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(¹) Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 752/95
of 3 April 1995**

fixing the aid for the supply of products from the pigmeat sector to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93⁽²⁾, and in particular Articles 3 (4) and 4 (4) thereof,

Whereas Annex II to Commission Regulation (EC) No 2883/94 of 28 November 1994 establishing a forecast balance for the supply to the Canary Islands of agricultural products covered by the specific measures provided for in Articles 2, 3, 4 and 5 of Council Regulation (EEC) No 1601/92⁽³⁾ fixes for the period 1 July 1994 to 30 June 1995 the quantities of products from the pigmeat sector which may benefit from the supply arrangements, in the form of either an exemption from the import levy or the granting of aid, and the quantities of pure-bred breeding animals originating in the Community eligible for the aid provided for in Article 4 of Regulation (EEC) No 1601/92 with a view to developing the potential for production in the archipelago;

Whereas the abovementioned aid should be fixed taking account, in particular, of the costs of supply from the world market, the conditions arising from the geographical situation of the Canary Islands and current prices for exports of the animals or products in question to third countries;

Whereas the common detailed rules for implementation of the arrangements for the supply of certain agricultural products to the Canary Islands are laid down by Commission Regulation (EC) No 2790/94⁽⁴⁾, as amended by Regulation (EC) No 2883/94; whereas that Regulation defines new detailed rules for the management of the arrangements, in particular, for the issue and period of validity of licences and certificates, the payment of aid and the monitoring and control of commercial operations

carried out under the specific arrangements; whereas those provisions replace the detailed rules laid down by Commission Regulation (EEC) No 1695/92⁽⁵⁾, as last amended by Regulation (EEC) No 2596/93⁽⁶⁾, and apply in the various market sectors from 1 December 1994;

Whereas, therefore, Commission Regulation (EEC) No 1724/92 of 30 June 1992 laying down detailed implementing rules for the specific measures for supplying the Canary Islands with products from the pigmeat sector⁽⁷⁾, as last amended by Regulation (EC) No 2387/94⁽⁸⁾, should be repealed from the same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 3 (2) of Regulation (EEC) No 1601/92, the aid for the supply of products from the pigmeat sector from the Community market to the Canary Islands in accordance with the supply balance established by Regulation (EC) No 2883/94 shall be as set out in Annex I hereto.

Products benefiting from the aid are specified in accordance with the provisions of Commission Regulation (EEC) No 3846/87⁽⁹⁾ and in particular point 7 of the Annex thereto.

Article 2

The aid provided for in Article 4 (1) of Regulation (EEC) No 1601/92 for the supply to the Canary Islands of breeding animals originating in the Community in accordance with the supply balance established by Regulation (EC) No 2883/94 shall be as set out in Annex II hereto.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁴⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁵⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁶⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁷⁾ OJ No L 179, 1. 7. 1992, p. 90.

⁽⁸⁾ OJ No L 255, 1. 10. 1994, p. 97.

⁽⁹⁾ OJ No L 366, 24. 12. 1987, p. 1.

Article 3

The provisions of Regulation (EC) No 2790/94 shall apply.

Article 4

Regulation (EEC) No 1724/92 is hereby repealed.

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, 3 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Amounts of aid granted for products coming from the Community market

<i>(ECU/100 kg net weight)</i>	
Product code	Amount of aid
0203 11 10 000	21,73
0203 12 11 100	21,73
0203 12 19 100	21,73
0203 19 11 100	21,73
0203 19 13 100	21,73
0203 19 15 100	14,49
0203 19 55 120	12,07
0203 19 55 190	12,07
0203 19 55 311	8,452
0203 19 55 391	8,452
0203 21 10 000	21,73
0203 22 11 100	21,73
0203 22 19 100	21,73
0203 29 11 100	21,73
0203 29 13 100	21,73
0203 29 15 100	14,49
0203 29 55 120	12,07
0203 29 55 190	12,07
0203 29 55 311	8,452
0203 29 55 391	8,452
1601 00 10 100	15,70
1601 00 91 100	30,19
1601 00 99 100	18,11
1602 20 90 100	15,70
1602 41 10 100	15,70
1602 41 10 210	42,26
1602 41 10 290	13,28
1602 42 10 100	15,70
1602 42 10 210	30,19
1602 42 10 290	13,28
1602 49 11 110	15,70
1602 49 11 190	30,19
1602 49 13 110	15,70
1602 49 13 190	24,15
1602 49 15 110	15,70
1602 49 15 190	24,15
1602 49 19 110	9,660
1602 49 19 190	20,53
1602 49 30 100	15,70
1602 49 50 100	8,452

NB: The product codes as well as the footnotes are defined in Regulation (EEC) No 3846/87 as amended.

*ANNEX II***Supply in the Canary Islands of pure-bred breeding pigs originating in the Community for the period 1 July 1994 to 30 June 1995**

CN code	Description of the goods	Aid (ECU/head)
0103 10 00	Pure-bred breeding pigs ⁽¹⁾	
	— male animals	483
	— female animals	423

⁽¹⁾ Inclusion in this sub-position is subject to the conditions provided for by the Community provisions which regulate the matter.

COMMISSION REGULATION (EC) No 753/95

of 3 April 1995

repealing Regulation (EC) No 2561/94 adopting exceptional support measures for the market in pigmeat in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 20 thereof,

Whereas, because of the outbreak and the persistence of African swine fever in certain production regions in Spain, which are characterized by the production of Iberian pigs, an infected region and a disease-free region have been established pursuant to Council Decision 89/21/EEC of 14 December 1988 derogating from prohibitions relating to African swine fever for certain areas in Spain⁽²⁾, as last amended by Commission Decision 94/475/EC⁽³⁾, and exceptional support measures for the market in pigmeat were adopted for this Member State by Commission Regulation (EC) No 2561/94⁽⁴⁾, as amended by Regulation (EC) No 155/95⁽⁵⁾;

Whereas, in view of the progress achieved on the animal health side, the exceptional market support measures can now be closed down; whereas Regulation (EC) No 2561/94 needs to be repealed;

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EC) No 2561/94 is hereby repealed.

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, 3 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 9, 12. 1. 1989, p. 24.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 43.

⁽⁴⁾ OJ No L 272, 22. 10. 1994, p. 10.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 10.

COMMISSION REGULATION (EC) No 754/95

of 3 April 1995

supplementing Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, at last amended by Commission Regulation (EEC) No 1974/93⁽²⁾, and in particular Article 3⁽⁴⁾ thereof,

Whereas Commission Regulation (EC) No 2993/94 of 8 December 1994 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92⁽³⁾, as last amended by Regulation (EC) No 292/95⁽⁴⁾, repeals Commission Regulation (EEC) No 2164/92⁽⁵⁾; whereas the rules for the calculation of the aid for products falling within CN codes 1901 90 99 and 2106 90 92 referred to in Regulation (EEC) No 2164/92 should be maintained; whereas they should therefore be included in Regulation (EC) No 2993/94;

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 following Article is hereby added to Regulation (EC) No 2993/94:

Article 1a

The level of aid fixed for skimmed-milk powder and butter shall also apply to goods falling within CN codes 1901 90 99 and 2106 90 92, the rules laid down by Regulation (EC) No 1222/94 for calculating the amount of the refund on such goods applying *mutatis mutandis*.

Article 2

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

It shall apply with effect from 1 December 1994.

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

Done at Brussels, 3 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 316, 9. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 34, 14. 2. 1995, p. 26.

⁽⁵⁾ OJ No L 217, 31. 7. 1992, p. 17.

COMMISSION REGULATION (EC) No 755/95**of 3 April 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 4 April 1995.

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

Done at Brussels, 3 April 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 3 April 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 20	052	67,5
	204	87,0
	212	95,9
	624	171,7
	999	105,5
0707 00 15	052	100,7
	053	166,9
	066	72,1
	068	73,4
	204	49,1
	624	207,3
	999	115,6
0709 90 75	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 756/95

of 3 April 1995

amending Regulation (EC) No 2581/94 and decreasing to 64 400 tonnes the amount of durum wheat held by the Greek intervention agency for which a standing invitation to tender for resale on the internal market has been opened

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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93 ⁽²⁾, as amended by Regulation (EC) No 120/94 ⁽³⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EC) No 2581/94 ⁽⁴⁾, as last amended by Regulation (EC) No 3036/94 ⁽⁵⁾, opened a standing invitation to tender for the resale on the internal market of 109 400 tonnes of durum wheat held by the Greek intervention agency;

Whereas in the present situation on the market the quantities of durum wheat held by the Greek intervention agency put up for sale on the internal market of the Community should be decreased to 64 400 tonnes;

Whereas the last partial invitation to tender under Commission Regulation (EC) No 2581/94 should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 2581/94 '109 400 tonnes' is replaced by '64 400 tonnes'.

Article 2

Article 2 (2) of Regulation (EC) No 2581/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 31 May 1995.'

Article 3

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, 3 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽³⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁴⁾ OJ No L 273, 25. 10. 1994, p. 8.

⁽⁵⁾ OJ No L 350, 31. 12. 1994, p. 65.

COMMISSION REGULATION (EC) No 757/95

of 3 April 1995

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the second quarter of 1995

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 14 (4) (a) and (c) 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, under a special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 30 June 1995 an estimate of 25 000 tonnes divided into two quantities of 12 500 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

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;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the second quarter of 1995 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 6 250 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 6 250 tonnes of meat, expressed in bone-in meat.

Article 2

In the case of the imports of meat referred to in the second indent of Article 1:

- before 1 July 1995, the levy shall be equal to the levy applicable on the day of import, less 55 %,
- on or after 1 July 1995, in addition to the 20 % *ad valorem* duty, the import charge shall be equal to the levy applicable on 30 June 1995, less 55 %.

Article 3

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

It shall apply from 1 April 1995.

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

Done at Brussels, 3 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽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.

COMMISSION REGULATION (EC) No 758/95

of 3 April 1995

laying down special rules for fixing agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, and in particular Articles 1 (b), 3 (2) and 12 thereof,

Whereas the monetary situation required the introduction of confirmation periods pursuant to Article 4 (1) and (5) of Regulation (EEC) No 3813/92 from 24 February 1995 for the Belgian franc and the Luxembourg franc and from 16 March 1995 for the German mark, the Netherlands guilder and the Austrian schilling; whereas these periods last 10 days pursuant to the final subparagraph of Article 2 (3) of Commission Regulation (EEC) No 1068/93 of 30 April 1993, on detailed rules for determining and applying the agricultural conversion rates⁽³⁾, as last amended by Regulation (EC) No 157/95⁽⁴⁾;

Whereas the turbulent monetary situation prevents the establishment in the near future of relatively stable representative market rates and hence agricultural conversion rates, in particular for the Belgian franc and the Luxembourg franc; whereas, under these circumstances, one of the confirmation periods should be extended in accordance with Article 1 (b) of Regulation (EEC) No 3813/92;

Whereas, in order to prevent the existence of large bilateral gaps over long periods, the average negative monetary gaps should be eliminated every 10 days;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding the final subparagraph of Article 2 (3) of Regulation (EEC) No 1068/93, the confirmation period commencing on 26 March 1995 shall end on 24 April 1995.

Article 2

Negative monetary gaps calculated on the basis of the average rates of the ecu during the previous 10 days shall be reduced to zero by the Commission on 5, 15 and 25 April 1995.

Article 3

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, 3 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 1.

COMMISSION REGULATION (EC) No 759/95
of 3 April 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 743/95 ⁽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 31 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 4 April 1995.

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

Done at Brussels, 3 April 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 73, 1. 4. 1995, p. 78.

ANNEX

to the Commission Regulation of 3 April 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	37,95 ⁽¹⁾
1701 11 90	37,95 ⁽¹⁾
1701 12 10	37,95 ⁽¹⁾
1701 12 90	37,95 ⁽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 760/95**of 3 April 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 31 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 4 April 1995.

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

Done at Brussels, 3 April 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 3 April 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁹⁾
0709 90 60	115,17 ⁽²⁾ ⁽³⁾
0712 90 19	115,17 ⁽²⁾ ⁽³⁾
1001 10 00	60,39 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	108,63
1001 90 99	108,63 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	142,52 ⁽⁹⁾
1003 00 10	111,92
1003 00 90	111,92 ⁽⁹⁾
1004 00 00	118,63
1005 10 90	115,17 ⁽²⁾ ⁽³⁾
1005 90 00	115,17 ⁽²⁾ ⁽³⁾
1007 00 90	116,44 ⁽⁹⁾
1008 10 00	56,96 ⁽⁹⁾
1008 20 00	67,86 ⁽⁹⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁹⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 11	197,76 ⁽⁹⁾
1101 00 15	197,76 ⁽⁹⁾
1101 00 90	197,76 ⁽⁹⁾
1102 10 00	245,15
1103 11 10	135,17
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 ⁽⁹⁾
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 761/95**of 3 April 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 31 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 4 April 1995.

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

Done at Brussels, 3 April 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 3 April 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	1st period	2nd period	3rd period
	4	5	6	7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	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	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 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	1st period	2nd period	3rd period	4th period
	4	5	6	7	8
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COUNCIL

Information concerning the application to the Åland islands of the Treaties on which the European Union is founded

When ratifying the Treaty between the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic, the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden concerning the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union⁽¹⁾, the Government of Finland deposited the declaration referred to in Article 227 (5) (d) of the EC Treaty, Article 79 (d) of the ECSC Treaty and Article 198 (e) of the Euratom Treaty, as worded pursuant to Article 28 of the Act concerning the conditions of accession and the adjustments to the Treaties on which the Union is founded; the latter Treaties are therefore applicable to the Åland islands in accordance with the provisions of Protocol 2 to that Act.

⁽¹⁾ OJ No C 241, 29. 8. 1994, p. 9. That Treaty and the Act concerning the conditions of accession and the adjustments to the Treaties on which the Union is founded were adjusted by the Council Decision of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ No L 1, 1. 1. 1995, p. 1).

COMMISSION

COMMISSION DECISION

of 6 March 1995

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potatoes for human consumption originating in South Africa

(95/95/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 14 (1) thereof,

Having regard to the requests made by Denmark, Germany, France, the Netherlands, Sweden and the United Kingdom,

Whereas, under the provisions of Directive 77/93/EEC, potato tubers for human consumption originating in South Africa may in principle not be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas by Decision 93/159/EEC⁽²⁾ the Commission authorized certain Member States to provide for derogations in respect of potatoes for human consumption originating in South Africa, under specified conditions in the 1993 season;

Whereas there have been no confirmed findings of diseases and pests on samples drawn from potatoes imported pursuant to Decision 93/159/EEC;

Whereas the circumstances justifying the authorization still obtain;

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

1. Member States are hereby authorized to provide, under the conditions laid down in paragraph 2, for derogations from Article 4 (1) of Directive 77/93/EEC, with regard to the prohibitions referred to in Part A, point 12 of Annex III thereto for potatoes for human consumption originating in South Africa.

2. The following specific conditions shall be satisfied:

- (a) the potatoes shall be potatoes for human consumption;
- (b) they shall have been grown from seed potatoes certified in the South African seed potato certification scheme or from seed potatoes certified in one of the Member States;
- (c) they shall have been grown in defined areas where *Pseudomonas solanacearum* (Smith) Smith has not been detected;
- (d) regular planned monitoring of imports into South Africa and of seed potatoes and ware potatoes marketed within South Africa is continued by means of examination and testing of representative samples by scientifically recognized methods for *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckermann et Kotthoff) Davis et al., *Pseudomonas solanacearum* (Smith) Smith and potato spindle tuber viroid;
- (e) they shall have been handled by machinery which is reserved for them or which has been disinfected in an appropriate manner after each use for other purposes;
- (f) they shall be packed either in new bags or in containers which have been disinfected in an appropriate manner; and an official label shall be applied to each bag or container, bearing the information specified in the Annex;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 67, 19. 3. 1993, p. 24.

- (g) prior to export the potatoes shall have been cleaned free from soil, leaves and other plant debris ;
- (h) the potatoes intended for the Community shall be accompanied by a phytosanitary certificate issued in South Africa in accordance with the Article 7 of Directive 77/93/EEC, on the basis of the examination laid down therein, in particular freedom from the harmful organisms mentioned in (d).

The certificate shall state, under 'Additional Declaration' the indication 'this consignment meets the conditions laid down in Decision 95/95/EC' ;

- (i) the inspections required pursuant to Article 12 of Directive 77/93/EEC shall be made by the responsible official bodies referred to in the said Directive, with the assistance of the experts referred to in Article 19 (a) thereof, under the procedure laid down therein ;
- (j) the potatoes shall be introduced through points of entry designated by the importing Member State ;
- (k) prior to introduction into a Member State, the importer shall notify each introduction sufficiently in advance to the said responsible official bodies in the Member State concerned, indicating :
- the type of material,
 - the quantity,
 - the declared date of import and the point of entry,
 - the premises referred to in (l).

He shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (k) ;

- (l) the potatoes shall be packed and repacked only at premises which have been authorized and registered by the said responsible official bodies ;
- (m) the potatoes shall be packed or repacked in closed packages that are ready for direct delivery to retailers or to final consumers, and that do not exceed a weight common in the importing Member State for that purpose, up to a maximum of 25 kilograms ; the packaging shall bear the number of the registered premises referred to in (l), as well as the South African origin ;
- (n) in the importing Member States, at least two samples of 200 tubers shall be drawn from each consignment of 50 tonnes or part thereof, of imported potatoes

pursuant to this Decision, for official examination in respect of *Pseudomonas solanacearum* and in the case of *Clavibacter michiganensis* ssp. *sepedonicus*, in accordance with the Community established method for the detection and diagnosis of *Clavibacter michiganensis* ssp. *sepedonicus* ; in the case of suspicion the lots shall remain separate under official control and may not be marketed or used until it has been established that the presence of *Clavibacter michiganensis* ssp. *sepedonicus* or *Pseudomonas solanacearum* was not suspected or detected in those examinations.

Article 2

Member States shall inform the other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 July 1995, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (n) ; copies of each phytosanitary certificate shall be transmitted to the Commission.

Article 3

1. The authorization granted in Article 1 shall apply in the period between 1 March and 30 April 1995.
2. The authorization shall be revoked if it is established that the conditions laid down in Article 1 (2) have been insufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX**Information required on the label***(referred to in Article 1 (2) (f))*

1. Name of the authority issuing the label.
 2. Name of the exporters' organization.
 3. Indication 'South African potatoes for human consumption'.
 4. Variety.
 5. Area of production.
 6. Size.
 7. Declared net weight.
 8. Indication 'In accordance with EC requirements 1995'.
 9. A mark printed or stamped on behalf of the South African plant protection service.
-

COMMISSION DECISION

of 6 March 1995

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potatoes for human consumption originating in Cuba

(95/96/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 14 (1) thereof,

Having regard to the request made by Germany and the Netherlands,

Whereas, under the provisions of Directive 77/93/EEC, potato tubers other than those officially certified as seed potatoes pursuant to other Community provisions, originating in Cuba may not, in principle, be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas the early growing in Cuba of potatoes for human consumption from seed potatoes supplied by Member States has become an established practice; whereas part of the early supply of potatoes for human consumption in the Community has been ensured by imports of such material from Cuba;

Whereas by Decisions 87/306/EEC⁽²⁾, 88/223/EEC⁽³⁾, 89/152/EEC⁽⁴⁾, 91/593/EEC⁽⁵⁾, and 93/36/EEC⁽⁶⁾, the Commission authorized derogations under special technical conditions in respect of potatoes for human consumption originating in Cuba, in the 1987, 1988, 1989, 1990, 1991, 1992 and 1993 seasons;

Whereas there have never been confirmed findings of diseases and pests on samples drawn from imports pursuant to the said Decisions;

Whereas the circumstances justifying the authorization still obtain;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized, under the conditions laid down in paragraph 2, to provide for derogations from Article 4 (1) with regard to the prohibitions referred to in Part A, point 12 of Annex III to Directive 77/93/EEC, for potatoes for human consumption originating in Cuba.
2. The following specific conditions shall be satisfied:
 - (a) the potatoes shall be potatoes for human consumption;
 - (b) they shall either be immature potatoes, that is, 'unsprouted' potatoes with loose skin, or they shall have been treated for the suppression of their faculty of germination;
 - (c) they shall have been grown in the province 'Pinar del Rio';
 - (d) they shall belong to varieties the seed potatoes of which have been imported into Cuba only from Member States;
 - (e) they shall be the direct progeny either of seed potatoes officially certified in the previous year as 'basic seed' or 'certified seed' in Member States having supplied Cuba, or of the progeny of such seed potatoes, officially certified in the year before that previous one, if this progeny was produced in the province 'Pinar del Rio' and qualified as seed potatoes in accordance with the current rules applicable in Cuba;
 - (f) they shall have been grown either on farms which have not grown potatoes of varieties other than those specified in (d) over the previous five years, or, in the case of State farms, on land sections which are kept separate from other land where potatoes of varieties other than those specified in (d) have been grown over the last five years;
 - (g) they shall have been handled by machinery which is reserved for them or which has been disinfected in an appropriate manner after every use for any other purposes;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 41.

⁽³⁾ OJ No L 100, 19. 4. 1988, p. 44.

⁽⁴⁾ OJ No L 59, 2. 3. 1989, p. 29.

⁽⁵⁾ OJ No L 316, 16. 11. 1991, p. 47.

⁽⁶⁾ OJ No L 16, 25. 1. 1993, p. 40.

- (h) they shall not have been in store-houses where potatoes of varieties other than those specified in (d) have been stored ;
- (i) they shall be free of soil, subject to a tolerance of 0,5 % by weight, and free from leaves and other plant debris ;
- (j) they shall be packed :
- in new bags, or
 - in containers which have been disinfected in an appropriate manner ;
- and an official label shall be applied to each bag or container, bearing the information specified in the Annex ;
- (k) the official plant health certificate required pursuant to Article 12 (1) (b) of Directive 77/93/EEC shall indicate :
- under the section 'Disinfestation and/or disinfection treatment', all information relating to the possible treatments referred to in the second alternative of (b) and/or the second indent of (j),
 - under the section 'Additional declaration' :
 - (i) name of variety,
 - (ii) identification number or name of the farm where the potatoes have been grown, and its location,
 - (iii) reference allowing the seed lot used in accordance with (e) to be identified ;
- (l) the inspections required pursuant to Article 12 of Directive 77/93/EEC shall be made by the responsible official bodies referred to in the said Directive, with the assistance of the experts referred to in Article 19 (a) thereof, under the procedure laid down therein ;
- (m) the potatoes shall be introduced through points of entry designated by the importing Member State ;
- (n) prior to introduction of the potatoes into a Member State, the importer shall notify each introduction sufficiently far in advance to the said responsible official bodies in the Member State concerned, indicating :
- the type of material,
 - the quantity,
 - the declared date of import and the point of entry,
 - the premises referred to in (o).
- He shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (p) ;
- (o) the potatoes shall be packed and repacked only at premises which have been authorized and registered by the said responsible official bodies ;

- (p) the potatoes shall be packed or repacked in closed packages that are ready for direct delivery to retailers or to final consumers, and that do not exceed a weight common in the importing Member State for that purpose, subject to a maximum of 25 kilograms ; the packaging shall bear the number of the registered premises referred to in (o), as well as the Cuban origin ;
- (q) in the importing Member States at least two samples of 200 tubers shall be drawn from each consignment of 50 tonnes or part thereof, of potatoes imported pursuant to this Decision, for official examination for *Pseudomonas solanacearum* and in the case of *Clavibacter michiganensis* ssp. *sepedonicus*, in accordance with the Community established method for the detection and diagnosis of *Clavibacter michiganensis* ssp. *sepedonicus* ; any suspect lots shall remain separate under official control and may not be marketed or used until it has been established that the presence of *Clavibacter michiganensis* ssp. *sepedonicus* or *Pseudomonas solanacearum* was not detected in those examinations.

Article 2

Member States shall inform the other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 July 1995, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (q) ; copies of each phytosanitary certificate shall be transmitted to the Commission.

Article 3

1. The authorization granted in Article 1 shall apply for the period between 1 March and 30 April 1995.
2. The authorization shall be revoked if it is established that the conditions laid down in Article 1 (2) have been insufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***Information required on the label***(referred to in Article 1(2)(j))*

1. Name of the authority issuing the label.
 2. Name of the exporters' organization.
 3. Indication 'Cuban potatoes for human consumption'.
 4. Variety.
 5. Province of production.
 6. Size.
 7. Declared net weight.
 8. Indication 'In accordance with EC requirements 1995'.
 9. A mark printed or stamped behalf of the Cuban plant protection organization.
-

COMMISSION DECISION

of 6 March 1995

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potatoes other than potatoes intended for planting originating in the Czech Republic

(95/97/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 14 (1) thereof,

Having regard to the requests made by Belgium, Germany, Greece, France, Italy and the Netherlands,

Whereas, under the provisions of Directive 77/93/EEC, potatoes other than potatoes intended for planting originating in the Czech Republic may not, in principle, be introduced into the Community because of the risk of introducing potato diseases unknown in the Community;

Whereas information supplied by the Czech Republic and collected during an official visit by Commission officials carried out in that country in 1994 has shown that there are good reasons to believe that potatoes can be grown in the Czech Republic under adequate health conditions and that, at present, there are no sources for the introduction of exotic potato diseases; whereas the Czech Republic has moreover implemented adequate health and quality standards in its potato production;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized, under the conditions laid down in paragraph 2, to provide for derogations from Article 4 (1) of Directive 77/93/EEC, with regard to the prohibitions referred to in Part A, point 12

of Annex III thereto for potatoes other than potatoes intended for planting originating in the Czech Republic.

2. The following specific conditions shall be satisfied:

- (a) the potatoes shall be other than potatoes intended for planting;
- (b) they shall have been grown from seed potatoes certified under the Czech Republic's seed potato certification scheme or from seed potatoes certified in one of the Member States;
- (c) they shall have been treated for the suppression of their faculty of germination;
- (d) they shall have been grown in areas known to be free from *Synchytrium endobioticum* (Schilbersky) Percival (all races other than *Race 1*, the common European race), and no symptoms of *Synchytrium endobioticum* (Schilbersky) Percival shall have been observed either at the place of production or in its immediate vicinity since the beginning of an adequate period.
- (e) they shall have been grown in areas where *Pseudomonas solanacearum* (Smith) Smith has not been detected;
- (f) regular planned monitoring of imports into the Czech Republic and of seed potatoes and ware potatoes marketed within the Czech Republic shall be continued by the examination and testing of representative samples using scientifically recognized methods for *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckermann et Kotthoff) Davis et al., *Pseudomonas solanacearum* (Smith) Smith and potato spindle tuber viroid;
- (g) they shall have been handled by machinery which is reserved for them or which has been disinfected in an appropriate manner after every use for any other purposes;
- (h) they shall be packed either in new bags or in containers which have been disinfected in an appropriate manner; and an official label shall be applied to each bag or container, bearing the information specified in the Annex;
- (i) prior to export the potatoes shall have been cleaned of soil, leaves and other plant debris;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

- (j) the potatoes intended for the Community shall be accompanied by a phytosanitary certificate issued in the Czech Republic in accordance with Article 7 of Directive 77/93/EEC, on the basis of the examination laid down therein, in particular freedom from the harmful organisms mentioned in (d) and (f).

The certificate shall state, under 'Additional Declaration': 'this consignment meets the conditions laid down in Decision 95/97/EC';

- (k) the inspections required pursuant to Article 12 of Directive 77/93/EEC shall be made by the responsible official bodies referred to in the said Directive, with the assistance of the experts referred to in Article 19 (a) thereof, under the procedure laid down therein;
- (l) the potatoes shall be introduced through points of entry designated by the importing Member State;
- (m) prior to introduction of the potatoes into a Member State, the importer shall notify each introduction sufficiently far in advance to the said responsible official bodies in the Member State concerned, indicating:
- the type of material,
 - the quantity,
 - the declared date of import and the point of entry.

He shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (m);

- (n) in the importing Member States, at least two samples of 200 tubers shall be drawn from each consignment of 50 tonnes or part thereof, of potatoes imported pursuant to this Decision, for official examination for *Pseudomonas solanacearum* and in the case of *Clavibacter michiganensis* ssp. *sepedonicus*, in accordance with the Community's established method for the detection and diagnosis of *Clavibacter michiganensis* ssp. *sepedonicus*; any suspect lots shall remain separate under official control and may not be marketed or

used until it has been established that the presence of *Clavibacter michiganensis* ssp. *sepedonicus* or *Pseudomonas solanacearum* was not detected in those examinations.

Article 2

Member States shall inform the other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 July 1995, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (n); copies of each phytosanitary certificate shall be transmitted to the Commission.

Article 3

1. The authorization granted in Article 1 shall apply for the period between 1 March and 30 June 1995.
2. The authorization shall be revoked if it is established that the conditions laid down in Article 1 (2) have been insufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX**Information required on the label**

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

1. Name of the authority issuing the label.
 2. Name of the exporters' organization, if available.
 3. Indication 'Czech potatoes for human consumption'.
 4. Variety.
 5. Place of production (name of plant protection office at district level in which place is situated should be mentioned).
 6. Size.
 7. Declared net weight.
 8. Indication 'In accordance with EC requirements 1995'.
 9. A mark printed or stamped on behalf of the Czech plant protection administration.
-

COMMISSION DECISION**of 13 March 1995****establishing the status of Sweden as non-vaccinating as regards Newcastle disease****(Text with EEA relevance)****(95/98/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 (2) thereof,

Whereas vaccination against Newcastle disease in poultry has been prohibited for over a year in Sweden;

Whereas breeding flocks in Sweden have been monitored at least once a year for the presence of Newcastle disease; whereas the holdings contain no poultry which have been vaccinated against Newcastle disease;

Whereas in the light of the Newcastle disease situation it is appropriate to fix the status of Sweden;

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

HAS ADOPTED THIS DECISION:

Article 1

Sweden fulfils the criteria fixed by Article 12 (2) of Directive 90/539/EEC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 303, 31. 10. 1990, p. 6.

CORRIGENDA**Corrigendum to Council Regulation (EC) No 297/95 of 10 February 1995 on fees payable to the European Agency for the Evaluation of Medicinal Products**

(Official Journal of the European Communities No L 35 of 15 February 1995)

Page 1 :

The following citation and footnote are inserted :

‘Having regard to the European Parliament (1),

(1) Opinion delivered on 19 January 1995 (not yet published in the Official Journal)’.

The current footnote (1) becomes footnote (2).

Corrigendum to Council Regulation (EC) No 477/95 of 16 January 1995 amending the definitive anti-dumping measures applying to imports into the Community of urea originating in the former USSR and terminating the anti-dumping measures applying to imports into the Community of urea originating in the former Czechoslovakia

(Official Journal of the European Communities No L 49 of 4 March 1995)

On page 4, recital 30, first and second indents :

for: ‘— Czech Republic : Duslo s.p. 0,7 %,
— Slovak Republic : Chemopetrol s.p. 11,8 %.’

read: ‘ (30) The dumping margins, expressed as percentages of the price, free-at-Community-frontier, were as follows :

— Czech Republic : Chemopetrol 0,7 %,
— Slovak Republic : Duslo s.p. 11,8 %.’

Corrigendum to Council Directive 94/56/EC of 21 November 1994 establishing the fundamental principles governing the investigation of civil aviation accidents and incidents

(Official Journal of the European Communities No L 319 of 12 December 1994)

On page 14, third recital, third line :

for: ‘December 1994 ...’,

read: ‘December 1944 ...’

Corrigendum to Commission Regulation (EC) No 448/95 of 28 February 1995 altering the export refunds on white sugar and raw sugar exported in the natural state

(Official Journal of the European Communities No L 45 of 1 March 1995)

On page 54, Annex, 'Amount of refund (3)' column :

for product code 1701 12 90 100 :

for: '32,60 (')',

read: '34,35 (')';

and for product code 1701 12 90 910 :

for: '34,35 (')',

read: '32,60 (')'.

Corrigendum to Council Directive 93/93/EEC of 29 October 1993 on the masses and dimensions of two or three-wheel motor vehicles

(Official Journal of the European Communities No L 311 of 14 December 1993)

On page 76, Article 4 (1), second and third line :

for: '... before 1 May 1993 ...',

read: '... before 1 May 1995 ...'.
