should therefore be extended until 30 June 1995,

HAS ADOPTED THIS REGULATION:

Article 1

The 1994/95 milk year shall end on 30 June 1995 and the 1995/96 milk year shall begin on 1 July 1995.

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, 27 March 1995.

For the Council

The President

J. PUECH

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by the 1994 Act of Accession.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 65. Regulation as last amended by Regulation (EC) No 1881/94 (OJ No L 197, 30. 7. 1994, p. 23).

COUNCIL REGULATION (EC) No 683/95
of 27 March 1995
extending the 1994/95 marketing year in the beef and veal sector

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas the intervention prices fixed in the context of the reform of the common agricultural policy for the beef and veal sector pursuant to Article 1 of Council Regulation (EEC) No 2068/92 of 30 June 1992, fixing, for the period 1 July 1993 to 30 June 1996, the intervention prices for adult bovine animals⁽²⁾, will apply only from 1 July 1995 for the period 1 July 1995 to 30 June 1996; whereas the current marketing year should therefore be

extended until 30 June 1995 in order to maintain the guide and intervention prices at their existing level until the new price system is applied,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 4 of Regulation (EEC) No 805/68, the 1994/95 marketing year in the beef and veal sector shall end on 30 June 1995 and the 1995/96 marketing year shall begin on 1 July 1995.

Article 2

This Regulation shall enter into force on 3 April 1995.

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

Done at Brussels, 27 March 1995.

For the Council

The President

J. PUECH

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by the 1994 Act of Accession.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 58.

COUNCIL REGULATION (EC) No 684/95

of 27 March 1995

amending Regulation (EC) No 603/95 on the common organization of the market in dried fodder

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 42 and 43 thereof,

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

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

Whereas in adopting Regulation (EC) No 603/95 on the common organization of the market in dried fodder ⁽³⁾ the Council indicated that the level of the advance payment foreseen in Article 6 remained to be fixed definitively;

Whereas it is necessary that the increased level of the advance should not disturb the correct application of the maximum guaranteed quantity system;

Whereas this objective can be achieved by a system of securities;

Whereas this new possibility should not be to the detriment of operators who prefer to receive the lower level of advance foreseen in Article 6 without a security;

Whereas Regulation (EC) No 603/95 shall therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 603/95 is hereby amended as follows:

1. Article 6 shall be replaced by the following:

'Article 6

1. Undertakings processing dried fodder which apply for aid under this Regulation shall be entitled to an advance payment of:

— ECU 41,30 per tonne in the case of dried fodder for which the aid in Article 3 (2) is claimed, or ECU 55,06 per tonne if they have lodged a security of ECU 13,76 per tonne, and

— ECU 23,18 per tonne in the case of dried fodder for which the aid in Article 3 (3) is claimed, or ECU 30,91 per tonne if they have lodged a security of ECU 7,73 per tonne.

Member States shall carry out the necessary checks to ensure that entitlement to the advance is justified. Once entitlement to the payment is established, payment of the advance shall be made.

However, the advance may be paid before entitlement has been established where a security equal to the amount of the advance, plus 10 %, has been lodged by the processing undertaking. Such security shall cover any other security that may have been lodged in accordance with the first or second indent of the first subparagraph. That security shall be reduced to the level provided for under the said first or second indent as soon as entitlement to aid is established and shall be totally released on the payment of the balance.

2. In order to qualify for an advance payment, the dried fodder in question must have left the processing undertaking.

3. Where an advance has been made, a balance shall be paid equal to the difference, if any, between the amount of the advance and the total amount of aid due to the undertaking processing dried fodder, taking into account Article 5.

4. Where an advance has been made which exceeds the total payment to which the undertaking processing dried fodder is entitled, taking into account Article 5, the undertaking shall repay to the competent authority of the Member State, on demand, such part of the advance as constituted an overpayment.'

2. In Article 18 (a), the following indent shall be added after the second indent:

'— the release of securities referred to in Article 6 (1).'

3. In Article 20, the following paragraph shall be added:

'3. References to Regulations repealed pursuant to paragraphs 1 and 2 are to be construed as being made to this Regulation.'

Article 2

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

It shall apply from 1 April 1995.

⁽¹⁾ OJ No C 365, 21. 12. 1994, p. 8.

⁽²⁾ OJ No C 56, 6. 3. 1995.

⁽³⁾ OJ No L 63, 21. 3. 1995, p. 1.

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

Done at Brussels, 27 March 1995.

For the Council

The President

J. PUECH

COUNCIL REGULATION (EC) No 685/95

of 27 March 1995

on the management of the fishing effort relating to certain Community fishing areas and resources

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 4 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽⁴⁾ provides that it is the Council's responsibility to establish Community measures laying down the conditions of access to areas and resources and of the pursuit of fishing activities;

Whereas Regulation (EC) No 1275/94 ⁽⁵⁾ provides, with regard to the adjustment and incorporation into Community measures of the arrangements regarding access to waters and resources laid down in the Act of Accession of Spain and Portugal, that the Council is to adopt, before 1 January 1995, the measures to be taken in accordance with Article 3 thereof;

Whereas it is necessary to safeguard existing balances and the *acquis communautaire*, particularly the principle of relative stability;

Whereas it is necessary to ensure that there is no increase in the overall levels of existing fishing effort within the areas and stocks covered by the Act of Accession of Spain and Portugal, and to provide for a reduction in that fishing effort if changes in resources make it necessary to introduce a general reduction of fishing opportunities;

Whereas it is necessary to take account of the complexity of fishing activities and the biological, geographical and geomorphological characteristics of the resources; whereas particular note should be taken of the need to preserve the balance of those resources in highly sensitive areas;

Whereas it is the responsibility of flag Member States to regulate on fishing effort; whereas, as a result, it is necessary to ensure the transparency and equity of the management and monitoring procedures;

Whereas the introduction of a system for the management of fishing effort calls for certain accompanying Community measures,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of the common fisheries policy this Regulation establishes, with effect from 1 January 1996, the criteria and procedures for the introduction of a system for the management of fishing effort in ICES divisions Vb, VI, VII, VIII, IX and X and CECAF areas 34.1.1, 34.1.2, and 34.2.0.

Article 2

1. The Member States shall establish lists of named fishing vessels flying their respective flags which are authorized to carry out their fishing activities in the fisheries defined in Annex I.
2. The Member States may include other vessels on their lists of named vessels at a later date, provided there were entitlements to fish at the time that the reference lists were established.
3. The Member States may at a later date replace the vessels entered on their lists of named vessels.
4. In the event of any amendment to those lists, the criteria and procedures referred to in Articles 3 and 5 shall continue to apply.

TITLE I

Measures concerning the catching of demersal species

Article 3

1. With regard to each fishery for the catching of demersal species as defined in Annex I, the Member States shall assess the fishing effort necessary, on the basis of Community criteria for assessing the fishing efforts defined in Annex II.
2. These fishing efforts shall take account of the following conditions:
 - (i) effort levels shall allow each Member State, for each fishery, to take up fully its fishing possibilities, i.e. species subject to TAC's, allocated or not, as well as species not subject to such limitations;

⁽¹⁾ OJ No C 247, 3. 9. 1994, p. 4.

⁽²⁾ OJ No C 18, 23. 1. 1995.

⁽³⁾ OJ No C 397, 31. 12. 1994.

⁽⁴⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 140, 3. 6. 1994, p. 1.

- (ii) effort levels shall be established pursuant to Community rules; existing balances in exploitation by fishery and by zone shall not be disturbed;
- (iii) effort levels shall, in no way, affect the relative stability of the different fisheries.

3. The Member States shall introduce arrangements to regulate the fishing effort where the potential fishing effort corresponding to free access for fishing vessels entered on the list of named vessels exceeds the assessed effort.

4. The Member States concerned shall assess the fishing effort in ICES areas VII a and VII f north of latitude 50°30' north in the light of traditional fishing activities.

5. The Member States concerned shall assess the fishing effort in the area south of latitude 56°30' north, east of longitude 12° west and north of latitude 50°30' north on the basis of the level of existing activity for their respective vessels, except for those flying the flag of Spain. The number of vessels flying the flag of Spain in this area may not exceed 40, in full compliance with the provisions laid down in paragraph 2 (ii).

TITLE II

Measures concerning the catching of pelagic species

Article 4

1. With regard to the catching of pelagic species, including the highly migratory species, defined in Annex I, the Member States shall take steps to ensure *a posteriori* monitoring of the actual fishing effort.
2. In particular cases, the fishing effort may be regulated by the Council under the procedure laid down in Article 8 (4) of Regulation (EEC) No 3760/92, taking account, *inter alia*, of existing balances in exploitation by fishery and by zone.
3. With a view to guaranteeing that the controls on fishing efforts, referred to in Article 3 (4) and (5), shall apply to fishing for pelagic species and other non-demersal species in ICES areas VII a and VII f, the Council will take a decision on a proposal from the Commission in accordance with the procedure provided for in paragraph 2 of this Article.

TITLE III

General provisions

Article 5

1. The Member States shall communicate the following information to the Commission by 31 March 1995 at the latest:
 - the lists of named vessels referred to in Article 2 for demersal fisheries;

- an assessment of the necessary fishing effort, as referred to in Article 3 (1);
- if necessary, the proposed arrangements for regulating the fishing effort, as referred to in Article 3 (3).

2. The Member States shall periodically communicate to the Commission each amendment made to the information referred to in paragraph 1.

3. The Commission shall forward the information referred to in paragraphs 1 and 2 to the Member States.

Article 6

1. On the basis of the information referred to in Article 5 and after close consultation with the Member States concerned the Commission shall submit to the Council, by 30 April 1995 at the latest, a proposal for a Regulation on the regulation of the fishing effort.

2. The Council shall, by 30 June 1995 at the latest, decide on this proposal in accordance with the procedure laid down in Article 8 (4) of Regulation (EEC) No 3760/92 and may or may not adapt the conditions for engaging in fishing activities which are communicated by the Member States concerned, with full respect for the principles of relative stability and non-discrimination.

The Regulation which will be adopted by the Council may provide for the adoption of implementation measures, in accordance with the procedure provided for in Article 18 of Regulation (EEC) No 3760/92, including the adjustment, in certain circumstances, of the conditions for the exercise of fishing activities, while having due regard to the criteria and conditions defined by Article 3 (1) and (2) of the present Regulation.

The Commission shall review the conditions for the exercise of fishing activities in the event that the corresponding fishing effort ceilings prejudice the full use of quotas of a Member State and shall take the appropriate measures in order to remedy this situation in accordance with the procedure provided for in the second subparagraph.

3. Should the Council fail to decide by 31 July 1995 at the latest, the Commission shall adopt, on the basis of the proposal mentioned in paragraph 1, if possible by 31 October 1995 at the latest, in accordance with the procedure laid down in Article 18 of Regulation (EEC) No 3760/92, the measures needed to ensure that each Member State does not increase its fishing effort beyond the existing level.

4. If the measures laid down in paragraph 3 are not adopted by the Commission before 31 December 1995, the lists of named fishing vessels and, if necessary, the arrangements for regulating the fishing effort which are communicated to the Commission by the Member States shall apply.

Article 7

1. The Member States shall, before 31 March 1995, take the necessary steps to ensure that the fishing effort assessed pursuant to Article 3 is replaced. The Member State shall notify such steps to the Commission, which shall apprise the other Member States thereof.

In this context, the Member State may regulate fishing effort by monitoring the activity of its fleet and by taking appropriate action if the level of the fishing effort authorized pursuant to Article 6 is about to be reached.

2. The Member States shall, whenever necessary, issue special fishing permits for vessels flying their respective flags.

3. The Member States shall take the necessary action to make it compulsory for vessels flying flags to communicate details of entry into, and exits from, fishing areas, including entry into, and exit from, fishing ports located within these areas, in which fishing effort limitation or limitation on capacity apply, and of entries into, and exits from, the area lying south of latitude 56°30' north, east of longitude 12° west and north of latitude 50°30' north. For vessels equipped with real-time automatic monitoring systems recognized under Community legislation, these communications may be made by means of those systems.

4. The Member States shall take the necessary steps to make it compulsory for vessels flying their respective flags to declare in addition on entry into, and exit from, an area, on-board catches as from the date of implementation — not later than 1 January 1998 — of Community infrastructure for the management of data on fishing catches in Community waters.

5. Communications and declarations referred to in paragraphs 3 and 4 shall be made simultaneously to the flag State and the coastal States concerned.

6. The Commission shall, by 30 June 1995 at the latest, submit proposals for amending Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, in particular Article 6 thereof on the obligation to register catches and fishing effort. The Council shall act on these proposals before 31 December 1995.

7. The Council shall act, by 30 June 1995 at the latest, on a Commission proposal amending Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance

with the Community system for the conservation and management of fishery resources⁽²⁾ in order to provide for additional financial support for Ireland, including support for operating expenditure, with due regard for authorized Community practices and in the framework of financial guidelines.

8. The Commission shall provide the Member States, by 15 September of each year at the latest with a full report on the inspections carried out by the Commission in the preceding calendar year, together with an assessment of the results of the inspections and an account of any improvements in national enforcement arrangements which have been recommended.

Article 8

The Member States shall take the measures referred to in Annex III before 1 January 1996.

Article 9

1. The provisions laid down in Articles 2, 3, 4 (2) and 7 shall apply to vessels of over 15 metres between the perpendiculars.

2. The fishing capacity of fishing vessels below that limit shall be assessed globally for each fishery.

Article 10

In accordance with Articles 4 and 8 of Regulation (EEC) No 3760/92, the Council shall, by 31 December 1995 at the latest, fix the total admissible catches for the different stocks of horse mackerel in ICES area X and CECAF and shall allocate those fishing possibilities to Spain and Portugal in the corresponding areas.

Article 11

1. In accordance with Article 9 of Regulation (EEC) No 3760/92, the Member States concerned shall exchange fishing possibilities allocated to them under the conditions referred to in Annex IV point 1.

2. As from 1 January 1996, the Member States concerned shall limit their catches in accordance with the conditions referred to in Annex IV point 2.

Article 12

1. In accordance with the provisions and procedures laid down in Article 4 of Regulation (EEC) No 3760/92 and in compliance with the principle of non-discrimination, the Council shall act by 30 June 1995 at the latest on the amendments to be made to Council Regulation

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 364, 14. 12. 1989, p. 64. Decision as last amended by Decision 94/207/EC (OJ No L 101, 20. 4. 1994, p. 9).

(EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, in the light of the information contained in Annex V.

2. The Commission shall submit proposals by 30 June 1995 at the latest in order to improve technical conservation measures, in particular with regard to the selectivity of fishing gear in western Community waters. The Council shall act on these measures by 31 December 1995 at the latest in accordance with the provisions and

procedures laid down in Article 4 of Regulation (EEC) No 3760/92.

Article 13

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, 27 March 1995.

For the Council

The President

J. PUECH

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1. Regulation as last amended by Regulation (EEC) No 3676/93 (OJ No L 341, 31. 12. 1993, p. 1).

ANNEX I

DEFINITION OF FISHERIES

Fishery		
Fishing gear	Target species	ICES area unless otherwise indicated
Towed gear	Demersal species (a)	Vb ⁽¹⁾ , VI
		VII
		of which :
		VIIa
		VIIIf ⁽²⁾
		VIIIabd
		VIIIce, IX, X, Cefac 34.1.1, 34.1.2 and 34.2.0
		of which :
		VIIIce, IX ⁽⁴⁾
		IX ⁽³⁾
Fixed gear	Demersal species (a)	X ⁽³⁾
		Cefac 34.1.1 ⁽³⁾ 34.1.2 ⁽³⁾ 34.2.0 ⁽³⁾
		Cefac 34.1.1 ⁽⁴⁾ 34.1.2 ⁽⁴⁾ 34.2.0 ⁽⁴⁾
		Vb ⁽¹⁾ , VI
		VII
		of which :
		VIIa
		VIIIf ⁽²⁾
		VIIIabd
		VIIIce, IX, X, Cefac 34.1.1, 34.1.2 and 34.2.0
		of which :
		VIIIce, IX ⁽⁴⁾
		IX ⁽³⁾
		X ⁽³⁾
		Cefac 34.1.1 ⁽³⁾ 34.1.2 ⁽³⁾ 34.2.0 ⁽³⁾
		Cefac 34.1.1 ⁽⁴⁾ 34.1.2 ⁽⁴⁾ 34.2.0 ⁽⁴⁾

(a) For deep-water species (emperor fish, grenadier, cutlassfish and Portuguese dogfish), edible crab, spider crab and scallop, the Member States concerned will evaluate fishing effort and issue special fishing permits for this purpose.

⁽¹⁾ Except waters under the sovereignty and/or jurisdiction of the Faroe Islands and Iceland.

⁽²⁾ North of 50°30' N.

⁽³⁾ Solely in waters under the sovereignty and/or jurisdiction of Portugal.

⁽⁴⁾ Solely in waters under the sovereignty and/or jurisdiction of Spain.

Fishery		
Fishing gear	Target species	ICES area unless otherwise indicated
Purse seine, pelagic trawl, small-meshed drift net	Pelagic fish except : Ray's bream, shark, tuna and highly migratory species	Vb ⁽¹⁾ , VI
		VII
		of which : VIIa
		VIIb ⁽²⁾
		VIIIabd
		VIIIce, IX, X, Cecaf 34.1.1, 34.1.2 and 34.2.0
		of which : VIIIce, IX ⁽³⁾
		IX ⁽³⁾
		X ⁽³⁾
		Cecaf 34.1.1 ⁽³⁾ 34.1.2 ⁽³⁾ 34.2.0 ⁽³⁾
Surface longline	Ray's bream, shark, tuna and highly migratory species	Vb ⁽¹⁾ , VI
		VII
		of which : VIIa
		VIIb ⁽²⁾
		VIIIabd
		VIIIce, IX, X, Cecaf 34.1.1, 34.1.2 and 34.2.0
		of which : VIIIce, IX ⁽³⁾
		IX ⁽³⁾
		X ⁽³⁾
		Cecaf 34.1.1 ⁽³⁾ 34.1.2 ⁽³⁾ 34.2.0 ⁽³⁾
		Cecaf 34.1.1 ⁽⁴⁾ 34.1.2 ⁽⁴⁾ 34.2.0 ⁽⁴⁾

⁽¹⁾ Except waters under the sovereignty and/or jurisdiction of the Faroe Islands and Iceland.

⁽²⁾ North of 50° 30' N.

⁽³⁾ Solely in waters under the sovereignty and/or jurisdiction of Portugal.

⁽⁴⁾ Solely in waters under the sovereignty and/or jurisdiction of Spain.

Fishery		
Fishing gear	Target species	ICES area unless otherwise indicated
Tuna fishing gear	Tuna	Vb ⁽¹⁾ , VI
		VII
		of which :
		VIIa
		VIIb ⁽²⁾
		VIIIabd
		VIIIce, IX, X, Cefaf 34.1.1, 34.1.2 and 34.2.0
		of which :
		VIIIce, IX ⁽³⁾
		IX ⁽³⁾
		X ⁽³⁾
		Cefaf 34.1.1 ⁽³⁾ 34.1.2 ⁽³⁾ 34.2.0 ⁽³⁾
		Cefaf 34.1.1 ⁽⁴⁾ 34.1.2 ⁽⁴⁾ 34.2.0 ⁽⁴⁾

⁽¹⁾ Except waters under the sovereignty and/or jurisdiction of the Faroe Islands and Iceland.

⁽²⁾ North of 50° 30'N.

⁽³⁾ Solely in waters under the sovereignty and/or jurisdiction of Portugal.

⁽⁴⁾ Solely in waters under the sovereignty and/or jurisdiction of Spain.

*ANNEX II***COMMUNITY CRITERIA FOR THE EVALUATION OF FISHING EFFORT****Fishing effort**

In accordance with Article 3 of Regulation (EEC) No 3760/92, fishing effort is defined as follows :

- in the case of a vessel, as the product of its capacity and its activity ;
- in the case of a fleet or of a group of vessels, as the sum of the fishing effort of each individual vessel.

Capacity

The capacity of a vessel is expressed as follows :

- in the case of vessels using towed gear, as the installed power expressed in kilowatts (kW) ;
- in the case of vessels using fixed gear, as the installed power expressed in kilowatts (kW) and tonnage. If necessary, on the basis of proposals from the Member States and in consultation with the Member States concerned, the Commission will examine the possibility of setting more sophisticated criteria for assessing fishing effort.

Activity

The fishing activity of a fishing vessel is evaluated on the basis of time spent annually in the zone.

*ANNEX III***CONDITIONS GOVERNING THE EXERCISE OF FISHING ACTIVITIES****1. Towed gear**

The lists of named vessels flying the flag of Spain or Portugal shall include a list of vessels with access to each other's continental waters.

In the case of fisheries covering the waters of the continental coasts in ICES areas VIII and IX and Cefac, the competent Spanish and Portuguese authorities shall establish national fishery plans regulating the activity of their respective vessels in each other's waters. These plans shall, in particular, respect, in terms of the number of vessels and total capacity, the overall fishing effort levels reached during the period 1986-1995.

Catches of crustaceans, in the form of a by-catch, will be permitted only up to 10 % of the volume of the catch kept on board in the course of directed fishing for hake and other demersal species.

2. Surface longlines and troll line tuna fishing

The fishing activities of vessels flying the flag of Spain in continental waters under the sovereignty or jurisdiction of Portugal in ICES area IX and Cefac and the fishing activities of vessels flying the flag of Portugal in continental waters under the sovereignty or jurisdiction of Spain in ICES areas VIII and IX and Cefac are authorized in accordance with the Community provisions in force.

3. Tuna fishing

The access of Spanish vessels to island waters under the sovereignty or jurisdiction of Portugal in ICES area X and Cefac and that of Portuguese vessels to island waters under the sovereignty or jurisdiction of Spain in Cefac is excluded, except, where appropriate, in the case of vessels engaging in fishing activities which involve the use of traditional gear under a joint agreement between these two Member States.

ANNEX IV

MEASURES CONCERNING THE EXCHANGE OF CERTAIN FISHING POSSIBILITIES AND CERTAIN AUTHORIZED CATCH LIMITS**1. Exchanges of fishing possibilities**

- 1.1. Exchanges between France and Portugal will be tacitly renewable for the period 1995 to 2002, subject to the possibility of annual amendment of the conditions thereof by each Member State at the time of the annual fixing of TACs and quotas.

Exchanges concern the following TACs:

- (i) a common TAC for anchovy being fixed for ICES areas VIII and IX, 80 % of Portugal's fishing possibilities will be transferred every year to France. Quantities must be fished exclusively in waters under the sovereignty or jurisdiction of France;
- (ii) in the case of the TAC for hake in ICES areas VIIIc, IX and X and Cefac, 70 % of France's fishing possibilities will be transferred every year to Portugal. Quantities must be fished exclusively in waters under the sovereignty or jurisdiction of Portugal;
- (iii) in the case of the TAC for cod in NAFO area 3 M, all of France's fishing possibilities will be transferred every year to Portugal.

- 1.2. Exchanges between Spain and France, based on the 1992 bilateral agreement on anchovies, shall become operative as from 1995 with a multiannual prospect, bearing in mind the concerns of the two Member States, including in particular the level of the annual exchange of quotas, the control measures and the problems of the market, subject to the possibility of annual amendment of the conditions thereof by each Member State at the time of the annual fixing of TACs and quotas.

Exchanges concern the following TACs:

- (i) in the case of the TAC for cod in ICES areas Vb, VI, XII and XIV, 10 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (ii) in the case of the TAC for cod in ICES areas VIIb, k, VIII, IX and X and Cefac 34.1.1, 50 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (iii) in the case of the TAC for haddock in ICES areas Vb, VI, XII and XIV, 10 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (iv) in the case of the TAC for haddock in ICES areas VII, VIII, IX, X and Cefac 34.1.1, 55 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (v) in the case of whiting in ICES areas Vb, VI, XII and XIV, 10 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (vi) in the case of the TAC for saithe in ICES areas VIIb, k, 50 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (vii) in the case of the TAC for hake in ICES areas Vb, VI, XII and XIV, 2 200 tonnes of France's fishing possibilities will be transferred to Spain every year;
- (viii) in the case of the TAC for monkfish in ICES area VII, 300 tonnes of France's fishing possibilities will be transferred to Spain every year.
- (ix) in the case of the TAC for anchovy in ICES area VIII, 9 000 tonnes of Spain's fishing possibilities will be transferred to France every year.

- 1.3. Exchanges between Belgium and Spain will be tacitly renewable for the period 1995-2002, subject to the possibility of annual amendment of the conditions thereof by each Member State at the time of the annual fixing of TACs and quotas.

Exchanges concern the following TACs:

- (i) in the case of cod in ICES areas Vb, VI, XII and XIV, 10 tonnes of Belgium's fishing possibilities will be transferred to Spain every year;
- (ii) in the case of the TAC for haddock in ICES areas Vb, VI, XII and XIV, 10 tonnes of Belgium's fishing possibilities will be transferred to Spain every year;
- (iii) in the case of the TAC for whiting in ICES area VIIb, k, 15 tonnes of Belgium's fishing possibilities will be transferred to Spain every year;
- (iv) in the case of the TAC for monkfish in ICES area VII, 150 tonnes of Belgium's fishing possibilities will be transferred to Spain every year;
- (v) in the case of the TAC for megrim in ICES areas VIIa, b, d and e, 30 tonnes of Spain's fishing possibilities will be transferred to Belgium every year;

- (vi) in the case of the TAC for Norway lobster in ICES area VII, 100 tonnes of Spain's fishing possibilities will be transferred to Belgium every year ;
- (vii) in the case of the TAC for monkfish in ICES areas VIIa, b and d, 60 tonnes of Spain's fishing possibilities will be transferred to Belgium every year ;
- (viii) in the case of the TAC for hake in ICES areas VIIa, b, d and e, 30 tonnes of Spain's fishing possibilities will be transferred to Belgium every year ;

2. Authorized catch limits

- 2.1. Spain will limit its annual catches of hake in waters under the sovereignty or jurisdiction of Portugal to 850 tonnes and its annual catches of horse mackerel in the said waters to 2 250 tonnes.
- 2.2. Portugal will limit its annual catches of hake in waters under the sovereignty or jurisdiction of Spain to 850 tonnes and its annual catches of horse mackerel in the said waters to 2 250 tonnes.

ANNEX V

AMENDMENTS TO THE TECHNICAL MEASURES FOR FISHERIES CONSERVATION

- 1. Ban on the use of drift nets for catching tuna in waters under the sovereignty or jurisdiction of Portugal and Spain in ICES areas VIII, IX, X and Cefaf.
 - 2. Ban on the use of purse seines for catching tropical tuna (skipjack, bigeye and longfinned tuna) in waters under the sovereignty or jurisdiction of Portugal in ICES area X, north of latitude 36° 30' north, and Cefaf, north of latitude 31° north and east of latitude 17° 30' west.
-

COUNCIL REGULATION (EC) No 686/95

of 28 March 1995

extending Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 737/90⁽¹⁾ fixed, for agricultural products originating in third countries and intended for human consumption, maximum permitted levels of radioactivity with which imports must comply and in connection with which checks are carried out by the Member States; whereas the said Regulation is to apply only until 31 March 1995;

Whereas the reasons prevailing when the said Regulation was adopted are still valid, because radioactive contamination of certain agricultural products originating in the third countries worst affected by the accident still exceeds the maximum permitted levels of radioactivity laid down in that Regulation;

Whereas Council Regulation (Euratom) No 3954/87⁽²⁾ laid down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency; whereas it is necessary, in such situations, to ensure consistency of any measures implemented;

Whereas it is advisable to extend Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

Article 1

The second paragraph of Article 8 of Regulation (EEC) No 737/90 shall be replaced by the following:

'It shall expire:

1. on 31 March 2000, unless the Council decides otherwise at an earlier date, particularly should the list of excluded products referred to in Article 6 cover all the products fit for human consumption to which this Regulation applies;
2. upon the entry into force of the Commission Regulation provided for in Article 2 (1) of Regulation (Euratom) No 3954/87, if such entry into force takes place before 31 March 2000.'

Article 2

This Regulation shall enter into force on the day of 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, 28 March 1995.

For the Council

The President

J. PUECH

⁽¹⁾ OJ No L 82, 29. 3. 1990, p. 1.

⁽²⁾ OJ No L 371, 30. 12. 1987, p. 11. Regulation as amended by Regulation (Euratom) No 2218/89 (OJ No L 211, 27. 7. 1989, p. 1).

COUNCIL REGULATION (EC) No 687/95**of 27 March 1995****on free distribution outside the Community of fruit and vegetables withdrawn from the market during the 1994/95 marketing year**

THE COUNCIL OF THE EUROPEAN UNION,

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⁾, and in particular Article 35 thereof,

Having regard to the proposal from the Commission,

Whereas withdrawals from the market during the 1994/95 marketing year under Regulation (EEC) No 1035/72 can be expected, particularly of apples and oranges;

Whereas Article 21 of Regulation (EEC) No 1035/72 specifies the possible recipients of withdrawn products;

Whereas, in order to improve the food supply of the peoples of certain third countries, and in particular of the victims of the conflict in the former Yugoslavia, it should be made possible for apples, oranges and any other fruit and vegetables withdrawn from the market to be sent to these countries by the agency of charitable organizations approved by the Member States;

Whereas this possibility is not provided for by Article 21 of Regulation (EEC) No 1035/72; whereas, however, given the food supply difficulties of the third countries in question, and in particular of the victims of the conflict in the former Yugoslavia, and the volumes of apples and oranges withdrawn from the Community market, a derogation should exceptionally be introduced from the said Article 21 in order to enable such organizations to deliver products withdrawn from the market for free distribution as humanitarian aid to the people of these countries;

Whereas sorting, packing and transport costs for fruit and vegetables withdrawn from the market that are assigned for free distribution may be taken over pursuant to Commission Regulations (EEC) No 3587/86 of 20 November 1986 fixing the conversion factors to be applied to the buying-in prices for fruit and vegetables⁽²⁾, (EEC) No 2103/90 of 23 July 1990 laying down the

conditions for taking over sorting and packing costs relating to the free distribution of apples and citrus fruit⁽³⁾, and (EEC) No 2276/92 of 4 August 1992 laying down detailed rules for the application of Article 21 of Council Regulation (EEC) No 1035/72 on the common organization of the markets in fruit and vegetables⁽⁴⁾;

Whereas it should be borne in mind that transport costs outside the Community of the products concerned will be met by the charitable organizations carrying out the distribution operations in question;

Whereas, so that the viability of each operation can be checked, prior authorization should be required from the Commission;

Whereas it will be necessary for Member States to see that operations are properly carried out and to report subsequently to the Commission;

Whereas, if supply difficulties in a third country and the situation on the Community market so warrant, the Commission may, after consulting the Management Committee for Fruit and Vegetables, decide to apply this Regulation to other fruit and vegetables withdrawn from the market or other destinations,

HAS ADOPTED THIS REGULATION:

Article 1

1. Under the conditions provided for in Article 2 of this Regulation and notwithstanding Article 21 of Regulation (EEC) No 1035/72, dessert apples and oranges withdrawn from the market during the 1994/95 marketing year in accordance with that Regulation may, during that marketing year, be made available to charitable organizations approved by the Member States for free distribution as humanitarian aid to people in territories of the former Yugoslavia who are affected by the conflict in that region.

2. Sorting, packing and transport costs within the Community for the operations referred to in paragraph 1 shall be taken over in accordance with Regulations (EEC) No 3587/86, (EEC) No 2103/90 and (EEC) No 2276/92.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EC) No 2753/94 (OJ No L 292, 12. 11. 1994, p. 3).

⁽²⁾ OJ No L 334, 27. 11. 1986, p. 1. Regulation as last amended by Regulation (EEC) No 2868/93 (OJ No L 262, 21. 10. 1993, p. 27).

⁽³⁾ OJ No L 191, 24. 7. 1990, p. 19.

⁽⁴⁾ OJ No L 220, 5. 8. 1992, p. 22. Regulation as amended by Regulation (EEC) No 1445/93 (OJ No L 142, 12. 6. 1993, p. 27).

3. No export refund shall be granted on products dispatched pursuant to paragraph 1. The customs export, transit and any T5 document issued shall carry the endorsement 'No refund'.

Article 2

Member States shall submit to the Commission proposals by their agreed charitable organizations for free distribution operations. The Commission, having regard to what assurances are available of a satisfactory outcome and to the situation as regards market withdrawals, shall decide whether or not to authorize the operation.

Article 3

1. Member States shall take all requisite action to ensure proper execution of free distribution operations.

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

Done at Brussels, 27 March 1995.

2. At the end of the 1994/95 marketing year, Member States shall inform the Commission of the quantities distributed under this Regulation and their recipients.

Article 4

1. Any detailed provisions required for application of this Regulation, in particular as regards coordination under the Community emergency humanitarian aid plan for the former Yugoslavia, may be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72.

2. The Commission may decide, in accordance with the procedure referred to in paragraph 1, to respond to serious supply difficulties in third countries by applying this Regulation to other fruit and vegetables withdrawn from the market or other destinations.

Article 5

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

For the Council

The President

J. PUECH

COMMISSION REGULATION (EC) No 688/95**of 30 March 1995****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹⁰⁾,

Having regard to the Treaty establishing the European Community,

Whereas by Regulation (EEC) No 3131/78⁽¹¹⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a 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 16 (2) thereof,

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽²⁾, as last amended by Regulation (EEC) No 1900/92⁽³⁾, and in particular Article 5 thereof,

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁴⁾, as last amended by Regulation (EEC) No 1901/92⁽⁵⁾, and in particular Article 5 thereof,

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as last amended by Regulation (EEC) No 413/86⁽⁷⁾, and in particular Article 5 thereof,

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹³⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁸⁾, as last amended by Regulation (EEC) No 1902/92⁽⁹⁾, and in particular Article 10 (2) thereof,

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 27 and 28 March

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

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽³⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁵⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹³⁾ OJ No L 263, 19. 9. 1991, p. 1.

1995 leads to the minimum levies being fixed as indicated in Annex I to this Regulation ;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products ; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 31 March 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	59,00 ⁽²⁾
1509 10 90	59,00 ⁽²⁾
1509 90 00	70,00 ⁽²⁾
1510 00 10	72,00 ⁽²⁾
1510 00 90	116,00 ⁽⁴⁾

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,7245 per 100 kg ;

(b) Turkey : ECU 13,8645 ^(*) per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : ECU 15,3245 ^(*) per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 4,661 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,731 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 8,754 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 7,004 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	12,98
0711 20 90	12,98
1522 00 31	29,50
1522 00 39	47,20
2306 90 19	5,76

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

COMMISSION REGULATION (EC) No 689/95

of 30 March 1995

on the transport for the free supply to Tajikistan and Kyrgyzstan of common wheat flour 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 Moldova⁽¹⁾, as amended by Regulation (EC) No 2621/94⁽²⁾, and in particular Article 4 (2) 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 provided for by Regulation (EC) No 1999/94; whereas, it is appropriate to open a tendering procedure for the supply of 10 000 tonnes of common wheat flour intended for Tajikistan and Kyrgyzstan;

Whereas, in view of the present difficulties in these Republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products as a single action, by which the whole of the supply should be awarded to a single tenderer;

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 10 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 thereof.

2. The supply costs shall relate to the take-over of the flour free on board stowed on the boat in a Community port or on railway wagons in a Community railway station, and the transport to the places of destination and within the time limits indicated in Annex I.

3. The flour will be made available for loading in a Community port(s) in the following manner:

- 2 000 tonnes with effect from 2 May 1995 (Tajikistan),
- 2 500 tonnes with effect from 2 May 1995 (Kyrgyzstan),

- 3 000 tonnes with effect from 8 May 1995 (Tajikistan),
- 2 500 tonnes with effect from 8 May 1995 (Kyrgyzstan).

With effect from 10 days after these dates, the cost of storage shall be borne by the successful tenderer.

4. The ports will be definitively designated at the time of the award of the supply.

If the ports of loading are situated elsewhere other than in the Mediterranean Sea the consignment must be made via the Baltic Sea.

If the ports of loading are situated in the Mediterranean Sea the consignment must be made via the Black Sea.

5. The offers may also be transported by railway from point to point.

Article 2

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

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 Article 1 and Annex I shall be carried forward by 10 days.

2. The offer shall relate to the supply of the total of the quantities referred to in Article 1 (1) and shall specify the prices required for a consignment via the Baltic Sea and for a consignment via the Black Sea.

3. Point (c) of Article 12 (1) of Regulation (EC) No 2065/94 is not applicable.

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

5. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 340 per tonne.

6. The securities referred to in paragraphs 4 and 5 shall be lodged in favour of the Commission of the European Communities.

⁽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.

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 II, on the basis of the model in Annex III.

deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency of the Member State in which the port of take-over is situated shall

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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Packed on pallets of 1,05 tonnes, shrink wrapped and strapped.

Tajikistan :

— 5 000 tonnes of common wheat flour from a Community port or railway station.

Delivery stage :

Goods not unloaded at the frontier points.

Final delivery date at the frontier points :

Osh : 2 000 tonnes on 2 June 1995

Sari-Assia : 1 500 tonnes on 8 June 1995.

Amuzang (via Termes) : 1 500 tonnes on 8 June 1995.

Kyrgyzstan :

— 5 000 tonnes of common wheat flour from a Community port or railway station.

Delivery stage :

Goods not unloaded at the frontier points.

Final delivery date at the frontier points :

Kara-Su : 2 500 tonnes on 2 June 1995.

Kara-Su : 2 500 tonnes on 8 June 1995.

ANNEX II

(a) Place of take-over in Tajikistan

1. Frontier points of Sari-Assia, Amuzang and Osh — goods not unloaded.

However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificates may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

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

Ministry of Trade and Material Resources of the Republic of Tajikistan,
Dunshanbe,
Ul. Bochtar No 37.

(b) Place of take-over in Kyrgyzstan :

1. Kara-Su — Goods not unloaded.

However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificates may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

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

Humanitarian Aid Commission,
72003 Bishkek,
Dom Pravitelstva.

ANNEX III

Regulation (EC) No 689/95

FLOUR

Take-over certificate on the arrival of the rail-wagons in Tajikistan and Kyrgyzstan

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product : common wheat flour

Place and date of take-over :

Wagon numbers			Seal numbers		
Departure	Quantities	Arrival (signature)	Departure	Arrival (signature or remarks (1))	Quantities (2)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

(1) If on arrival, the seals are not in order, instead of the signature insert 'to be checked'.
(2) To be completed only for the wagons which have been the subject of a check, inserting the weight found.

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :
.....

Representative of monitoring agency
Name, signature and stamp
.....
.....

Name, signature and stamp of the beneficiary
.....
.....

COMMISSION REGULATION (EC) No 690/95

of 30 March 1995

amending Regulation (EC) No 1091/94 laying down certain detailed rules for the implementation of Council Regulation (EEC) No 3528/86 on the detailed rules for the implementation of Council Regulation (EEC) No 3528/86 on the protection of the Community's forests against atmospheric pollution

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3528/86 of 17 November 1986 on the protection of Community's forests against atmospheric pollution⁽¹⁾, as last amended by Regulation (EEC) No 2157/92⁽²⁾, and in particular Article 3 (2) thereof,

Whereas, pursuant to the third indent of Article 2 (1) of Regulation (EEC) No 3528/86, the purpose of the Community scheme is to help the Member States to conduct intensive and continuous surveillance of forest ecosystems on the permanent observation plots;

Whereas, pursuant to Article 2 (2) of Regulation (EEC) No 3528/86 the Member States are required to forward to the Commission the data gathered by the network of permanent observation plots for intensive and continuous surveillance;

Whereas this network has been installed by the Member States in accordance with Annex I to Commission Regulation (EC) No 1091/94⁽³⁾; whereas the common methodology and format for the submission of data for the continuous inventory of the crown condition, the inventory of soil and foliar condition and increment measurements have been laid down in Annexes III to IV to Regulation (EC) No 1091/94;

Whereas the measurements of deposition rates and the monitoring of meteorological parameters are already recorded and the common methodology and format for the data submission are to be added to Regulation (EC) No 1091/94;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Forestry Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1091/94 is hereby amended as follows:

1. In Annex II, form 2a the following measures are added:

'To establish and execute measurements of deposition rates

To establish and execute the monitoring of the meteorologic parameters'.

2. Annex III, paragraph II.5 is replaced by the following:

'II.5. Data transfer

The Member States shall forward to the Commission for each plot this information in standardized forms (see Annex VII, Form 3a and 3b).'

3. Annex VIIa is amended in accordance with the Annex to this Regulation.

4. Annexes II and III to this Regulation are added as Annexes VIII and IX.

Article 2

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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 326, 21. 11. 1986, p. 2.

⁽²⁾ OJ No L 217, 31. 7. 1992, p. 1.

⁽³⁾ OJ No L 125, 18. 5. 1994, p. 1.

ANNEX I

To Annex VIIa of Regulation (EC) No 1091/94 the following part is added :

— to paragraph I (*Review of File names per survey*), the following words are added :

Assessment	Annex	Frequency	File name(s)
'Deposition	VIII	continuous	XX1995.PLD, XX1995.DEM, XX1995.DEO, XX1995.DEA
Meteorology	IX	continuous	XX1995.PLM, XX1995.MEM, XX1995.MEC, Form 8d, XX1995.MEO et XX1995.MED'

— and the last subparagraph is replaced by :

'Each filename consists of the two-letter country code (represented by the XX in the list of names), followed by the year of assessment (in the example 1995) or GENER when the information is given once, the dot (.) and in the extension a three-letter code. This three-letter code for the plotfiles consists of the letters PL and the first letter of the assessment Soil, Foliage, Increment, Deposition and Meteorology. This three-letter code for the datafiles consists of two (or one) letter(s) for SOil, FOliage, INcrement, DEposition or MEteorology and one (or two) letter(s) to indicate Mandatory, Optional or the different parts of the increment assessment (EValuation), deposition assessment (Air) or Meteorology (Climate or Damage).

If case the datahandling for the plots of the 16 x 16 km gridnet is done at the same place, this may create confusion as similar filenames are sometimes used. In this case the yearcodes in the above-mentioned filenames could be increased with 1000 (e.g.XX2995.SOM).'

— The following 10 forms (XX1995.PLD, XX1995.DEM, XX1995.DEO, XX1995.DEA, XX1995.PLM, XX1995.MEM, XX1995.MEC, Form 8d, XX1995.MEO, XX1995.MED) are added :

XX1995.PLD

Contents of reduced plot file to be used in combination with the deposition measurements

[illegible]

Column		See explanation item #
1 – 4	Sequence number of plots (1 to 9999)	
6 – 7	Country Code (France = 01, Belgium = 02, etc.)	(1)
9 – 12	Observation plot number	(2)
14	Sampler code	(37)
16 – 22	Latitude in +DDMMSS (e.g. +505852)	(4)
24 – 30	Longitude in (+ or –) DDMMSS (e.g. +035531)	(4)
32 – 33	Altitude (in 50 meter classes from 1 to 51)	(7)
35 – 40	First date of monitoring period	(38)
42 – 47	Final date of monitoring period	(38)
49 – 50	Number of (equal) measuring periods	(39)
52 – 62	Other observations (word)	(12)

Form 7b

XX1995.DEM

Contents of datafile with deposition measurements (mandatory parameters)

[illegible]

1-5	Sequence Number	Sequence number of samples (1 to 99999)	(2)
7-10	Observation Plot number	Corresponding plotnumber (max. 9999)	(40)
12-13	Period	Period number (max. 99)	(37)
15	Sampler code	Sampler code (1 = Throughfall, 2 = Bulk, 3 = Wet-only, 4 = Stemflow, 5 = Fog, 6 = Fog _{forest} , 7 = Air concentration, 9 = other)	(37a)
17-20	Sample quantity	Quantity of total collected sample expressed in mm (max. 9999)	(37a)

	Parameters (*)	Units	Throughfall	Bulk or Wet-only	Stemflow		Fog Fog _{nozen}	Air Conc.	Remarks
					Beech	Other			
22-24	pH		Man.	Man.	Man.	Opt.	Opt.		
26-29	Conductivity	(µS/cm)	Man.	Man.	Man.	Opt.	Opt.		
31-34	K ⁺	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
36-40	Ca ²⁺	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
42-45	Mg ²⁺	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
47-51	Na ⁺	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
53-57	N-NH ₄	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
59-63	Cl ⁻	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
65-69	N-NO ₃	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
71-75	S-SO ₄	(mg/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
77-80	Alkalinity	(µeq/l)	Man.	Man.	Man.	Opt.	Opt.	Opt.	
82-86	N _{total}	(mg/l)	Man.	Opt.	Man.	Opt.	Opt.	Opt.	
88-98	Observation	Words	Man.		Man.	Opt.	Opt.		(if annual median pH > 5)

(*) Methods and recomputations that have been used shall be described in detail in an annex to the deposition report.

(**) Maximum values as mentioned in the bottom line of the table are to be used whenever the actually registered value is equal or higher than the maximum possible values in these columns.

When the actually registered value is below the minimum value that could be entered, the minimum value shall be used.

If no quantity could be measured (i.e. below detection limits) a special code -1 (minus 1) will be used. When no analysis has been carried out for this parameter a zero or blank shall be used.

Form 7c

XX1995DEO

Contents of datafile with deposition measurements (Optional)

Sequence number	Observation Plot #	Period	Samp Code	Al ³⁺	Mn ²⁺	Fe ³⁺	PO ₄ ²⁻	Cu	Zn	Hg	Pb	Co	Mo	Cd	S _{total}	N _{org}	C _{TOC}	C _{DOC}	P _{alk}	Observation
1-5	7-10	12-13	15	17-20	22-26	28-32	34-37	39-42	43-46	48-51	53-56	58-61	63-66	68-71	73-77	79-82	84-87	89-92	94-97	99-109
1																				
2																				
3																				
4																				
5																				
6																				
7																				
8																				
9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
10	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
11	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
12	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
13	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
14	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
15	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
																				Maximum value (°)

Column

1-5
7-10
12-13
15

Sequence number of samples (1 to 9999)
Corresponding plot number (max. 9999)
Period number
Sampler code (1 = Throughfall, 2 = Bulk, 3 = Wet-only, 4 = Stemflow,
5 = Fog, 6 = Fog_{frozen}, 7 = Air concentration, 9 = other)

See explanation item #

(1)
(2)
(40)
(37)

	Parameters (*)	Units	Throughfall	Bulk or Wet-only	Stemflow	Fog	Air Conc.	Remarks
17-20	Al ³⁺	(µg/l)	Opt.	Opt.	Opt.	Opt.		
22-26	Mn ²⁺	(µg/l)	Opt.	Opt.	Opt.	Opt.		
28-32	Fe ³⁺	(µg/l)	Opt.	Opt.	Opt.	Opt.		
34-37	PO ₄ ³⁻	(mg/l)	Opt.	Opt.	Opt.	Opt.		
39-42	Cu	(µg/l)	Opt.	Opt.	Opt.	Opt.		
43-46	Zn	(µg/l)	Opt.	Opt.	Opt.	Opt.		
48-51	Hg	(µg/l)	Opt.	Opt.	Opt.	Opt.		
53-56	Pb	(µg/l)	Opt.	Opt.	Opt.	Opt.		
58-61	Co	(µg/l)	Opt.	Opt.	Opt.	Opt.		
63-66	Mo	(µg/l)	Opt.	Opt.	Opt.	Opt.		
68-71	Cd	(µg/l)	Opt.	Opt.	Opt.	Opt.		
73-77	S _{total}	(mg/l)	Opt.	Opt.	Opt.			
79-82	N ₀₁₂	(mg/l)	Opt.	Opt.	Opt.			
84-87	C _{TOC}	(mg/l)	Opt.		Opt.			
89-92	C _{DOC}	(mg/l)	Opt.		Opt.			
94-97	P _{total}	(mg/l)	Opt.	Opt.	Opt.	Opt.		
99-109	Observation	Words	Opt.		Opt.			

Opt. = optional blank = not required

(*) Methods and recomputations that have been used shall be described in detail in an annex to the deposition report.

(**) Maximum values as mentioned in the bottom line of the table are to be used whenever the actually registered value is equal or higher than the maximum possible values in these columns.
When the actually registered value is below the minimum value that could be entered, the minimum value shall be used. If no quantity could be measured (i.e. below detection limits) a special code -1 (minus 1) will be used. When no analysis has been carried out for this parameter a zero or blank shall be used.

Form 7d

XX1995.DEA

Contents of datafile with air concentration measurements (Optional)

[illegible]

Column

See explanation
item #

1-5	Sequence number of samples (1 to 99 999)	(1)
7-10	Corresponding plot number (max. 9 999)	(2)
12-13	Period number	(40)
15	Sampler code (1 = Throughfall, 2 = Bulk, 3 = Wet-only, 4 = Stemflow, 5 = Fog, 6 = Fog _{frozen} , 7 = Air concentration, 9 = other)	(37)

	Parameters (°)	Units	Air Conc.	Remarks
17 – 19	O ₃	(µg/m ³)	Opt.	Non-methane
21 – 23	SO ₂	(µg/m ³)	Opt.	
25 – 27	SO ₄	(µg/m ³)	Opt.	
29 – 33	NO ₂	(µg/m ³)	Opt.	
35 – 39	NO	(µg/m ³)	Opt.	
41 – 44	HNO ₂	(µg/m ³)	Opt.	
46 – 49	HNO ₃	(µg/m ³)	Opt.	
51 – 54	NH ₄ NO ₃	(µg/m ³)	Opt.	
56 – 58	NH ₃	(µg/m ³)	Opt.	
60 – 64	Volatile Organic Compounds (V.O.C.)	(µg/m ³)	Opt.	
66 – 76	Observations	Words		

(¹) Methods and measurements shall be in conformity with the existing Community directives and decisions in the field of air quality measurements.

Methods and recomputations that have been used shall be described in detail in an annex to the deposition report.

(*) Maximum values as mentioned in the bottom line of the table are to be used whenever the actually registered value is equal or higher than the maximum possible values in these columns.

When the actually registered value is below the minimum value that could be entered, the minimum value shall be used. If no quantity could be measured (i.e. below detection limits) a special code -1 (minus 1) will be used. When no analysis has been carried out for this parameter a zero or blank shall be used.

Form 8a

XX1995.PLM

Contents of reduced plot file to be used in combination with the meteorologic measurements

1 --- 4				6 --- 7				9 ----- 15				17 - 18		20 ----- 26				28 ----- 34				36 - 37		39 ----- 44				46 ----- 51				53 - 54		56 --- 66	
Sequence				Country				Observation Plotnumber				Instru- ment code		Latitude coordinate (+ D D M M S S)				Longitude coordinate (± D D M M S S)				Altitude		1st period Start date (D D M M Y Y)				Last period Final date (D D M M Y Y)				Number of periods		Observation	
		1																																	
		2																																	
		3																																	
		4																																	
		5																																	
		6																																	
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		1 9																																	
		2 0																																	
		2 1																																	
		2 2																																	
		2 3																																	
		2 4																																	

Column		See explanation item #
1 - 4	Sequence number of plots (1 to 9999)	
6 - 7	Country Code (France = 01, Belgium = 02, etc.)	(1)
9 - 12	Observation plot number	(2)
14 - 15	Site code	(41)
17 - 18	Instrument code	(42)
20 - 26	Latitude in +DDMMSS (e.g.+505852)	(4)
24 - 34	Longitude in (+ or -) DDMMSS (e.g.+035531)	(4)
36 - 37	Altitude (in 50 meter classes from 1 to 51)	(7)
39 - 44	First date of monitoring period	(38)
46 - 51	Final date of monitoring period	(38)
53 - 54	Number of (equal) measuring periods	(39)
56 - 66	Other observations (word)	(99)

Form 8b

XX1995.MEM

Contents of datafile with meteorologic measurements

Sequence Number	Observation Plot #	Site code	Period	Rain- fall	Air-temperature		Relat. Humid.	Wind- speed	Wind- direction	Solar radiation	Soil temp.	Observation
					Max	Min						
1-5	7-10	12-13	15-16	18-21	23-27	29-33	35-38	40-42	44-46	48-52	54-58	60-70
	1											
	2											
	3											
	4											
	5											
	6											
	7											
	8											
99999	99999	99999	99999	99999	±999.9	±999.9	999.9	9999	9999	9999999	±999.9	

Maximum
value (*)

- 1-5Sequence number of samples (1 to 99999)
- 7-10Corresponding plot number (max. 9999)(2)
- 12-13Site code(41)
- 15-16Period number (max. 99)(40)

	Parameters (*)	Units	In the plot	Open field	Remarks
18-21	Rainfall	(mm)	Opt. (¹)	Rec.	Total precipitation in the period
23-27	Air temperature (Min)	(°C)	Opt.	Rec.	Average of daily minimum temperatures in the period (43)
29-33	Air temperature (Max)	(°C)	Opt.	Rec.	Average of daily maximum temperatures in the period (43)
35-38	Relative Humidity	(%)	Opt.	Rec.	Average of the Relative Humidity over the period (44)
40-42	Windspeed	(m/s)		Rec.	Average windspeed over the period (45)
44-46	Wind direction	(°)		Rec.	Predominant wind direction over the period (46)
48-52	Solar radiation	(W/m²)		Rec.	Global solar radiation in the period (47)
54-58	Soil temperature	(°C)	Opt.		Average of daily soil temperatures in the period (43)
60-70	Observation	Words			

Rec. = recommended, Opt. = Optional, Blank = not required
(¹) Identical to throughfall quantities.

(*) Methods and recomputations that have been used shall be described in detail in an annex to the meteorologic report.
(**) Maximum values as mentioned in the bottom line of the table are to be used whenever the actually registered value is equal or higher than the maximum possible values in these columns.
When the actually registered value is below the minimum value that could be entered, the minimum value shall be used. If no quantity could be measured (i.e. below detection limits) a special code -1 (minus 1) will be used. When no analysis has been carried out for this parameter a zero or blank shall be used.

Contents of datafile with climatologic estimates

[illegible]

1-5	Sequence number of samples (1 to 99999)
7-10	Corresponding plot number (max. 9999)
12-13	Period number (max. 99)

(2)(40)

	Parameters (°) per period	Units	Estimates from long-term average values
4-17	Rainfall	(mm)	Total precipitation in the period
9-23	Air temperature (Min.)	(°C)	Average of daily minimum temperatures in the period
25-29	Air temperature (Max.)	(°C)	Average of daily maximum temperatures over the period
31-34	Relative Humidity	(%)	Average of the Relative Humidity over the period
36-38	Windspeed	(m/s)	Average windspeed over the period
40-42	Wind direction	(°)	Predominant wind direction over the period
44-48	Solar radiation	(W/m ²)	Global solar radiation in the period
50-54	Soil temperature	(°C)	Average of daily soil temperatures in the period
	- annual average		(to be entered in first period only)
...	Vegetation period	(days)	Average length of vegetation period (to be defined)
...	Frostfree period	(days)	Average length of frostfree period (to be defined)
...	Drought period	(days)	Average length of drought period (to be defined)
...			
	Observation	Words	
...	...		

"Definitions, methods and recomputations that have been used shall be described in detail in an annex to the meteorologic report.

*) Maximum values as mentioned in the bottom line of the table are to be used whenever the actually registered value is equal or higher than the maximum possible values in these columns. When the actually registered value is below the minimum value that could be entered, the minimum value shall be used.

If no quantity could be measured (i.e. below detection limits) a special code -1 (minus 1) will be used. When no analysis has been carried out for this parameter a zero or blank shall be used.

Form 8d

Identified potential damaging events and phenomena per plot per species

Country :

		(*)
		(*)

Plot # :

Main species :

Latitude :

+								(*)
								(*)

Longitude :

Altitude :

		(*)

Date of installation :

Information obtained during installation

# Event/phenomena	Descriptive definition of event or phenomena				
1	<table><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr></table>				
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3	<table><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr></table>				
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4	<table><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr></table>				
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5	<table><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr></table>				
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6	<table><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr><tr><td>.....</td></tr></table>				
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(*) See for description and codes the explanatory part of Annex VII.

Form 8e

XX1995.MEO

Contents of datafile with occurrences of identified events/phenomena

Sequence Number					Observation				Event/ Phenomenon		Occurrence period				Extremity	Observation
1 - 5					Plot # 7 - 10				Site 12 - 13		from 18 - 19 to 21 - 22				24	26 - 35
				1												
				2												
				3												
				4												
				5												
				6												
				7												
				8												
9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	

Column		See explanation item #
1 - 5	Sequence number of occurrences (1 to 99999)	
7 - 10	Corresponding plot number (max. 9999)	(2)
12 - 13	Site code	(41)
15 - 16	Number of identified event/phenomenon (see Form 9d)	
18 - 19	Week number in which event/phenomenon took place/started (max 99)	(48)
21 - 22	Week number in which event/phenomenon took place/ended (max 99)	(48)
24	Indication of extremity (1 = very close according to definition, 2 = extremely long in duration, 3 = extremely intensive, 4 = extremely long and extremely intensive) (*)	(49)
26 - 35	Words	

(*) Details shall be given in an annex to the meteorologic report.

Form 8f

XX1995MED

Contents of plot file with observed damage caused by meteorologic events/phenomena

1 --- 4				6 --- 7			9 --- 12			14 --- 20						22 --- 28						30 - 31		33 - 34		36 --- 53				55 - 56		58 - 59		61 --- 71																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
Sequence				Country			Observation Plot number			Latitude coordinate						Longitude coordinate						Altitude		List Number		Observed damage Description				Estimated occurrence between weeks				Observations																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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Column		See explanation item #
1 - 4	Sequence number of plots (1 to 9999)	
6 - 7	Country Code (France = 01, Belgium = 02, etc.)	(1)
9 - 12	Observation plot/site number	(2)
14 - 20	Latitude in +DDMMSS (e.g.+505852)	(4)
22 - 28	Longitude in (+ or -) DDMMSS (e.g.+035531)	(4)
30 - 31	Altitude (in 50 meter classes from 1 to 51)	(7)
33 - 34	Number on events/phenomena list (if any, see form 9d)	(50)
36 - 53	Description of observed damage (in words)	(50)
55 - 56	Estimated start of occurrence (from week number)	(48)
58 - 59	Estimated end of occurrence (to week number)	(48)
61 - 71	Other observations (words)	(99)

— The following points are added to the list :

'Information with regard to the deposition monitoring

(37) *Sampler code*

The following codes shall be used for the samplers for deposition.

- | | |
|-------------------------|-----------------------|
| 1 : throughfall | 5 : fog |
| 2 : bulk deposition | 6 : frozen fog (rime) |
| 3 : wet-only deposition | 7 : air concentration |
| 4 : stemflow | 9 : others |

Details on the equipment used shall be stated in an Annex to the document with the background information.

(37a) *Sample quantity*

The total collected quantity of the sample(s) shall be divided by the catchment area of the collector(s) and shall be reported in mm.

(38) *First and final dates of the monitoring period*

The first and final dates of each monitoring period shall be stated on the forms, using the same format as the date of observation, assessment and analysis (see item 3).

A monitoring period shall consist of one or more measuring periods. The measuring periods within one monitoring period should have the same length. The minimum length of a measuring period is one week, the maximum one month.

When it is necessary to use different measuring periods during the year (e.g. weekly in summer and monthly in winter), two separate monitoring periods shall be identified and the results shall be reported separately on the forms.

(39) *Number of measuring periods*

The number of measuring periods in each monitoring period shall be indicated in the forms.

(40) *Period*

The measuring period number in which the sample has been collected shall be stated. Each year (on or around 1 January) a new set of measuring periods will be started. When samples from several measuring periods are combined before analysis, the exact details of the mixing shall be stated in the annex to the document with background information. The number of the first measuring period shall be used to indicate the period for analysis (e.g. when the samples from period 9, 10, 11 and 12 are combined into a single sample for the analysis, this sample will be given the period number 9).

Information with regard to meteorologic monitoring

(41) *Site code*

In and near the plot a number of sites can be identified. As meteorologic instruments can be installed at different sites, each site has to be identified. The exact details of the site are to be included in an annex to the document with the meteorologic evaluation. Examples of possible site codes are :

In the plot

- 1 : under canopy at standard meteorologic height (1,50 m)
- 2 : under canopy at height of 2 m (2,00 m)
- 3 : under canopy at ground level (0,10 m)
- 4 : at canopy height
- 5 : above the canopy
- 6 : under canopy at depth of 20 cm (−0,20 m)

Outside the plot

- 7 : open field, at standard meteorologic height (1,50 m)
- 8 : open field, at ground level (0,10 m)
- 9 : open field, at height of 10,00 m
- ... etc.

(42) *Instrument code*

The following codes shall be used for the samplers for meteorology :

10 : manual reading

20 : mechanical recording

30 : paper recording

40 : digital recording (stand alone)

50 : digital recording (integrated datalogger)

When more instruments of different types, brands, ect. are used, the single numbers can be used (e.g. 11 ; hair hygrometer, 12 wet/dry bulb).

Details on the equipment used shall be stated in an annex to the document with the meteorologic evaluation.

(43) *Temperatures*

The temperatures will be stated in °C, using the format of a plus/minus and two digits plus one decimal (e.g. -12,5).

(44) *Relative Humidity*

The relative humidity will be stated as the period average, using the format of two digits and one decimal (e.g. 62,5).

(45) *Wind speed*

The windspeed will be stated as the average windspeed in metres per second (m/s), using the format of at maximum three digits (e.g. 25).

(46) *Wind direction*

The predominant wind direction will be stated in ° of the compass rose (North = 0°, East = 90°, South = 180° and West = 270°).

(47) *Solar Radiation*

The global solar radiation over the period will be stated in Watts per sq. metre (W/m²).

(48) *Occurrence weeks*

The occurrences will be stated in weeks using the standard week numbering. Week 1 starts on or around 1 January. For the occurrence of an event on a single day, the week numbers "from" and "to" are the same.

(49) *Extremity*

The extremity of an occurrence will be given a code :

1 : (Very) close according to the definition of the event/phenomena

2 : Extremely long in duration

3 : Extremely intensive.

4 : Extremely long and extremely intensive.

(50) *Observed damage*

The number and name under which the damage is mentioned in the Form 8d (if applicable) or a short indication and a reference to a more extensive explanation in the survey or evaluation report (see Annex IX, paragraph II.8) shall be stated. The same report should also include details on extremity, symptoms and spreading of the damage.

ANNEX II

To Regulation (EC) No 1091/94 the following Annex VIII is added :

ANNEX VIII

COMMON METHODS FOR DEPOSITION MEASUREMENTS ON THE PERMANENT OBSERVATION PLOTS**I. Generals remarks**

The measurements are to be carried out on a selection of the permanent observation plots in a continuous way. At least 10 % of the permanent observation plot shall be selected for the monitoring of deposition by the Member States. Measurements on throughfall (under canopy), stem flow (under canopy, in beech) and wet-only or bulk deposition (in an open area in the forest) will be mandatory. The installation of the equipment for the mandatory items shall be completed by December 1995. All other measurements such as : stemflow (in other species than beech), fog and air-concentrations are optional.

The depositions monitoring will be done on a fixed period basis (for example monthly or weekly). To reduce analysis costs samples may be combined from a number of consecutive periods.

The following technical details are based on the results of the Expert Panel on Deposition of ICP Forests. Reference is made to the manual prepared by this Expert Panel especially regarding specific details of sampling equipment, sampling techniques, quality assurance and data handling.

II. Monitoring methodology**II.1. *Monitoring under the forest canopy***

Whenever possible the measuring equipment for throughfall shall be installed in the actual plot. To avoid damage to root systems, the parts that have to be installed in pits (collectors, recorders, etc.) could be installed outside the actual plot in the bufferzone. In beech forest equipment shall also be installed for the collection of stemflow. As these collectors should also be stored in a (or the same) pit, it is recommended to select trees outside the actual plot, in for example the bufferzone.

The measurements of throughfall and stemflow should be made in such a way that the results are representative for the plot area. This means that a sufficient number of samples should be used.

II.2. *Monitoring in an open area in the forest*

At a location near the actual plot (within a distance of 2 km), wet-only and/or bulk deposition collectors shall be installed. The location should be selected in such a way that the surrounding objects are not closer than two times their height.

II.3. *Measurement period*

The measuring will be made monthly, weekly or at a time interval between the two, e. g. every two or three weeks, depending mainly on the general weather conditions at the specific plot (evaporation and growth of algae in the sample containers should be avoided).

When it is necessary to use different measuring periods during the year (e. g. weekly in summer and monthly in winter), two separate monitoring periods shall be identified and the results shall be reported separately on the forms. Within one monitoring period the length of the measuring period shall be constant. The same measuring period shall be used for the monitoring under the forest canopy and the open area monitoring.

II.4. *Sampling, sample handling*

Clean collection gauges and containers are to be used for the collection of samples. Deionized water shall be used to rinse the equipment. It is important that the containers are kept away from light and kept cool during the sampling and transport. In sunny and warm conditions preservatives may be added to prevent the growth of algae. In this case only such preservatives should be used that do not interfere with the analysis of any ion of interest.

II.5. Pretreatment of samples, transport and storage

The volume of each collected sample from each individual throughfall, stemflow or open air collector shall be determined. The samples may be analyzed separately or mixed with samples from parallelly installed equipment of the same type. Throughfall, stemflow or open air samples shall be analyzed separately. Samples from stemflow measurements can only be pooled for trees of the same species and similar size and dominance.

Samples from short periods may be analyzed as they are, or can be mixed to monthly samples before analysis. If samples are mixed they should be mixed in proportion to the total sample volume.

The samples shall be transported to the laboratory as soon as possible (preferably in cold boxes) and kept in a cold (4 °C) and dark store until analyzed.

II.6. General background information

The following information shall be collected :

- plot number,
- sampler code,
- first date of monitoring period,
- last date of monitoring period,
- number of (equal) measuring periods in monitoring period.

Additional optional information can be collected, which is useful for the interpretation of the results, such as canopy roughness, leaf area index etc.

II.7. Chemical Analysis

In each sample the following parameters shall be determined mandatory (Man) or optional (Opt.) :

Parameter	Throughfall	Bulk/ Wet- only	Stemflow		Fog	Air
			beech	other spec.		
pH	Man	Man	Man	Opt.	Opt.	
Conductivity	Man	Man	Man	Opt.	Opt.	
K	Man	Man	Man	Opt.	Opt.	Opt.
Ca	Man	Man	Man	Opt.	Opt.	Opt.
Mg	Man	Man	Man	Opt.	Opt.	Opt.
Na	Man	Man	Man	Opt.	Opt.	Opt.
N-NH ₄	Man	Man	Man	Opt.	Opt.	
Cl	Man	Man	Man	Opt.	Opt.	
N-NO ₃	Man	Man	Man	Opt.	Opt.	
S-SO ₄	Man	Man	Man	Opt.	Opt.	Opt.
Alkalinity	Man	Man	Man	Opt.	Opt.	
N _{total}	Man	Opt.	Man	Opt.	Opt.	
Al ³⁺	Opt.	Opt.	Opt.	Opt.	Opt.	
Mn ²⁺	Opt.	Opt.	Opt.	Opt.	Opt.	
Fe ³⁺	Opt.	Opt.	Opt.	Opt.	Opt.	
PO ₄ ³⁻	Opt.	Opt.	Opt.	Opt.	Opt.	
Cu	Opt.	Opt.	Opt.	Opt.		
Zn	Opt.	Opt.	Opt.	Opt.	Opt.	
Hg	Opt.	Opt.	Opt.	Opt.		
Pb	Opt.	Opt.	Opt.	Opt.	Opt.	
Co	Opt.	Opt.	Opt.	Opt.		
Mo	Opt.	Opt.	Opt.	Opt.		
Cd	Opt.	Opt.	Opt.	Opt.		
S _{total}	Opt.	Opt.	Opt.	Opt.		
N _{org}	Opt.	Opt.	Opt.	Opt.		
C _{ROC}	Opt.		Opt.	Opt.		
C _{DOC}	Opt.		Opt.	Opt.		
P _{total}	Opt.	Opt.	Opt.	Opt.		

Parameter	Throughfall	Bulk/ Wet- only	Stemflow		Fog	Air
			beech	other spec.		
O ₃ SO ₂ SO ₄ NO ₂ NO HNO ₂ HNO ₃ NH ₄ NO ₃ NH ₃ V.O.C.						Opt. Opt. Opt. Opt. Opt. Opt. Opt. Opt. Opt. Opt.

II.8. *Data transfer*

The Member States shall forward this information in a standardized form to the Commission for each plot where deposition has been monitored (see Annex VII, Forms 7a, 7b, 7c and 7d).'

ANNEX III

To Regulation (EC) No 1091/94 the following Annex IX is added :

ANNEX IX

COMMON METHODS FOR MEASUREMENTS OF METEOROLOGY ON THE PERMANENT OBSERVATION PLOTS

I. General remarks

In the period to mid 1996 a test period is foreseen during which, on a voluntary basis, in a limited number of permanent plots (10 %) meteorologic measurements are carried out. In the second half of 1996 an evaluation will take place and the details and intensity of the continuation of the meteorologic measurements will be decided upon. Besides the observations on a limited number of plots, the recording of observed damage caused by meteorologic phenomena should be executed on all permanent observation plots.

The meteorologic observations are divided in three parts :

- A. execution of measurements of actual meteorologic situation on or close to the plot (limited number of plots)
- B. determination of long-term climatic situation (all plots) and potential damaging events/phenomena (limited number of plots)
- C. observation of damage of trees in the plot caused by extreme weather situations (all plots)

The actual measurements (A) will be carried out on a selection of plots, preferably plots which are also used for the monitoring of deposition (See Annex VIII). The Member States are free in the selection of methods, equipment and frequency of the measurements during the test period. It is foreseen that in the evaluation process recommendations for methods, equipment and frequency are formulated.

II. Inventory methodology

II.1. Location of sampling equipment

The measuring equipment for all monitoring of the meteorologic parameters (A) will be located in or close to the plot. Certain parameters (rainfall, wind, radiation, etc.) have to be measured in an open area in the forest. Other parameters (e.g. soil temperature) may be better monitored under crown cover. In the test period no restrictions nor explicit installation procedures are given. When parameters such as solar radiation, rainfall, etc. are monitored, a sufficiently large "open area in the forest" outside the stand should be selected. This location should be as near as possible, be in similar situation (slope, elevation, etc.) and preferably within a distance of 2 km of the plot.

Whenever possible a combination with the equipment for deposition should be made. To avoid disturbances to the roots and soil situation, the equipment should be placed in such a way that the equipment can be reached and maintained without actually passing through the plot.

II.2. Methods to measure the actual meteorologic situation in or close to the plot (A)

For the test period the Member States are free in the selection of methods, equipment and measuring frequency. On a limited number of plots the meteorologic situation should be monitored.

- If possible an intensive continuous meteorologic measuring station should be installed in the limited number of plots. The following parameters are then recommended to be measured in a continuous way :

Parameter	Method
Rainfall	gauge/datalogger
Air temperature	datalogger
Temperature of the soil (e.g. at 0,20 m depth)	datalogger
Relative humidity	datalogger
Windspeed	datalogger
Wind direction	datalogger
Solar radiation	datalogger

In places where snow is common special snowcollectors should be installed.

- As an alternative for situations where no such intensive continuous meteorologic stations can be installed it is recommended to install, on the limited number of plots, equipment to monitor the following parameters with the frequency :

Parameter	frequency
Rainfall	daily
Temperature (maximum and minimum)	daily
Soil temperature	daily
Relative humidity	free choice
Wind (direction and speed)	free choice
Solar radiation	free choice

In some cases wind and solar radiation information can be obtained from nearby meteo-stations.

II.3. *Collection, storage and submission of information*

The following information shall be collected :

- plot number,
- exact details of the used equipment,
- location of the plots (longitude, latitude, altitude) and of equipment (relative to the plot),
- start and end dates of the measurements,
- frequency (number of periods).

The data of the detailed measurements (temperatures, rainfall, wind etc.) should not be reported to the Commission, but kept in safe storage by the Member States. For each plot where the measurements have been executed a summary of the collected measurements shall be compiled and submitted to the Commission by mid 1996. This summary will contain information on a monthly or four-weekly basis, using the forms XX1993.PLM (8a) and XX1993.MEM (8b).

II.4. *Determination of long-term climatic situation (B)*

For each plot the long term climatic situation shall be determined as good as possible. As no actual plot data is available, existing data shall be used to estimate the long-term (open area in the forest) climatic situation of the plot. This will be done only once. The results are presented to the Commission using form XX1995.MEC (8c).

II.5. *Determination of potential damaging events and phenomena (B)*

For each plot where meteorologic measurements are taken a start shall be made with the preparation of a list of potential damaging events and phenomena. Each event or phenomenon shall be defined in meteorologic terms, using the parameters available for the plot. This list of potential damaging events and phenomena will be continuously updated by the Member States, each time when more information becomes available. The information on events and phenomena shall be reported to the Commission using form XX1995.MEL (8d).

II.6. *Reporting of pre-defined events and phenomena and its occurrences/extremity (A and B)*

For the limited number of plots where detailed information has become available the occurrence and extremity of the pre-defined events/phenomena (II.5) will be determined. Of each listed event/phenomenon the number of occurrences and the relative extremity shall be indicated. The

occurrences and extremities shall be submitted to the Commission using form XX1995.MEO (8e). In case events/phenomena have been added or changed, the occurrences and extremities of the past years will be updated as well.

II.7. *Reporting of actually observed damage (C)*

Whenever during the visits on the plot damage has been observed that has a clear meteorologic cause, this shall be reported to the Commission by mid 1996 using form XX1995.MED (8f).

The reporting will include the cause (drought, storm, frost, hail, etc.) the observed damage (foliage loss, breakage or dying of branches or new shoots, etc.) and an estimate of the period in which the event took place.

II.8. *Evaluation report on meteorology*

The Member States shall forward to the Commission together with the information in the standardized forms (in digital format) as described in paragraphs II.3, II.4, II.6 and II.7 an evaluation report with the background information on the used methods, models and interpretations of results.

For the reporting of the list of the pre-defined events/phenomena (II.5) it is recommended to use a form similar to the example form 8d. These forms could be attached as an annex to the meteorologic evaluation report.

COMMISSION REGULATION (EC) No 691/95
of 30 March 1995

on certain transitional measures concerning the import of molasses in the sugar sector as a result of the implementation of the Uruguay Round Agreement on Agriculture

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾ and, in particular, Article 3 thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽²⁾, as last amended by Commission Regulation (EC) No 283/95⁽³⁾, and in particular Articles 13 (2) and 17 (5) thereof,

Whereas the detailed rules for the application of the import licence arrangements in the sugar sector were adopted by Commission Regulation (EEC) No 2630/81⁽⁴⁾, as last amended by Commission Regulation (EEC) No 1754/93⁽⁵⁾; whereas Article 5 (2) of Regulation (EEC) No 2630/81, lays down that import licences for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1785/81 are valid from the day of their issue until the end of the third month following that date;

Whereas, with effect from 1 July 1995, the existing system of import levies for sugar is abolished and replaced by a tariff system comprising customs duties; whereas the import levies for molasses may be fixed in advance in accordance with Commission Regulation (EEC) No

1411/70⁽⁶⁾; whereas, therefore, in order to guarantee the better operation of the existing arrangements for the import of molasses until 30 June 1995, the duration of validity of the said import licences issued with effect from 1 April 1995 should be restricted to the end of the 1994/95 marketing year;

Whereas, in view of the urgency of the matter, this Regulation should be published as soon as possible;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 5 (2) of Regulation (EEC) No 2630/81, the duration of validity of import licences for molasses falling within CN codes 1703 10 00 and 1703 90 00, which are issued during the period 1 April 1995 to 30 June 1995, may not extend beyond 30 June 1995.

Article 2

This Regulation shall enter into force on the day of 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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽³⁾ OJ No L 34, 13. 2. 1995, p. 3.

⁽⁴⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁵⁾ OJ No L 161, 2. 7. 1993, p. 45.

⁽⁶⁾ OJ No L 156, 17. 7. 1970, p. 29.

COMMISSION REGULATION (EC) No 692/95

of 30 March 1995

fixing the number of young male bovine animals which may be imported on special terms in the second quarter of 1995 and derogating from Regulation (EEC) No 2377/80 in respect of that quarter as regards the allocation of the quantities available

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 424/95 ⁽²⁾, and in particular Articles 13 (4), 15 (2) and 25 thereof,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations ⁽³⁾, and in particular Article 3 thereof,

Whereas the Council has drawn up an estimated supply balance of 99 000 head under the new import arrangements applicable to young male bovine animals intended for fattening for the period 1 January to 30 June 1995; whereas, pursuant to Article 13 (4) (a) of Regulation (EEC) No 805/68, the number which may be imported each quarter and the rate of reduction in the import levy on such animals must be determined;

Whereas detailed rules for the application of these special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 1121/87 ⁽⁵⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁶⁾, as last amended by Regulation (EC) No 1084/94 ⁽⁷⁾;

Whereas the supply requirements of certain regions of the Community which have a serious shortfall in bovine animals for fattening must be taken into account; whereas those requirements are apparent in Italy and Greece and may be estimated, for the second quarter of 1995, at 42 120 head and 6 435 head respectively in those Member States;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁸⁾, as last amended by Regulation (EEC) No 3534/92 ⁽⁹⁾, prohibits trade between the European Community and the Republics of Serbia and Montenegro; whereas these Republics are therefore excluded from those arrangements;

Whereas the supply requirements in young bovine animals for fattening justify, for the second quarter of 1995, a higher rate of reduction in the levy on animals weighing from 160 to 300 kilograms per head, originating in and coming from Hungary, Poland, the Czech Republic, the Slovak Republic, Romania, Slovenia or Bulgaria;

Whereas each of the quantities available in Italy and Greece should be divided into two tranches; whereas one of the two tranches, corresponding to 80 %, should be allocated to traditional importers; whereas the other tranche, corresponding to 20 %, should be allocated to operators who have engaged in some trade in live animals with third countries, in order to give them progressive access to the import arrangements in question; whereas a derogation from Article 9 (1) (a) of Regulation (EEC) No 2377/80 is accordingly required in order to ensure proper administration of the share allocated to such operators;

Whereas, in order to simplify the procedure for allocating the quantities available, it is necessary to derogate from Regulation (EEC) No 2377/80; whereas, in the case of traditional importers, the quantities available should be allocated directly in proportion to the number of head imported during the last three years; whereas, in the case of operators eligible for the 20 % tranche, the quantities available should be allocated directly in proportion to the number of head for which application is made;

Whereas, in the case of such operators, the maximum quantity which each application for an import licence may cover must, however, be limited, in order to permit a wider allocation of the quantities available; whereas for financial reasons a minimum number of head per application should nevertheless be set;

Whereas the validity of the import licences issued under this Regulation expires only at the end of July 1995; whereas the variable import levies will no longer exist after 30 June 1995; whereas adequate financial provisions must therefore be laid down for imports after that date;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁴⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁵⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁶⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁷⁾ OJ No L 120, 11. 5. 1994, p. 30.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 358, 8. 12. 1992, p. 16.

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

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period 1 April to 30 June 1995 the maximum number referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 48 555 head of young male bovine animals for fattening comprising :

- (a) 6 315 of a live weight of not more than 300 kilograms per head and subject to a 65 % reduction in the levy ;
- (b) 42 240 of a live weight of 160 to 300 kilograms per head, originating in and coming from Hungary, Poland, the Czech Republic, the Slovak Republic, Romania, Slovenia or Bulgaria and subject to a 75 % reduction in the levy.

2. The reductions referred to in paragraph 1 shall apply before 1 July 1995 to the levy applicable on the day of acceptance of the declaration of release for free circulation.

However, in the case of imports after 30 June 1995, in addition to the 16 % *ad valorem* duty, the import charge to be collected in respect of the two weight categories shall be equal to the levy applicable on 30 June 1995, reduced by 65 %, in the case of the first weight category and by 75 % in the case of the second.

3. The quantities referred to in paragraph 1 shall be allocated as follows :

	Italy	Greece
(a) 6 315	5 480	835
(b) 42 240	36 640	5 600

4. Licence applications shall, notwithstanding Article 9 (1) (c) of Regulation (EEC) No 2377/80, relate to :

- either young bovine animals weighing not more than 300 kilograms per head,
- or young bovine animals weighing from 160 to 300 kilograms per head, originating in and coming from Hungary, Poland, the Czech Republic, the Slovak Republic, Romania, Slovenia or Bulgaria.

In the latter case, Sections 7 and 8 of licence applications and licences shall include one of the following entries :

- Hungria y/o Polonia y/o República Checa y/o República Eslovaca y/o Rumania y/o Eslovenia y/o Bulgaria,

- Ungarn og/eller Polen og/eller Den Tjekkiske Republik og/eller Den Slovakiske Republik og/eller Rumænien og/eller Slovenien og/eller Bulgarien,
- Ungarn und/oder Polen und/oder Tschechische Republik und/oder Slowakische Republik und/oder Rumänien und/oder Slowenien und/oder Bulgarien,
- Ουγγαρία ή/και Πολωνία ή/και Τσεχική Δημοκρατία ή/και Σλοβακική Δημοκρατία ή/και Σλοβενία ή/και Ρουμανία ή/και Βουλγαρία,
- Hungary and/or Poland and/or Czech Republic and/or Slovak Republic and/or Romania and/or Slovenia and/or Bulgaria,
- Hongrie et/ou Pologne et/ou République tchèque et/ou République slovaque et/ou Roumanie et/ou Slovénie et/ou Bulgarie,
- Ungheria e/o Polonia e/o Repubblica ceca e/o Repubblica slovacca e/o Romania e/o Slovenia e/o Bulgaria,
- Hongarije en/of Polen en/of Tsjechische Republiek en/of Slowaakse Republiek en/of Roemenië en/of Slovenië en/of Bulgarije,
- Hungria e/ou Polónia e/ou República Checa e/ou República Eslovaca e/ou Roménia e/ou Eslovénia e/ou Bulgária,
- Unkari ja/tai Puola ja/tai Tšekin tasavalta ja/tai Slovakian tasavalta ja/tai Romania ja/tai Slovenia ja/tai Bulgaria,
- Ungern och/eller Polen och/eller Tjeckien och/eller Slovakien och/eller Rumänien och/eller Slovenien och/eller Bulgarien.

Licences shall carry with them an obligation to import from one or more of the countries indicated.

5. Import licences as specified in the first indent of the first subparagraph of paragraph 4 shall not give the right to import animals originating in the Republic of Serbia or Montenegro.

6. In the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80, Member States shall specify the category of live weight and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 4.

7. Of the number of head reserved for Italy and Greece for each category notwithstanding Articles 9 (1) (a) and 15 (6) (a) of Regulation (EEC) No 2377/80 :

- (a) import licences relating to 80 % of the number of head referred to above may be allocated directly to importers who provide proof of having imported animals qualifying under this scheme during the last three calendar years. Numbers covered by licences shall be allocated in proportion to the number of head imported in the three years concerned ;

(b) import licences relating to the remaining 20 % may be allocated directly to operators entered in a public register in a Member State. These importers must prove that, in 1994, they exported to and/or imported from countries which are for them third countries on 31 December 1994 at least 50 live animals falling within CN code 0102 90, excluding imports pursuant to the following Commission Regulations:

- (EEC) No 2657/93 ⁽¹⁾,
- (EC) No 336/94 ⁽²⁾,
- (EC) No 636/94 ⁽³⁾,
- (EC) No 1373/94 ⁽⁴⁾, and
- (EC) No 2321/94 ⁽⁵⁾.

The import licence application must be submitted in Italy or in Greece.

8. The proof referred to in paragraph 7 shall be provided by the customs document of release for free circulation or export document. Following approval by the Commission, however the new Member States may accept other forms of proof.

Article 2

1. As regards the quantities referred to in Article 1 (7) (b), applications for import licences shall:

- (a) relate to a number equal to or more than 50 head; and
- (b) relate to a quantity not exceeding 10 % of the quantities available except where the said 10 % results in a figure of less than 50 head; in the latter case the maximum figure shall also be 50 head.

2. In cases where applications for import licences state quantities in excess of those provided for by this Regulation, those applications shall only be considered within the limits of the said quantities.

3. Numbers shall be allocated in proportion to the number of head for which application is made by the operators eligible. If, because of the number for which application is made, the percentage reduction results in fewer than 20 head per import licence, the Member States shall, by drawing lots, be allocated licences covering 20 head.

Article 3

Notwithstanding Article 8 (4) of Commission Regulation (EEC) No 3719/88 ⁽⁶⁾, the levy, or in the case of imports after 30 June 1995 an amount equal to the levy applicable on that day, shall be collected in full in respect of quantities in excess of those stated on the import licence.

Article 4

1. Notwithstanding Article 9 (1) (a) of Regulation (EEC) No 2377/80, applicants must, at the time the application is submitted, have carried on activity in the live bovine animal or beef and veal sector for at least 12 months.

2. Notwithstanding Article 9 (1) (e) and (f) of Regulation (EEC) No 2377/80, the terms '220 kg' and 'Yugoslavia and/or Poland and/or Hungary' laid down in those provisions shall be read respectively as '160 kg' and 'Hungary and/or Poland and/or the Czech Republic and/or the Slovak Republic and/or Romania and/or Slovenia and/or Bulgaria'.

Article 5

For the purposes of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant, which relate to the same category of weight and the same rate of reduction in the levy, shall be treated as one application.

Article 6

The security for the import licence shall be lodged at the time of issue of the said licence.

Article 7

Three weeks at the latest after import of the livestock referred to in this Regulation, importers shall inform the competent authorities which issued the import licences, of the number and origin of the animals imported. Those authorities shall forward that information to the Commission at the beginning of each month.

Article 8

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

⁽¹⁾ OJ No L 244, 30. 9. 1993, p. 5.

⁽²⁾ OJ No L 43, 16. 2. 1994, p. 7.

⁽³⁾ OJ No L 79, 23. 3. 1994, p. 12.

⁽⁴⁾ OJ No L 151, 17. 6. 1994, p. 8.

⁽⁵⁾ OJ No L 253, 29. 9. 1994, p. 5.

⁽⁶⁾ OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 693/95

of 30 March 1995

amending Regulation (EEC) No 1756/93 fixing the operative events for the agricultural conversion rate applicable to milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 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 6 (2) thereof,

Whereas the purpose of Commission Regulation (EEC) No 1756/93⁽³⁾, as last amended by Regulation (EC) No 267/95⁽⁴⁾, is precisely to fix the agricultural conversion rate to be applied to all amounts fixed in ecus in the milk and milk products sector; whereas Commission Regulation (EEC) No 685/69 of 14 April 1969 on detailed rules of application for intervention on the market in butter

and cream⁽⁵⁾, as last amended by Regulation (EC) No 393/94⁽⁶⁾, is repealed and replaced by Commission Regulation (EC) No 454/95⁽⁷⁾; whereas, therefore, the references in the Annex to Regulation (EEC) No 1756/93 should be amended;

Whereas the provisions on the validity of the aid voucher laid down in Article 2 (1) of Commission Regulation (EEC) No 2191/81 of 31 July 1981 on the granting of aid for the purchase of butter by non-profit-making institutions and organizations⁽⁸⁾, as last amended by Regulation (EC) No 455/95⁽⁹⁾; whereas the operative event relating thereto should therefore be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1756/93 is hereby amended as follows:

1. Point 1 of Part B.I is replaced by the following:

Regulation	Amounts concerned	Agricultural conversion rate to be applied
'1. (EC) No 454/95	Intervention buying-in price	Agricultural conversion rate applicable on the date of taking over into intervention'

2. Point 1 of Part B.III is replaced by the following:

Regulation	Amounts concerned	Agricultural conversion rate to be applied
'1. (EC) No 455/95	Aid for the purchase of butter by non-profit-making institutions and organizations referred to in Article 2 (1)	Agricultural conversion rate applicable on the first day of the first month for which the delivery voucher referred to in Article 3 is applicable'

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 161, 2. 7. 1993, p. 48.

⁽⁴⁾ OJ No L 31, 10. 2. 1995, p. 6.

⁽⁵⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽⁶⁾ OJ No L 53, 24. 2. 1994, p. 11.

⁽⁷⁾ OJ No L 46, 1. 3. 1995, p. 1.

⁽⁸⁾ OJ No L 213, 1. 8. 1981, p. 20.

⁽⁹⁾ OJ No L 46, 1. 3. 1995, p. 31.

3. Point 2 of Part D is replaced by the following :

Regulation	Amounts concerned	Agricultural conversion rate to be applied
'2. (EC) No 628/95	A. Storage costs referred to in points (a) and (b) of the second subparagraph of Article 5 (3)	Agricultural conversion rate applicable on the date of taking over within the meaning of Article 5 (1)
	B. Additional transport costs referred to in Article 7 (2)	Agricultural conversion rate applicable on the date of taking over within the meaning of Article 5 (1)'

Article 2

This Regulation shall enter into force on the 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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 694/95**of 30 March 1995****fixing the import levies on live cattle and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 424/95⁽²⁾, and in particular Article 12 (8) thereof,

Whereas, pursuant to Article 9 of Regulation (EEC) No 805/68, a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 00, 0201 10 90, 0201 20 20 to 0201 20 50, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3661/92⁽⁴⁾;

Whereas the prices for adult bovine animals for the 1994/95 marketing year have been fixed by Council Regulation (EC) No 1885/94⁽⁵⁾, extended by Regulation (EC) No 683/95⁽⁶⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽⁵⁾ OJ No L 197, 30. 7. 1994, p. 29.

⁽⁶⁾ See page 2 of this Official Journal.

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation ;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty ;

Whereas Commission Regulation (EEC) No 611/77 ⁽¹⁾, as last amended by Regulation (EC) No 3246/94 ⁽²⁾, provides that the special levy on products originating in Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of this third country ; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77 ;

Whereas the levy is not collected in respect of imports under the quotas opened by Council Regulations (EC) No 3071/94 ⁽³⁾ and (EC) No 774/94 ⁽⁴⁾ and Commission Regulations (EC) No 3241/94 ⁽⁵⁾ and (EC) No 3243/94 ⁽⁶⁾, as amended by Regulation (EC) No 498/95 ⁽⁷⁾ ;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68 ;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained ;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on represen-

tative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽⁸⁾, as last amended by Regulation (EC) No 3270/94 ⁽⁹⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 338, 28. 12. 1994, p. 70.

⁽³⁾ OJ No L 325, 17. 12. 1994, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽⁵⁾ OJ No L 338, 28. 12. 1994, p. 53.

⁽⁶⁾ OJ No L 338, 28. 12. 1994, p. 62.

⁽⁷⁾ OJ No L 50, 7. 3. 1995, p. 2.

⁽⁸⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁹⁾ OJ No L 339, 29. 12. 1994, p. 48.

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas account should also be taken of Council Regulation (EC) No 3355/94 of 22 December 1994 concerning the arrangements applicable to the import into the Community of products originating in the Republics of Bosnia-Herzegovina, Croatia and Slovenia and the former Yugoslav Republic of Macedonia⁽¹⁾, which provides for reductions in the levies on certain products of the beef and veal sector imported into the Community ; whereas Commission Regulation (EC) No 207/95⁽²⁾ establishes detailed rules for the importation of these products ;

Whereas, in addition, account must be taken of Decision 94/1/ECSC, EC of the Council and Commission⁽³⁾, concerning the conclusion of the Agreements on the European Economic Area, between the European Community, the European Coal and Steel Community and their Member States, on the one hand, and Austria, Finland, Iceland, Norway, Sweden and Liechtenstein, on the other hand, hereafter referred to as the 'EEA Agreement' ;

Whereas Council Regulation (EEC) No 715/90⁽⁴⁾, as last amended by Regulation (EC) No 2484/94⁽⁵⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States ;

Whereas Council Regulations (EC) No 3491/93⁽⁶⁾, and (EC) No 3492/93⁽⁷⁾, on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽⁸⁾, as amended by Regulation (EEC) No 2235/93⁽⁹⁾, and in particular Article 1 thereof introduce arrangements for reducing import levies on certain

products ; whereas Commission Regulation (EC) No 1390/94⁽¹⁰⁾, amended by Regulation (EC) No 468/95⁽¹¹⁾, lays down detailed rules for applying the import arrangements provided for in these agreements as regards beef ;

Whereas Council Regulations (EC) No 3641/93⁽¹²⁾, and (EC) No 3642/93⁽¹³⁾, on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria and Romania, of the other part ; whereas Commission Regulation (EC) No 1389/94⁽¹⁴⁾, as amended by Regulation (EC) No 1850/94⁽¹⁵⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards beef ;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁶⁾ no levies shall apply on imports of products originating in the overseas countries and territories ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁷⁾, as last amended by Regulation (EC) No 150/95⁽¹⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies ; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁹⁾, as last amended by Regulation (EC) No 157/95⁽²⁰⁾,

Whereas, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

⁽¹⁾ OJ No L 353, 31. 12. 1994, p. 1.

⁽²⁾ OJ No L 25, 2. 2. 1995, p. 2.

⁽³⁾ OJ No L 1, 3. 1. 1994, p. 1.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽⁶⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁷⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁹⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽¹⁰⁾ OJ No L 152, 18. 6. 1994, p. 20.

⁽¹¹⁾ OJ No L 48, 3. 3. 1995, p. 4.

⁽¹²⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽¹³⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽¹⁴⁾ OJ No L 152, 18. 6. 1994, p. 16.

⁽¹⁵⁾ OJ No L 192, 28. 7. 1994, p. 24.

⁽¹⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽²⁰⁾ OJ No L 24, 1. 2. 1995, p. 1.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

This Regulation shall enter into force on 3 April 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 March 1995 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Croatia / Slovenia / Bosnia-Herzegovina / Former Yugoslav Republic of Macedonia ⁽¹⁾	Switzerland	Other third countries ⁽²⁾
— Live weight —			
0102 90 05	—	0	158,710 ⁽¹⁾
0102 90 21	—	0	158,710 ⁽¹⁾
0102 90 29	—	0	158,710 ⁽¹⁾
0102 90 41	—	0	158,710 ⁽¹⁾ ⁽³⁾
0102 90 49	—	0	158,710 ⁽¹⁾ ⁽³⁾
0102 90 51	27,844	0	158,710 ⁽¹⁾
0102 90 59	27,844	0	158,710 ⁽¹⁾
0102 90 61	—	0	158,710 ⁽¹⁾
0102 90 69	—	0	158,710 ⁽¹⁾
0102 90 71	27,844	0	158,710 ⁽¹⁾
0102 90 79	27,844	0	158,710 ⁽¹⁾
— Net weight —			
0201 10 00	52,903	0	301,548 ⁽¹⁾ ⁽⁴⁾
0201 20 20	52,903	0	301,548 ⁽¹⁾ ⁽⁴⁾
0201 20 30	42,323	0	241,239 ⁽¹⁾ ⁽⁴⁾
0201 20 50	63,484	0	361,858 ⁽¹⁾ ⁽⁴⁾
0201 20 90	—	0	452,322 ⁽¹⁾ ⁽⁴⁾
0201 30 00	—	0	517,394 ⁽¹⁾ ⁽⁴⁾ ⁽⁵⁾
0206 10 95	—	0	517,394 ⁽¹⁾ ⁽⁶⁾
0210 20 10	—	0	452,322
0210 20 90	—	0	517,394
0210 90 41	—	0	517,394
0210 90 90	—	0	517,394
1602 50 10	—	0	517,394
1602 90 61	—	0	517,394

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ This levy is applicable only to products complying with the provisions of Commission Regulation (EC) No 207/95.

⁽⁴⁾ Products falling within this code, imported from Poland and Hungary under the Agreements concluded between those countries and the Community and the Interim Agreements between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and the Interim Agreements 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 Commission Regulation (EC) No 1390/94 or Regulation (EC) No 1389/94 have been presented, are subject to the levies foreseen in those Regulations.

⁽⁵⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and the Interim Agreements between the Czech Republic, the Slovak Republic and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EC) No 358/94 (OJ No L 46, 18. 2. 1994, p. 34) have been presented, are subject to the levies foreseen in that Regulation.

⁽⁶⁾ For imported products falling within these codes, the levy applicable is restricted within the conditions provided for in Council Regulations (EC) No 3071/94 and (EC) No 774/94 and Commission Regulations (EC) No 3241/94 and (EC) No 3243/94.

COMMISSION REGULATION (EC) No 695/95
of 30 March 1995
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 424/95⁽²⁾, and in particular Article 12 (8) thereof,

Whereas, pursuant to Article 9 of Regulation (EEC) No 805/68, a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3661/92⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;

- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;

- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;

- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;

- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;

- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals for the 1994/95 marketing year were fixed by Council Regulation (EC) No 1885/94⁽⁵⁾, extended by Regulation (EC) No 683/95⁽⁶⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽⁵⁾ OJ No L 197, 30. 7. 1994, p. 29.

⁽⁶⁾ See page 2 of this Official Journal.

coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽¹⁾, as last amended by Regulation (EC) No 3270/94⁽²⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EC) No 2484/94⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States ;

Whereas Council Regulations (EC) No 3491/93⁽⁵⁾ and (EC) No 3492/93⁽⁶⁾, on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽⁷⁾, as amended by Regulation (EEC) No 2235/93⁽⁸⁾, and in particular Article 1 thereof introduce arrangements for reducing import levies on certain products ; whereas Commission Regulation (EC) No 1390/94⁽⁹⁾, as amended by Regulation (EC) No 468/95⁽¹⁰⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards beef ;

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽³⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁶⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽⁷⁾ OJ No L 152, 18. 6. 1994, p. 20.

⁽¹⁰⁾ OJ No L 48, 3. 3. 1995, p. 4.

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 339, 29. 12. 1994, p. 48.

Whereas Council Regulations (EC) No 3641/93⁽¹⁾ and (EC) No 3642/93⁽²⁾ on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria and Romania, of the other part; whereas Commission Regulation (EC) No 1389/94⁽³⁾, as amended by Regulation (EC) No 1850/94⁽⁴⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards beef;

Whereas the levy is not collected in respect of imports under the quotas opened by Council Regulations (EC) No 3071/94⁽⁵⁾ and (EC) No 774/94⁽⁶⁾ and by Commission Regulations (EC) No 3241/94⁽⁷⁾ and (EC) No 3243/94⁽⁸⁾, as amended by Regulation (EC) No 498/95⁽⁹⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁰⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in

the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹¹⁾, as last amended by Regulation (EC) No 150/95⁽¹²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹³⁾, as last amended by Regulation (EC) No 157/95⁽¹⁴⁾;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 3 April 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽²⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽³⁾ OJ No L 152, 18. 6. 1994, p. 16.

⁽⁴⁾ OJ No L 192, 28. 7. 1994, p. 24.

⁽⁵⁾ OJ No L 325, 17. 12. 1994, p. 1.

⁽⁶⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽⁷⁾ OJ No L 338, 28. 12. 1994, p. 53.

⁽⁸⁾ OJ No L 338, 28. 12. 1994, p. 62.

⁽⁹⁾ OJ No L 50, 7. 3. 1995, p. 2.

⁽¹⁰⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁴⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 30 March 1995 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Levy
	— Net weight —
0202 10 00	189,053 ⁽³⁾
0202 20 10	189,053 ⁽³⁾
0202 20 30	151,243 ⁽³⁾
0202 20 50	236,316 ⁽³⁾
0202 20 90	283,580 ⁽³⁾
0202 30 10	236,316 ⁽³⁾
0202 30 50	236,316 ⁽³⁾
0202 30 90	325,171 ⁽³⁾ ⁽⁴⁾
0206 29 91	325,171 ⁽⁴⁾

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and the Interim Agreements between the Czech Republic, the Slovak Republic, Bulgaria, Romania and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EC) No 1390/94, amended, or Regulation (EC) No 1389/94 have been presented, are subject to the levies foreseen in those Regulations.

⁽⁴⁾ The levy on the products falling within these codes, imported pursuant to Council Regulations (EC) No 3071/94 and (EC) No 774/94 and Commission Regulations (EC) No 3241/94, (EC) No 957/94 and (EC) No 3243/94, amended, is restricted pursuant to the conditions laid down in those Regulations.

COMMISSION REGULATION (EC) No 696/95**of 30 March 1995****fixing the import levies on milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 14 (8) thereof,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽²⁾, as last amended by Regulation (EC) No 3326/94 ⁽³⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas the threshold price for the 1994/95 milk year was fixed by Council Regulation (EC) No 1882/94 ⁽⁴⁾, as extended by Regulation (EC) No 682/95 ⁽⁵⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multiplying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁶⁾, as last amended by Regulation (EC) No 527/95 ⁽⁷⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽³⁾ OJ No L 350, 31. 12. 1994, p. 41.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 24.

⁽⁵⁾ See page 1 of this Official Journal.

⁽⁶⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁷⁾ OJ No L 54, 10. 3. 1995, p. 4.

Whereas Commission Regulation (EEC) No 1073/68 ⁽¹⁾, as amended by Regulation (EEC) No 222/88 ⁽²⁾, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

Whereas Commission Regulation (EEC) No 788/86 ⁽³⁾, as last amended by Regulation (EEC) No 1525/90 ⁽⁴⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19(1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽⁵⁾, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulations (EC) No 3491/93 ⁽⁶⁾ and (EC) No 3492/93 ⁽⁷⁾, on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part ⁽⁸⁾, as amended by Regulation (EEC) No 2235/93 ⁽⁹⁾, and in particular Article 1 thereof introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 584/92 ⁽¹⁰⁾, as last amended by Regulation (EC) No 3337/94 ⁽¹¹⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards milk and milk products;

⁽¹⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽³⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽⁴⁾ OJ No L 144, 7. 6. 1990, p. 15.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁶⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁷⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁹⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽¹¹⁾ OJ No L 350, 31. 12. 1994, p. 66.

Whereas, in addition, account must be taken of Council and Commission Decision 94/1/ECSC, EC⁽¹⁾ concerning the conclusion of the Agreements on the European Economic Area, between the European Community, the European Coal and Steel Community and their Member States, on the one hand, and Austria, Finland, Iceland, Norway, Sweden and Liechtenstein, on the other hand, hereafter referred to as the 'EEA Agreement';

Whereas Council Regulations (EC) No 3641/93⁽²⁾ and (EC) No 3642/93⁽³⁾ on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria and Romania, of the other part, should be taken into account; whereas Commission Regulation (EC) No 1588/94⁽⁴⁾, as last amended by Regulation (EC) No 3337/94, lays down detailed rules for applying the arrangements provided for in these agreements as regards milk and milk products;

Whereas Council Regulation (EEC) No 715/90⁽⁵⁾, as last amended by Regulation (EC) No 2484/94⁽⁶⁾, lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁷⁾, no levies shall apply on

products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 157/95⁽¹¹⁾;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 1, 3. 1. 1994, p. 1.

⁽²⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽³⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽⁴⁾ OJ No L 167, 1. 7. 1994, p. 8.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 30 March 1995 fixing the import levies on milk and milk products

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

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		18,56	0403 10 16	(°)	2,5499/kg + 32,49
0401 10 90		17,10	0403 10 22		27,50
0401 20 11		24,59	0403 10 24		31,76
0401 20 19		23,13	0403 10 26		73,29
0401 20 91		28,85	0403 10 32	(°)	0,2021/kg + 31,03
0401 20 99		27,39	0403 10 34	(°)	0,2447/kg + 31,03
0401 30 11		70,38	0403 10 36	(°)	0,6600/kg + 31,03
0401 30 19		68,92	0403 90 11		131,34
0401 30 31		132,58	0403 90 13		222,81
0401 30 39		131,12	0403 90 19		263,74
0401 30 91		219,80	0403 90 31	(°)	1,2259/kg + 32,49
0401 30 99		218,34	0403 90 33	(°)	2,1406/kg + 32,49
0402 10 11	(°)	131,34	0403 90 39	(°)	2,5499/kg + 32,49
0402 10 19	(°)(°)	122,59	0403 90 51		27,50
0402 10 91	(°)(°)	1,2259/kg + 32,49	0403 90 53		31,76
0402 10 99	(°)(°)	1,2259/kg + 23,74	0403 90 59		73,29
0402 21 11	(°)	222,81	0403 90 61	(°)	0,2021/kg + 31,03
0402 21 17	(°)	214,06	0403 90 63	(°)	0,2447/kg + 31,03
0402 21 19	(°)(°)	214,06	0403 90 69	(°)	0,6600/kg + 31,03
0402 21 91	(°)(°)	263,74	0404 10 02		32,53
0402 21 99	(°)(°)	254,99	0404 10 04		222,81
0402 29 11	(°)(°)(°)	2,1406/kg + 32,49	0404 10 06		263,74
0402 29 15	(°)(°)	2,1406/kg + 32,49	0404 10 12		131,34
0402 29 19	(°)(°)	2,1406/kg + 23,74	0404 10 14		222,81
0402 29 91	(°)(°)	2,5499/kg + 32,49	0404 10 16		263,74
0402 29 99	(°)(°)	2,5499/kg + 23,74	0404 10 26	(°)	0,3253/kg + 23,74
0402 91 11	(°)	48,97	0404 10 28	(°)	2,1406/kg + 32,49
0402 91 19	(°)	48,97	0404 10 32	(°)	2,5499/kg + 32,49
0402 91 31	(°)	61,21	0404 10 34	(°)	1,2259/kg + 32,49
0402 91 39	(°)	61,21	0404 10 36	(°)	2,1406/kg + 32,49
0402 91 51	(°)	132,58	0404 10 38	(°)	2,5499/kg + 32,49
0402 91 59	(°)	131,12	0404 10 48	(°)	0,3253/kg
0402 91 91	(°)	219,80	0404 10 52	(°)	2,1406/kg + 7,29
0402 91 99	(°)	218,34	0404 10 54	(°)	2,5499/kg + 7,29
0402 99 11	(°)	69,56	0404 10 56	(°)	1,2259/kg + 7,29
0402 99 19	(°)	69,56	0404 10 58	(°)	2,1406/kg + 7,29
0402 99 31	(°)(°)	1,2820/kg + 28,12	0404 10 62	(°)	2,5499/kg + 7,29
0402 99 39	(°)(°)	1,2820/kg + 26,66	0404 10 72	(°)	0,3253/kg + 23,74
0402 99 91	(°)(°)	2,1542/kg + 28,12	0404 10 74	(°)	2,1406/kg + 31,03
0402 99 99	(°)(°)	2,1542/kg + 26,66	0404 10 76	(°)	2,5499/kg + 31,03
0403 10 02		131,34	0404 10 78	(°)	1,2259/kg + 31,03
0403 10 04		222,81	0404 10 82	(°)	2,1406/kg + 31,03
0403 10 06		263,74	0404 10 84	(°)	2,5499/kg + 31,03
0403 10 12	(°)	1,2259/kg + 32,49	0404 90 11		131,34
0403 10 14	(°)	2,1406/kg + 32,49	0404 90 13		222,81

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		263,74	0406 90 23	(°) (°)	195,37
0404 90 31		131,34	0406 90 25	(°) (°)	195,37
0404 90 33		222,81	0406 90 27	(°) (°)	195,37
0404 90 39		263,74	0406 90 29	(°) (°)	195,37
0404 90 51	(°)	1,2259/kg + 32,49	0406 90 31	(°) (°)	195,37
0404 90 53	(°) (°)	2,1406/kg + 32,49	0406 90 33	(°) (°)	195,37
0404 90 59	(°)	2,5499/kg + 32,49	0406 90 35	(°) (°)	195,37
0404 90 91	(°)	1,2259/kg + 32,49	0406 90 37	(°) (°)	195,37
0404 90 93	(°) (°)	2,1406/kg + 32,49	0406 90 39	(°) (°)	195,37
0404 90 99	(°)	2,5499/kg + 32,49	0406 90 50	(°) (°)	195,37
0405 00 11	(°)	225,48	0406 90 61	(°) (°)	465,99
0405 00 19	(°)	225,48	0406 90 63	(°) (°)	465,99
0405 00 90		275,09	0406 90 69	(°) (°)	465,99
0406 10 20	(°) (°)	235,96	0406 90 73	(°) (°)	195,37
0406 10 80	(°) (°)	312,16	0406 90 75	(°) (°)	195,37
0406 20 10	(°) (°)	465,99	0406 90 76	(°) (°)	195,37
0406 20 90	(°) (°)	465,99	0406 90 78	(°) (°)	195,37
0406 30 10	(°) (°)	185,94	0406 90 79	(°) (°)	195,37
0406 30 31	(°) (°)	182,17	0406 90 81	(°) (°)	195,37
0406 30 39	(°) (°)	185,94	0406 90 82	(°) (°)	195,37
0406 30 90	(°) (°)	302,73	0406 90 84	(°) (°)	195,37
0406 40 10	(°) (°)	188,14	0406 90 85	(°) (°)	195,37
0406 40 50	(°) (°)	188,14	0406 90 86	(°) (°)	195,37
0406 40 90	(°) (°)	188,14	0406 90 87	(°) (°)	195,37
0406 90 01	(°) (°)	255,78	0406 90 88	(°) (°)	195,37
0406 90 02	(°) (°)	195,42	0406 90 93	(°) (°)	235,96
0406 90 03	(°) (°)	195,42	0406 90 99	(°) (°)	312,16
0406 90 04	(°) (°)	195,42	1702 10 10		76,27
0406 90 05	(°) (°)	195,42	1702 10 90		76,27
0406 90 06	(°) (°)	195,42	2106 90 51		76,27
0406 90 07	(°) (°)	195,42	2309 10 15		94,86
0406 90 08	(°) (°)	195,42	2309 10 19		123,06
0406 90 09	(°) (°)	195,42	2309 10 39		115,04
0406 90 12	(°) (°)	195,42	2309 10 59		94,34
0406 90 14	(°) (°)	195,42	2309 10 70		123,06
0406 90 16	(°) (°)	195,42	2309 90 35		94,86
0406 90 18	(°) (°)	195,42	2309 90 39		123,06
0406 90 19	(°) (°)	465,99	2309 90 49		115,04
0406 90 21	(°) (°)	255,78	2309 90 59		94,34
			2309 90 70		123,06

(°) The levy on 100 kg of product falling within this code is equal to the sum of the following:

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product; and
- (b) the other amount indicated.

(°) The levy on 100 kg of product falling within this code is equal to:

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(°) Products falling within this code and imported from a third country

- for which an IMA 1 certificate, issued in accordance with amended Commission Regulation (EEC) No 1767/82 (OJ No L 196, 5. 7. 1982, p. 1), is presented,
 - for which an EUR 1 certificate, issued in accordance with amended Commission Regulation (EEC) No 584/92 (OJ No L 62, 7. 3. 1992, p. 34) for Poland, the Czech and Slovak Republics and Hungary and Commission Regulation (EC) No 1588/94 (OJ No L 167, 1. 7. 1994, p. 8) for Bulgaria and Romania, is presented,
- shall be subject to the levies defined in the said Regulations, respectively.

(°) The levy applicable is limited under the conditions laid down in amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

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

COMMISSION REGULATION (EC) No 697/95

of 30 March 1995

on the issue of import licences for garlic originating in China

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 last amended by Regulation (EC) No 3290/94⁽²⁾,

Having regard to Council Regulation (EC) No 1213/94 of 27 May 1994 concerning a protective measure applicable to imports of garlic from China⁽³⁾, as last amended by Regulation (EC) No 2815/94⁽⁴⁾, and in particular Article 1 (4) thereof,

Whereas Council Regulation (EEC) No 2707/72⁽⁵⁾ lays down the conditions for applying protective measures for fruit and vegetables;

Whereas pursuant to Commission Regulation (EEC) No 1859/93⁽⁶⁾, as amended by Regulation (EC) No 1662/94⁽⁷⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1 (2) of Commission Regulation (EC) No 1213/94, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 25 August 1994 to 24 May 1995;

Whereas, given the criteria laid down in Article 1 (3) of that Regulation and the import licences already issued,

the quantity applied for at 27 March 1995 is in excess of the maximum monthly quantity for April 1995; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to these applications; whereas the issue of licences in response to applications lodged after 27 March 1995 and before 24 April 1995 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for under Article 1 of Regulation (EEC) No 1859/93 at 27 March 1995 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 7,01213 % of the quantity applied for, having regard to the information available to the Commission on 29 March 1995.

For the abovementioned products applications for import licences lodged after 27 March 1995 and before 24 April 1995 shall be refused.

Article 2

This Regulation shall enter into force on 31 March 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994.

⁽³⁾ OJ No L 133, 28. 5. 1994, p. 36.

⁽⁴⁾ OJ No L 298, 19. 11. 1994, p. 26.

⁽⁵⁾ OJ No L 291, 28. 12. 1972, p. 3.

⁽⁶⁾ OJ No L 170, 13. 7. 1993, p. 10.

⁽⁷⁾ OJ No L 176, 9. 7. 1994, p. 1.

COMMISSION REGULATION (EC) No 698/95**of 30 March 1995****adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Spain on 30 March 1995**

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, and in particular Articles 85 (1) thereof,

Whereas Commission Regulation (EEC) No 1112/93 of 6 May 1993 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 3810/91 and (EEC) No 3829/92 ⁽¹⁾, as last amended by Regulation (EC) No 3083/94 ⁽²⁾, set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued in March and April 1995;

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas an examination of licence application lodged on 30 March 1995 shows that the quantities applied for are

likely to bring about a serious disturbance of the market for live animals; whereas, as an interim protective measure, licences should only be issued for up to a given percentage of the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species other than pure-bred breeding animals and animals for bullfights:

1. applications for STM licences lodged on 30 March 1995 and notified to the Commission shall be accepted in respect of 68 % for Spain;
2. further applications may be submitted from 27 April 1995.

Article 2

This Regulation shall enter into force on 31 March 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 113, 7. 5. 1993, p. 10.

⁽²⁾ OJ No L 325, 17. 12. 1994, p. 42.

COMMISSION REGULATION (EC) No 699/95**of 30 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 31 March 1995.

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

Done at Brussels, 30 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 30 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	63,6
	204	87,6
	212	95,9
	624	171,7
	999	104,7
0707 00 15	052	100,7
	053	166,9
	066	43,4
	068	73,4
	204	51,1
	624	207,3
	999	107,1
0709 90 73	052	129,7
	204	77,5
	624	196,3
	999	134,5

⁽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 700/95
of 30 March 1995
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 1554/93 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EC) No 195/95 ⁽⁴⁾, as last amended by Regulation (EC) No 667/95 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 195/95 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 50,891 per 100 kilograms.

Article 2

This Regulation shall enter into force on 31 March 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 109.

⁽⁵⁾ OJ No L 69, 29. 3. 1995, p. 40.

COMMISSION REGULATION (EC) No 701/95

of 30 March 1995

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds⁽²⁾, as last amended by Regulation (EC) No 776/94⁽³⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

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

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

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

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

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

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

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products⁽⁴⁾, as last amended by Regulation (EEC) No 2767/90⁽⁵⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽³⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁴⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁵⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 283/95⁽²⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁵⁾, as last amended by Regulation (EC) No 157/95⁽⁶⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 181,13 per 100 kilograms;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 31 March 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.
⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.
⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁶⁾ OJ No L 24, 1. 2. 1995, p. 1.
⁽⁷⁾ OJ No L 91, 1. 4. 1984, p. 71.
⁽⁸⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 March 1995 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000	+	6,062	0402 21 91 500	+	133,24
0401 10 90 000	+	6,062	0402 21 91 600	+	145,02
0401 20 11 100	+	6,062	0402 21 91 700	+	152,03
0401 20 11 500	+	9,370	0402 21 91 900	+	159,85
0401 20 19 100	+	6,062	0402 21 99 100	+	118,81
0401 20 19 500	+	9,370	0402 21 99 200	+	119,68
0401 20 91 100	+	12,47	0402 21 99 300	+	121,23
0401 20 91 500	+	14,54	0402 21 99 400	+	130,18
0401 20 99 100	+	12,47	0402 21 99 500	+	133,24
0401 20 99 500	+	14,54	0402 21 99 600	+	145,02
0401 30 11 100	+	18,67	0402 21 99 700	+	152,03
0401 30 11 400	+	28,79	0402 21 99 900	+	159,85
0401 30 11 700	+	43,25	0402 29 15 200	+	0,7028
0401 30 19 100	+	18,67	0402 29 15 300	+	1,0333
0401 30 19 400	+	28,79	0402 29 15 500	+	1,0923
0401 30 19 700	+	43,25	0402 29 15 900	+	1,1790
0401 30 31 100	+	51,51	0402 29 19 200	+	0,7028
0401 30 31 400	+	80,43	0402 29 19 300	+	1,0333
0401 30 31 700	+	88,69	0402 29 19 500	+	1,0923
0401 30 39 100	+	51,51	0402 29 19 900	+	1,1790
0401 30 39 400	+	80,43	0402 29 91 100	+	1,1881
0401 30 39 700	+	88,69	0402 29 91 500	+	1,3018
0401 30 91 100	+	101,08	0402 29 99 100	+	1,1881
0401 30 91 400	+	148,57	0402 29 99 500	+	1,3018
0401 30 91 700	+	173,37	0402 91 11 110	+	6,062
0401 30 99 100	+	101,08	0402 91 11 120	+	12,47
0401 30 99 400	+	148,57	0402 91 11 310	+	21,26
0401 30 99 700	+	173,37	0402 91 11 350	+	26,26
0402 10 11 000	+	70,28	0402 91 11 370	+	32,18
0402 10 19 000	+	70,28	0402 91 19 110	+	6,062
0402 10 91 000	+	0,7028	0402 91 19 120	+	12,47
0402 10 99 000	+	0,7028	0402 91 19 310	+	21,26
0402 21 11 200	+	70,28	0402 91 19 350	+	26,26
0402 21 11 300	+	103,33	0402 91 19 370	+	32,18
0402 21 11 500	+	109,23	0402 91 31 100	+	24,66
0402 21 11 900	+	117,90	0402 91 31 300	+	38,04
0402 21 17 000	+	70,28	0402 91 39 100	+	24,66
0402 21 19 300	+	103,33	0402 91 39 300	+	38,04
0402 21 19 500	+	109,23	0402 91 51 000	+	28,79
0402 21 19 900	+	117,90	0402 91 59 000	+	28,79
0402 21 91 100	+	118,81	0402 91 91 000	+	101,08
0402 21 91 200	+	119,68	0402 91 99 000	+	101,08
0402 21 91 300	+	121,23	0402 99 11 110	+	0,0606
0402 21 91 400	+	130,18	0402 99 11 130	+	0,1247

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 11 150	+	0,2072	0403 90 61 100	+	0,0606
0402 99 11 310	+	24,52	0403 90 61 300	+	0,0937
0402 99 11 330	+	29,63	0403 90 63 000	+	0,1247
0402 99 11 350	+	39,70	0403 90 69 000	+	0,1867
0402 99 19 110	+	0,0606	0404 90 11 100	+	70,28
0402 99 19 130	+	0,1247	0404 90 11 910	+	6,062
0402 99 19 150	+	0,2072	0404 90 11 950	+	21,26
0402 99 19 310	+	24,52	0404 90 13 120	+	70,28
0402 99 19 330	+	29,63	0404 90 13 130	+	103,33
0402 99 19 350	+	39,70	0404 90 13 140	+	109,23
0402 99 31 110	+	0,2673	0404 90 13 150	+	117,90
0402 99 31 150	+	41,36	0404 90 13 911	+	6,062
0402 99 31 300	+	0,5151	0404 90 13 913	+	12,47
0402 99 31 500	+	0,8869	0404 90 13 915	+	18,67
0402 99 39 110	+	0,2673	0404 90 13 917	+	28,79
0402 99 39 150	+	41,36	0404 90 13 919	+	43,25
0402 99 39 300	+	0,5151	0404 90 13 931	+	21,26
0402 99 39 500	+	0,8869	0404 90 13 933	+	26,26
0402 99 91 000	+	1,0108	0404 90 13 935	+	32,18
0402 99 99 000	+	1,0108	0404 90 13 937	+	38,04
0403 10 22 100	+	6,062	0404 90 13 939	+	39,76
0403 10 22 300	+	9,370	0404 90 19 110	+	118,81
0403 10 24 000	+	12,47	0404 90 19 115	+	119,68
0403 10 26 000	+	18,67	0404 90 19 120	+	121,23
0403 10 32 100	+	0,0606	0404 90 19 130	+	130,18
0403 10 32 300	+	0,0937	0404 90 19 135	+	133,24
0403 10 34 000	+	0,1247	0404 90 19 150	+	145,02
0403 10 36 000	+	0,1867	0404 90 19 160	+	152,03
0403 90 11 000	+	70,28	0404 90 19 180	+	159,85
0403 90 13 200	+	70,28	0404 90 31 100	+	70,28
0403 90 13 300	+	103,33	0404 90 31 910	+	6,062
0403 90 13 500	+	109,23	0404 90 31 950	+	21,26
0403 90 13 900	+	117,90	0404 90 33 120	+	70,28
0403 90 19 000	+	118,81	0404 90 33 130	+	103,33
0403 90 31 000	+	0,7028	0404 90 33 140	+	109,23
0403 90 33 200	+	0,7028	0404 90 33 150	+	117,90
0403 90 33 300	+	1,0333	0404 90 33 911	+	6,062
0403 90 33 500	+	1,0923	0404 90 33 913	+	12,47
0403 90 33 900	+	1,1790	0404 90 33 915	+	18,67
0403 90 39 000	+	1,1881	0404 90 33 917	+	28,79
0403 90 51 100	+	6,062	0404 90 33 919	+	43,25
0403 90 51 300	+	9,370	0404 90 33 931	+	21,26
0403 90 53 000	+	12,47	0404 90 33 933	+	26,26
0403 90 59 110	+	18,67	0404 90 33 935	+	32,18
0403 90 59 140	+	28,79	0404 90 33 937	+	38,04
0403 90 59 170	+	43,25	0404 90 33 939	+	39,76
0403 90 59 310	+	51,51	0404 90 39 110	+	118,81
0403 90 59 340	+	80,43	0404 90 39 115	+	119,68
0403 90 59 370	+	88,69	0404 90 39 120	+	121,23
0403 90 59 510	+	101,08	0404 90 39 130	+	130,18
0403 90 59 540	+	148,57			
0403 90 59 570	+	173,37			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0404 90 39 150	+	133,24	0405 00 19 500	+	156,10
0404 90 51 100	+	0,7028	0405 00 19 700	+	160,00
0404 90 51 910	+	0,0606	0405 00 90 100	+	181,13
0404 90 51 950	+	24,52	0405 00 90 900	+	233,21
0404 90 53 110	+	0,7028	0406 10 20 100	+	—
0404 90 53 130	+	1,0333	0406 10 20 230	028	—
0404 90 53 150	+	1,0923		400	37,25
0404 90 53 170	+	1,1790		404	—
0404 90 53 911	+	0,0606		...	45,76
0404 90 53 913	+	0,1247	0406 10 20 290	028	—
0404 90 53 915	+	0,1867		400	37,25
0404 90 53 917	+	0,2879		404	—
0404 90 53 919	+	0,4325		...	45,76
0404 90 53 931	+	24,52	0406 10 20 610	028	12,88
0404 90 53 933	+	29,63		037	—
0404 90 53 935	+	39,70		039	—
0404 90 53 937	+	41,36		400	83,22
0404 90 59 130	+	1,1881		404	—
0404 90 59 150	+	1,3018		...	85,37
0404 90 59 930	+	0,6184	0406 10 20 620	028	19,08
0404 90 59 950	+	0,8869		037	—
0404 90 59 990	+	1,0108		039	—
0404 90 91 100	+	0,7028		400	91,76
0404 90 91 910	+	0,0606		404	—
0404 90 91 950	+	24,52		...	93,61
0404 90 93 110	+	0,7028	0406 10 20 630	028	22,89
0404 90 93 130	+	1,0333		037	—
0404 90 93 150	+	1,0923		039	—
0404 90 93 170	+	1,1790		400	104,28
0404 90 93 911	+	0,0606		404	—
0404 90 93 913	+	0,1247		...	105,69
0404 90 93 915	+	0,1867	0406 10 20 640	028	—
0404 90 93 917	+	0,2879		037	—
0404 90 93 919	+	0,4325		039	—
0404 90 93 931	+	24,52		400	124,02
0404 90 93 933	+	29,63		404	—
0404 90 93 935	+	39,70		...	124,02
0404 90 93 937	+	41,36	0406 10 20 650	028	26,24
0404 90 99 130	+	1,1881		037	—
0404 90 99 150	+	1,3018		039	—
0404 90 99 930	+	0,6184		400	62,01
0404 90 99 950	+	0,8869		404	—
0404 90 99 990	+	1,0108		...	129,12
0405 00 11 200	+	120,98	0406 10 20 660	+	—
0405 00 11 300	+	152,20	0406 10 20 810	028	—
0405 00 11 500	+	156,10		037	—
0405 00 11 700	+	160,00		039	—
0405 00 19 200	+	120,98		400	20,11
0405 00 19 300	+	152,20		404	—
				...	20,11

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 10 20 830	028	—	0406 30 10 200	028	—
	037	—		037	—
	039	—		039	—
	400	34,32		400	41,51
	404	—		404	—
	...	34,32		...	46,44
0406 10 20 850	028	—	0406 30 10 250	028	—
	037	—		037	—
	039	—		039	—
	400	41,61		400	41,51
	404	—		404	—
	...	41,61		...	46,44
0406 10 20 870	+	—	0406 30 10 300	028	—
0406 10 20 900	+	—		037	—
0406 20 90 100	+	—		039	—
0406 20 90 913	028	—		400	60,96
	400	81,04		404	—
	404	—		...	68,14
	...	81,04	0406 30 10 350	028	—
0406 20 90 915	028	—		037	—
	400	108,05		039	—
	404	—		400	41,51
	...	108,05		404	—
0406 20 90 917	028	—		...	46,44
	400	114,79	0406 30 10 400	028	—
	404	—		037	—
	...	114,79		039	—
0406 20 90 919	028	—		400	60,96
	400	128,30		404	—
	404	—		...	68,14
	...	128,30	0406 30 10 450	028	—
0406 20 90 990	+	—		037	—
	+	—		039	—
0406 30 10 100	+	—		400	88,75
0406 30 10 150	028	—		404	—
	037	—		...	99,16
	039	—	0406 30 10 500	+	—
	400	19,11		028	—
	404	—		037	—
	...	21,78		039	—
				400	41,51
			0406 30 10 550	404	19,08
				...	46,44
				028	—
				037	—
				039	—
				400	60,96
			0406 30 10 600	404	26,72
				...	68,14
				028	—
				037	—
				039	—
				400	60,96

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 10 650	028	—	0406 30 31 730	028	—
	037	—		037	—
	039	—		039	—
	400	88,75		400	60,96
	404	—		404	—
	...	99,16		...	68,14
0406 30 10 700	028	—	0406 30 31 910	028	—
	037	—		037	—
	039	—		039	—
	400	88,75		400	41,51
	404	—		404	—
	...	99,16		...	46,44
0406 30 10 750	028	—	0406 30 31 930	028	—
	037	—		037	—
	039	—		039	—
	400	108,33		400	60,96
	404	—		404	—
	...	121,04		...	68,14
0406 30 10 800	028	—	0406 30 31 950	028	—
	037	—		037	—
	039	—		039	—
	400	108,33		400	88,75
	404	—		404	—
	...	121,04		...	99,16
0406 30 31 100	+	—	0406 30 39 100	+	—
0406 30 31 300	028	—	0406 30 39 300	028	—
	037	—		037	—
	039	—		039	—
	400	19,11		400	41,51
	404	—		404	19,08
	...	21,78		...	46,44
0406 30 31 500	028	—	0406 30 39 500	028	—
	037	—		037	—
	039	—		039	—
	400	41,51		400	60,96
	404	—		404	26,72
	...	46,44		...	68,14
0406 30 31 710	028	—	0406 30 39 700	028	—
	037	—		037	—
	039	—		039	—
	400	41,51		400	88,75
	404	—		404	—
	...	46,44		...	99,16
	028	—	0406 30 39 930	028	—
	037	—		037	—
	039	—		039	—
	400	41,51		400	88,75
	404	—		404	—
	...	46,44		...	99,16

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 39 950	028	—	0406 90 06 900	+	—
	037	—	0406 90 07 000	028	—
	039	—		037	—
	400	108,33		039	—
	404	—		400	124,02
0406 30 90 000	***	121,04		404	—
	028	—		***	152,01
	037	—	0406 90 08 100	028	—
	039	—		037	—
	400	108,33		039	—
0406 40 50 000	404	—		400	124,02
	***	121,04		404	—
	028	—		***	152,01
	400	114,50	0406 90 08 900	+	—
	404	—	0406 90 09 100	028	—
0406 40 90 000	***	120,69		037	—
	028	—		039	—
	400	114,50		400	124,02
	404	—		404	—
	***	120,69		***	152,01
0406 90 02 100	028	—	0406 90 09 900	+	—
	037	—	0406 90 12 000	028	—
	039	—		037	—
	400	124,02		039	—
	404	—		400	124,02
0406 90 02 900	***	152,01		404	—
	+	—		***	152,01
	028	—	0406 90 14 100	028	—
	037	—		037	—
	039	—		039	—
0406 90 03 100	400	124,02		400	124,02
	404	—		404	—
	***	152,01		***	152,01
	+	—	0406 90 14 900	+	—
	028	—	0406 90 16 100	028	—
0406 90 03 900	037	—		037	—
	039	—		039	—
	400	124,02		400	124,02
	404	—		404	—
	***	152,01		***	152,01
0406 90 04 100	+	—	0406 90 16 900	+	—
	028	—	0406 90 21 900	028	—
	037	—		037	—
	039	—		039	—
	400	124,02		400	124,02
0406 90 04 900	404	—		404	—
	***	152,01		***	144,72
	+	—	0406 90 23 900	028	—
	028	—		037	—
	037	—		039	—
0406 90 05 100	039	—		400	62,01
	400	124,02		404	—
	404	—		***	129,12
	***	152,01			
	+	—			
0406 90 05 900	028	—			
	037	—			
	039	—			
	400	124,02			
	404	—			
0406 90 06 100	***	152,01			
	+	—			
	028	—			
	037	—			
	039	—			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 25 900	028	—	0406 90 35 990	028	—
	037	—		037	—
	039	—		039	—
	400	62,01		400	124,02
	404	—		404	—
	***	129,12		***	124,02
0406 90 27 900	028	—	0406 90 37 000	028	—
	037	—		037	—
	039	—		039	—
	400	53,55		400	124,02
	404	—		404	—
	***	109,42		***	152,01
0406 90 31 119	028	—	0406 90 61 000	028	—
	037	—		037	85,87
	039	—		039	85,87
	400	59,60		400	176,49
	404	15,26		404	133,56
	***	85,82		***	176,49
0406 90 31 151	028	—	0406 90 63 100	028	—
	037	—		037	100,20
	039	—		039	100,20
	400	55,71		400	202,37
	404	14,27		404	152,64
	***	79,99		***	202,37
0406 90 31 159	+	—	0406 90 63 900	028	—
0406 90 33 119	028	—		037	66,79
	037	—		039	66,79
	039	—		400	143,10
	400	59,60		404	76,33
	404	15,26		***	157,41
	***	85,82	0406 90 69 100	+	—
0406 90 33 151	028	—		028	—
	037	—		037	66,79
	039	—		039	66,79
	400	55,71		400	143,10
	404	14,27		404	76,33
	***	79,99		***	157,41
0406 90 33 919	028	—	0406 90 73 900	028	—
	037	—		037	40,71
	039	—		039	40,71
	400	59,60		400	144,07
	404	15,26		404	114,50
	***	85,82		***	144,07
0406 90 33 951	028	—	0406 90 75 900	028	—
	037	—		037	—
	039	—		039	—
	400	55,71		400	62,01
	404	14,27		404	—
	***	79,99		***	120,17
0406 90 35 190	028	—	0406 90 76 100	028	22,89
	037	40,71		037	—
	039	40,71		039	—
	400	151,25		400	56,06
	404	85,87		404	—
	***	151,25		***	105,69

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 76 300	028	—	0406 90 85 995	028	26,24
	037	—		037	—
	039	—		039	—
	400	62,01		400	62,01
	404	—		404	—
	...	129,12		...	129,12
0406 90 76 500	028	—	0406 90 85 999	+	—
	037	—		+	—
	039	—		028	12,88
	400	71,56		037	—
	404	—		039	—
	...	129,12		400	85,37
0406 90 78 100	028	22,89	0406 90 86 100	404	—
	037	—		...	85,37
	039	—		028	19,08
	400	56,06		037	—
	404	—		039	—
	...	105,69		400	91,76
0406 90 78 300	028	—	0406 90 86 300	404	—
	037	—		...	93,61
	039	—		028	22,89
	400	62,01		037	—
	404	—		039	—
	...	129,12		400	104,28
0406 90 78 500	028	—	0406 90 86 400	404	—
	037	—		...	105,69
	039	—		028	—
	400	71,56		037	—
	404	—		039	—
	...	129,12		400	124,02
0406 90 79 900	028	—	0406 90 86 900	404	—
	037	—		...	124,02
	039	—		028	—
	400	53,55		037	—
	404	—		039	—
	...	109,42		400	85,37
0406 90 81 900	028	—	0406 90 87 100	404	—
	037	—		...	85,37
	039	—		028	19,08
	400	124,02		037	—
	404	—		039	—
	...	124,02		400	91,76
0406 90 85 910	028	—	0406 90 87 200	404	—
	037	40,71		...	93,61
	039	40,71		028	22,89
	400	151,25		037	—
	404	85,87		039	—
	...	151,25		400	104,28
0406 90 85 991	028	—	0406 90 87 300	404	—
	037	—		...	105,69
	039	—		028	—
	400	124,02		037	—
	404	—		039	—
	...	124,02		400	104,28
0406 90 85 995	028	—	0406 90 87 400	404	—
	037	—		...	105,69
	039	—		028	—
	400	124,02		037	—
	404	—		039	—
	...	124,02		400	104,28

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 87 951	028	—	2309 10 15 500	+	0,531
	037	40,71	2309 10 15 700	+	0,604
	039	40,71	2309 10 19 010	+	—
	400	144,07	2309 10 19 100	+	—
	404	85,87	2309 10 19 200	+	0,254
	...	144,07	2309 10 19 300	+	0,338
0406 90 87 971	028	26,24	2309 10 19 400	+	0,435
	037	—	2309 10 19 500	+	0,531
	039	—	2309 10 19 600	+	0,604
	400	70,60	2309 10 19 700	+	0,640
	404	—	2309 10 19 800	+	0,688
	...	129,12	2309 10 70 010	+	—
0406 90 87 972	028	—	2309 10 70 100	+	20,03
	400	37,25	2309 10 70 200	+	26,71
	404	—	2309 10 70 300	+	33,39
	...	45,76	2309 10 70 500	+	40,05
0406 90 87 979	028	26,24	2309 10 70 600	+	46,73
	037	—	2309 10 70 700	+	53,41
	039	—	2309 10 70 800	+	58,76
	400	70,60	2309 90 35 010	+	—
	404	—	2309 90 35 100	+	—
	...	129,12	2309 90 35 200	+	0,254
0406 90 88 100	+	—	2309 90 35 300	+	0,338
0406 90 88 200	028	12,88	2309 90 35 400	+	0,435
	037	—	2309 90 35 500	+	0,531
	039	—	2309 90 35 700	+	0,604
	400	85,37	2309 90 39 010	+	—
	404	—	2309 90 39 100	+	—
	...	85,37	2309 90 39 200	+	0,254
0406 90 88 300	028	19,08	2309 90 39 300	+	0,338
	037	—	2309 90 39 400	+	0,435
	039	—	2309 90 39 500	+	0,531
	400	91,76	2309 90 39 600	+	0,604
	404	—	2309 90 39 700	+	0,640
	...	93,61	2309 90 39 800	+	0,688
2309 10 15 010	+	—	2309 90 70 010	+	—
2309 10 15 100	+	—	2309 90 70 100	+	20,03
2309 10 15 200	+	0,254	2309 90 70 200	+	26,71
2309 10 15 300	+	0,338	2309 90 70 300	+	33,39
2309 10 15 400	+	0,435	2309 90 70 500	+	40,05
			2309 90 70 600	+	46,73
			2309 90 70 700	+	53,41
			2309 90 70 800	+	58,76

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17).

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

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

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

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

COMMISSION REGULATION (EC) No 702/95

of 30 March 1995

amending Regulation (EC) No 478/95 on additional rules for the application of Council Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas Article 4 (1) (a) and (b) of Commission Regulation (EC) No 478/95 ⁽³⁾, lays down that when, for one or more given origins, a reduction coefficient is applied, an operator who has submitted an application for an import licence for the origin or origins in question may either refuse the issue of a licence for a reduced quantity or, for a quantity less than or equal to the quantity applied for but not covered by the licence issued, submit a new application for origins to which no coefficient reduction is applicable within five working days of the publication of the regulation fixing the reducing coefficient;

Whereas in view of the applications submitted by those in the trade, a longer time limit should be laid down for exercising one of the above options; whereas this must allow the operators involved to find other suppliers under favourable conditions for the origins for which quantities remain available for the quarter in question;

Whereas provision should be made for the immediate application of this Regulation so that the operators who

have submitted applications for import licences for the second quarter of 1995 can benefit from these provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 478/95 is hereby amended as follows:

1. The words 'five working days' in Article 4 (1) (a) are replaced by '10 working days'.
2. The first sentence in Article 4 (1) (b) is replaced by the following:

'or, within an overall limit of a quantity less than or equal to the quantity applied for but not covered by the licence issued, submit one or more new applications for a licence for products of origins for which the available quantities for the quarter in question are published by the Commission.'

Article 2

This Regulation shall enter into force on the day of 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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 49, 4. 3. 1995, p. 13.

COMMISSION REGULATION (EC) No 703/95

of 30 March 1995

concerning the transfer to Colombia, within the tariff quota for the import of bananas into the Community, of Nicaragua's country quota for 1995

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾,Having regard to Commission Regulation (EC) No 478/95 of 1 March 1995 on additional rules for the application of Council Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 ⁽³⁾, as amended by Regulation (EC) No 702/95 ⁽⁴⁾, and in particular Article 2 (2) second subparagraph thereof,

Whereas Regulation (EC) No 478/95 establishes the detailed rules for the application of the Framework Agreement on Bananas concluded as part of the Uruguay Round of multilateral trade negotiations; whereas Article 1 of Regulation (EC) No 478/95 divides the tariff quota into specific shares allocated to the countries or groups of countries referred to in Annex I of the same Regulation; whereas in the event that a country listed in Annex I, Table 1 is not able to export all or some of the quantity allocated to it, Article 2 (2) provides for the reallocation of that quantity;

Whereas Nicaragua has informed the Commission that it will be unable to export bananas to the Community in 1995; whereas Nicaragua and Colombia have jointly requested that the quantity allocated to Nicaragua be reallocated to Colombia; whereas this reallocation should take effect as from the second quarter of 1995,

HAS ADOPTED THIS REGULATION:

Article 1

In application of Article 2 (2) second subparagraph of Regulation (EC) No 478/95, the shares of the tariff quota allocated to Colombia and Nicaragua are hereby changed for 1995 as follows:

Colombia: 24 %

Nicaragua: 0 %

This change applies as from the second quarter of 1995.

Article 2

This Regulation shall enter into force on the day of 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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.⁽³⁾ OJ No L 49, 4. 3. 1995, p. 13.⁽⁴⁾ See page 84 of this Official Journal.

COMMISSION REGULATION (EC) No 704/95**of 30 March 1995****on the issuing of import licences for bananas under the tariff quota for the second quarter of 1995 and on the submission of new applications****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 1442/93 ⁽³⁾, as last amended by Regulation (EC) No 702/95 ⁽⁴⁾, lays down detailed rules for the application of the arrangements for importing bananas into the Community; whereas Commission Regulation (EC) No 478/95 ⁽⁵⁾, lays down additional rules for the application of the tariff quota arrangements laid down in Articles 18 and 19 of Regulation (EEC) No 404/93;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93, as amended by Regulation (EC) No 478/95, lays down that, where, in the case of a given quarter of origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators appreciably exceed the indicative quantity fixed, a reduction percentage to be applied to applications shall be set; whereas, however, that provision does not apply to applications relating to 150 tonnes or less;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 404/93, the indicative quantities for import under the tariff quota are laid down for the second quarter of 1995 in Commission Regulation (EC) No 480/95 ⁽⁶⁾;

Whereas in the case of the quantities covered by licence applications that are either less than or not significantly more than the indicative quantities fixed for the quarter in question, licences are issued for the quantities applied

for; whereas, however, for certain origins, the quantities applied for considerably exceed the indicative quantities or the percentages set out in the Annex to Regulation (EC) No 478/95; whereas, therefore, a reduction percentage should be set to be applied to each licence application for the origin or origins involved and category of licence in question;

Whereas, pursuant to the framework agreement on bananas concluded during the Uruguay Round multilateral trade negotiations, Nicaragua and Colombia submitted a joint application to transfer their shares of the tariff quota for imports to 1995; whereas the agreement of the Contracting Parties and the transfer were confirmed by Commission Regulation (EC) No 703/95 ⁽⁷⁾; whereas, for effective implementation of this transfer in the second quarter of 1995, a period for submitting applications for import licences in respect of bananas originating in Colombia should be laid down;

Whereas, the maximum quantity for which such licence applications may be submitted should be set taking account of the indicative quantities fixed by Regulation (EC) No 480/95 and the applications accepted at the end of the application period running from 8 to 14 March 1995; whereas Council Regulation (EC) No 478/95 on additional rules for the application of Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 applies;

Whereas, for administrative reasons, the final date for the issue of the licences for the second quarter of 1995 laid down in Commission Regulation (EC) No 439/95 ⁽⁸⁾ should be postponed;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible;

Whereas the Management Committee for Bananas has not issued an opinion within the time limit laid down by its chairman,

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ See page 84 of this Official Journal.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 49, 4. 3. 1995, p. 20.

⁽⁷⁾ See page 85 of this Official Journal.

⁽⁸⁾ OJ No L 45, 1. 3. 1995, p. 35.

HAS ADOPTED THIS REGULATION :

Article 1

Import licences shall be issued under the tariff quota for the import of bananas, provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, for the second quarter of 1995 :

- (a) for the quantity indicated in the licence application, multiplied by reduction coefficients of 0.4611, 0.7876 and 0.6145 for applications indicating the origins 'Dominican Republic', 'Côte d'Ivoire' and 'Others' respectively ;
- (b) for the quantity indicated in the licence application where the application is for a quantity of 150 tonnes or less.

Article 2

1. Pursuant to Article 2 (2) of Regulation (EC) No 478/95, new licence applications or, in the case of operators established in Austria, Finland or Sweden, new applications for authorization to import bananas originating in Colombia in the second quarter of 1995 may be submitted within 10 working days of the publication of this Regulation, up to an overall limit of 21 120 tonnes.

2. The operator in question may not submit an application for a quantity greater than the maximum quantity set for the second quarter of 1995 by Article 2 of Regula-

tion (EC) No 480/95 and Article 1 of Commission Regulation (EC) No 479/95⁽¹⁾ in the case of operators established in Austria, Finland or Sweden, with account being taken of the licences or authorizations to import which have already been issued to him for that same quarter.

3. The Member States shall inform the Commission of the quantities for which applications pursuant to paragraph 1 have been submitted within three working days of the end of the time limit set in paragraph 1.

4. The Commission shall determine, where appropriate, the percentage reduction to be applied to each application.

Article 3

The quantities for which licence applications may still be issued in respect of the second quarter of 1995 are laid down in the Annex hereto.

Article 4

In Article 2 (2) of Regulation (EC) No 439/95, '28 March 1995' is hereby replaced by '7 April 1995'.

Article 5

This Regulation shall enter into force on the day of 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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 49, 4. 3. 1995, p. 18.

ANNEX

Tariff quota import licences requests — Second quarter 1995

(in tonnes)

	Quantities available for new requests
COLOMBIA	
— Categories A and C	61 637,682
— Category B	28 779,940
COSTA RICA	
— Categories A and C	72 013,886
VENEZUELA	13 111,000
BELIZE	4 800,000
CAMEROON	1 300,000
Other ACP	1 570,843

COMMISSION REGULATION (EC) No 705/95

of 30 March 1995

fixing 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 Regulation (EC) No 3290/94⁽³⁾, and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and rice⁽⁴⁾, as amended by Regulation (EC) No 438/95⁽⁵⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78⁽⁷⁾, provides that the levy thus determined, increased by the fixed component, is altered where the levy applicable to the basic product concerned differs by

not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽⁸⁾, as last amended by Regulation (EC) No 2484/94⁽⁹⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹⁰⁾, as amended by Commission Regulation (EEC) No 3714/92⁽¹¹⁾, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹²⁾ no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EC) No 774/94⁽¹³⁾ has opened Community tariff quotas for certain agricultural products and fixed the levies to be applied on imports of those products; whereas Commission Regulation (EC) No 1897/94⁽¹⁴⁾ has established the detailed rules of the import regime for cereals laid down in Regulation (EC) No 774/94;

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁵⁾, as last amended by Regulation (EC) No 3191/94⁽¹⁶⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 263, 15. 10. 1994, p. 3.

⁽³⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽⁴⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽⁵⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁶⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽⁷⁾ OJ No L 194, 29. 7. 1994, p. 4.

⁽⁸⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁹⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹⁰⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹¹⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹²⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹³⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹⁴⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹⁵⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹⁶⁾ OJ No L 337, 24. 12. 1994, p. 8.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽⁵⁾ OJ No L 45, 1. 3. 1995, p. 32.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽¹⁾, as amended by Regulation (EEC) No 222/88⁽²⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 1766/92 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regu-

lation (EEC) No 1068/93⁽⁵⁾, as last amended by Regulation (EC) No 157/95⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 shall be as set out in the Annex hereto.

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, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽²⁾ OJ No L 28, 1. 2. 1988, 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 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 30 March 1995 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (%)		CN code	Import levies (%)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
0714 10 10 ⁽¹⁾	106,22	113,50	1104 23 10	179,34	182,99
0714 10 91	109,85 ⁽²⁾ ⁽³⁾	109,85	1104 23 30	179,34	182,99
0714 10 99	108,04	113,50	1104 23 90	114,33	117,98
0714 90 11	109,85 ⁽²⁾ ⁽³⁾	109,85	1104 23 99	114,33	117,98
0714 90 19	108,04 ⁽²⁾	113,50	1104 29 11	139,77	143,42
1102 20 10	201,76	209,05	1104 29 15	188,06	191,71
1102 20 90	114,33	117,98	1104 29 19	187,55	191,20
1102 30 00	148,05	151,70	1104 29 31	168,14	171,79
1102 90 10	197,73	205,02	1104 29 35	226,24	229,89
1102 90 30	216,94	224,23	1104 29 39	187,55	191,20
1102 90 90	119,56	123,21	1104 29 51	107,19	110,84
1103 12 00	216,94	224,23	1104 29 55	144,23	147,88
1103 13 10	201,76	209,05	1104 29 59	119,56	123,21
1103 13 90	114,33	117,98	1104 29 81	107,19	110,84
1103 14 00	148,05	151,70	1104 29 85	144,23	147,88
1103 19 10	254,52	261,81	1104 29 89	119,56	123,21
1103 19 30	197,73	205,02	1104 30 10	78,82	86,11
1103 19 90	119,56	123,21	1104 30 90	84,07	91,36
1103 21 00	189,16	196,45	1106 20 10	106,22 ⁽²⁾	113,50
1103 29 10	254,52	261,81	1106 20 90	176,83 ⁽²⁾	205,27
1103 29 20	197,73	205,02	1108 11 00	231,20	256,01
1103 29 30	216,94	224,23	1108 12 00	180,46	205,27
1103 29 40	201,76	209,05	1108 13 00	180,46	205,27
1103 29 50	148,05	151,70	1108 14 00	90,23	205,27
1103 29 90	119,56	123,21	1108 19 10	212,30	249,53
1104 11 10	112,05	115,70	1108 19 90	90,23 ⁽²⁾	205,27
1104 11 90	219,70	226,99	1109 00 00	420,36	639,33
1104 12 10	122,93	126,58	1702 30 51	235,39	352,18
1104 12 90	241,04	248,33	1702 30 59	180,46	260,75
1104 19 10	189,16	196,45	1702 30 91	235,39	352,18
1104 19 30	254,52	261,81	1702 30 99	180,46	260,75
1104 19 50	201,76	209,05	1702 40 90	180,46	260,75
1104 19 91	251,41	258,70	1702 90 50	180,46	260,75
1104 19 99	211,00	218,29	1702 90 75	246,60	363,39
1104 21 10	175,76	179,41	1702 90 79	171,50	251,79
1104 21 30	175,76	179,41	2106 90 55	180,46	260,75
1104 21 50	274,63	281,92	2302 10 10	45,78	53,03
1104 21 90	112,05	115,70	2302 10 90	98,11	105,36
1104 21 99	112,05	115,70	2302 20 10	45,78	53,03
1104 22 10 ⁽⁴⁾	216,94	220,59	2302 20 90	98,11	105,36
1104 22 30	216,94	220,59	2302 30 10	45,78 ⁽⁷⁾	53,03 ⁽⁸⁾
1104 22 50	192,83	196,48	2302 30 90	98,11 ⁽⁷⁾	105,36 ⁽⁸⁾
1104 22 90	122,93	126,58	2302 40 10	45,78	53,03 ⁽⁸⁾
1104 22 99*10	122,93	126,58	2302 40 90	98,11	105,36 ⁽⁸⁾
1104 22 99*90	216,94	220,59	2303 10 11	224,18	443,15

-
- (¹) 6 % *ad valorem*, subject to certain conditions.
- (²) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (³) Taric code : clipped oats.
- (⁴) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (⁵) 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.
- (⁶) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
- (⁷) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.
- (⁸) For imported products falling within these codes, the levy applicable is restricted within the conditions provided for in Council Regulation (EC) No 774/94.
-

COMMISSION REGULATION (EC) No 706/95
of 30 March 1995
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 283/95 ⁽²⁾, and in particular Article 16 (8) 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 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94 ⁽⁵⁾, as last amended by Regulation (EC) No 680/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 to

the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 29 March 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 March 1995.

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

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 70, 30. 3. 1995, p. 21.

ANNEX

to the Commission Regulation of 30 March 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	38,14 ⁽¹⁾
1701 11 90	38,14 ⁽¹⁾
1701 12 10	38,14 ⁽¹⁾
1701 12 90	38,14 ⁽¹⁾
1701 91 00	48,78
1701 99 10	48,78
1701 99 90	48,78 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 707/95**of 30 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 29 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 31 March 1995.

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

Done at Brussels, 30 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 30 March 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	109,52 ⁽²⁾ ⁽³⁾
0712 90 19	109,52 ⁽²⁾ ⁽³⁾
1001 10 00	53,67 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	108,63
1001 90 99	108,63 ⁽²⁾ ⁽¹¹⁾
1002 00 00	140,53 ⁽⁶⁾
1003 00 10	111,92
1003 00 90	111,92 ⁽²⁾
1004 00 00	119,83
1005 10 90	109,52 ⁽²⁾ ⁽³⁾
1005 90 00	109,52 ⁽²⁾ ⁽³⁾
1007 00 90	116,44 ⁽⁴⁾
1008 10 00	56,96 ⁽²⁾
1008 20 00	62,63 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽²⁾
1008 90 10	(7)
1008 90 90	0
1101 00 11	197,76 ⁽²⁾
1101 00 15	197,76 ⁽²⁾
1101 00 90	197,76 ⁽²⁾
1102 10 00	242,42
1103 11 10	124,84
1103 11 90	224,97
1107 10 11	206,50
1107 10 19	157,62
1107 10 91	212,36 ⁽¹⁰⁾
1107 10 99	161,99 ⁽²⁾
1107 20 00	186,62 ⁽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 708/95**of 30 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 29 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 31 March 1995.

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

Done at Brussels, 30 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 30 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	4,55	3,96	2,29
0712 90 19	0	4,55	3,96	2,29
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	4,55	3,96	2,29
1005 90 00	0	4,55	3,96	2,29
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	3,81	3,81	3,81
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