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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1038/95**of 10 May 1995****altering the export refunds on white sugar and raw sugar exported in the natural state**

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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 994/95 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 994/95 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾, as last amended by Regulation (EC) No 150/95 ⁽⁵⁾, 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 ⁽⁶⁾, as last amended by Regulation (EC) No 157/95 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 994/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 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 101, 4. 5. 1995, p. 12.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 10 May 1995 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	40,47 ⁽¹⁾
1701 11 90 910	39,29 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	40,47 ⁽¹⁾
1701 12 90 910	39,29 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4399
	— ECU/100 kg —
1701 99 10 100	43,99
1701 99 10 910	43,90
1701 99 10 950	43,90
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4399

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ 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.

COMMISSION REGULATION (EC) No 1039/95

of 10 May 1995

fixing the maximum export refund for white sugar for the 48th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EC) No 1021/94 of 29 April 1994 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EC) No 820/95 ⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1021/94, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 48th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93 ⁽⁵⁾ 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 48th partial invitation to tender for white sugar issued pursuant to amended Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 47,010 per 100 kilograms.

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.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 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 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 83, 13. 4. 1995, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 1040/95

of 10 May 1995

laying down further transitional measures for the management of base areas in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and Council Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 12 and 16 thereof,

Whereas Article 2 (6) of Regulation (EEC) No 1765/92 provides for a reduction in the eligible area for compensatory payments and special set-aside without compensation where the sum of the areas for which aid is claimed by producers exceeds the regional base area;

Whereas Article 16 of Regulation (EEC) No 1765/92 provides for special measures to facilitate the transition from the system in force to that established by that Regulation, in particular if the introduction of this system gives rise to substantial difficulties in respect of certain products;

Whereas until the end of the transitional period in 1994/95, special conditions were applied in respect of oilseeds in Spain, under the terms of the Act of Accession of Spain and Portugal; whereas these special conditions were favourable to producers of oilseeds and made the production of these crops more attractive than the production of other arable crops;

Whereas the severe drought prevalent in Spain during 1994 necessitated restrictions on the use of water for the irrigation of crops; whereas there was a transfer of the type of production on irrigated land in the Regadio from non-arable crops such as rice, cotton and tomatoes to less hydraulically demanding crops, especially oilseeds;

Whereas the combination of the favourable conditions available to oilseed producers and the effects of the drought has resulted in the area for which applications were made for compensatory payments, including set-aside, exceeding the regional base area of the Regadio;

Whereas for the reasons set out above, the breach of the regional base area resulted from the abnormally large area

sown with oilseeds; whereas it would be appropriate to penalize oilseed producers for causing this breach; whereas there was no significant increase in the area sown with other arable crops; whereas it would be inequitable to penalize producers of other arable crops for the breach caused by oilseed producers;

Whereas those producers who traditionally did not produce oilseeds should transfer production back to their traditional pattern; whereas the application of the special set-aside referred to in Article 2 (6) of Regulation (EEC) No 1765/92 to oilseed producers would encourage the re-establishment of the traditional pattern; whereas whilst it would be inappropriate to exonerate oilseed producers from this penalty, it would be inappropriate to penalize producers who do not cultivate oilseeds in 1995/96 in this manner;

Whereas the provisions of this Regulation will affect the arable crop sowings and set-aside made in respect of the 1995/96 marketing year; whereas this Regulation should enter into force at the earliest possible date;

Whereas the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

In the marketing year 1994/95, Article 2 (6) of Regulation (EEC) No 1765/92 shall not apply in respect of the area planted with cereals, proteins, linseed, the related compulsory set-aside and all voluntary set-aside in the Spanish regional base area 'Regadio' as referred to in Commission Regulation (EC) No 1098/94 ⁽³⁾.

Article 2

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

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

⁽³⁾ OJ No L 121, 12. 5. 1994, p. 12.

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

Done at Brussels, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1041/95

of 10 May 1995

fixing the amounts to be paid to recognized olive oil producer organizations and associations thereof for the 1994/95 marketing year

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of 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 Regulation (EC) No 3290/94⁽²⁾, and in particular Article 20d (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 6 (2) thereof,

Whereas Article 20d of Regulation No 136/66/EEC provides that a percentage of the production aid is to be withheld to help finance the work of the producer organizations and associations thereof;

Whereas Article 8 (1) of Commission Regulation (EEC) No 3061/84 of 31 October 1984 laying down detailed rules for the application of the system of production aid for olive oil⁽⁵⁾, as last amended by Regulation (EC) No 637/95⁽⁶⁾ provides that the unit amounts to be paid to producer organizations and associations thereof are to be fixed on the basis of forecasts of the overall sum to be distributed; whereas the amount withheld was fixed for the 1994/95 marketing year by Council Regulation (EC) No 1875/94⁽⁷⁾; whereas the funds which will be available in each Member State as a result of the abovementioned amount withheld must be redistributed to those eligible in a suitable manner; whereas in Spain and Portugal the amount withheld is less than that collected in the other Member States as a result of the lower level of production aid;

Whereas to ensure that the distribution of funds among the producer organizations and associations is uniformly implemented, and with a view to clarity, a specific operative event should be established for the agricultural conversion rate for the amounts fixed; whereas, given the nature of the measure and to facilitate the management thereof, 1 February 1995 should be fixed as the operative event;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the amounts provided for in Article 8 (1) (a) and (b) of Regulation (EEC) No 3061/84 shall be as follows:

- for Spain: ECU 4,5 and ECU 11,4 respectively,
- for Portugal: ECU 0 and ECU 3,6 respectively,
- for Greece: ECU 2,2 and ECU 2,2 respectively,
- for France: ECU 1,5 and ECU 2 respectively,
- for Italy: ECU 2,4 and ECU 2,2 respectively.

Article 2

The amounts referred to in Article 1 shall be converted into national currency using the agricultural conversion rate in force on 1 February 1995.

Article 3

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, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

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

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽⁶⁾ OJ No L 67, 25. 3. 1995, p. 3.

⁽⁷⁾ OJ No L 197, 30. 7. 1994, p. 14.

COMMISSION REGULATION (EC) No 1042/95

of 10 May 1995

amending Regulation (EEC) No 689/92 fixing the procedure and conditions for the taking over of cereals by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, at last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 5 thereof,

Whereas the Annex to Council Regulation (EEC) No 2731/75 of 29 October 1975 fixing standard qualities for common wheat, rye, barley, maize, sorghum and durum wheat⁽³⁾, as last amended by Regulation (EEC) No 2054/93⁽⁴⁾, defines shrivelled grains; whereas according to that definition shrivelled grains in the case of barley means grains which pass through sieves with apertures measuring 2,2 millimetres;

Whereas, in view of their climatic conditions, barley production in Finland and Sweden is predominantly of six-row varieties due to their shorter growing period in comparison to two-row varieties; whereas the kernel size of six-row barley in these countries is under 2,2 millimetres; whereas the barley does not therefore meet the intervention quality requirements on kernel size; whereas the immediate application of the Community rules would be likely to lead to a risk of large quantities of barley being excluded from intervention in Finland and Sweden; whereas this would consequently give rise to substantial difficulties for Finnish and Swedish producers; whereas it is therefore necessary temporarily to authorize Finland and Sweden to accept barley with a kernel size of under 2,2 millimetres into intervention; whereas the

acceptance of a lower kernel size should not lead to barley of an inferior quality being accepted into intervention; whereas, therefore, the barley concerned should be required to meet a higher specific weight of at least 64kg/hl;

Whereas Commission Regulation (EEC) No 689/92⁽⁵⁾, as last amended by Regulation (EC) No 2204/94⁽⁶⁾, lays down the conditions for taking over cereals into intervention; whereas it is therefore necessary to amend this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is added after the first subparagraph of Article 2 (3) of Regulation (EEC) No 689/92:

'However, by way of derogation from paragraph 2 (a) of the Annex to Regulation (EEC) No 2731/75, in the case of barley harvested in Finland or Sweden with a specific weight of at least 64kg/hl and offered for intervention in those countries until the end of the 1995/96 marketing year, "shrivelled grains" shall mean grains which, after elimination of all the other matter referred to in the Annex to that Regulation, pass through sieves with apertures measuring 2 millimetres.'

Article 2

This Regulation shall enter into force on the third day following the date 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, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽⁴⁾ OJ No L 187, 29. 7. 1993, p. 6.

⁽⁵⁾ OJ No L 74, 20. 3. 1992, p. 18.

⁽⁶⁾ OJ No L 236, 10. 9. 1994, p. 13.

COMMISSION REGULATION (EC) No 1043/95

of 10 May 1995

amending Regulation (EEC) No 891/89 on special detailed rules for the application of the system of import and export licences for 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 by Regulation (EC) No 3290/94⁽²⁾, and in particular Articles 9 (2) and 13 (6) thereof,

Whereas Commission Regulation (EC) No 974/95⁽³⁾, lays down certain transitional measures for the implementation of the Uruguay Round Agreement on Agriculture; whereas that Regulation is to apply when measures have been adopted for verifying the quantities of products which were not the subject of a period of reflection or an invitation to tender at the time the said Regulation entered into force;

Whereas Commission Regulation (EEC) No 891/89 of 5 April 1989 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁴⁾, as last amended by Regulation (EC) No 2658/94⁽⁵⁾, in view of the danger of licences being issued for excessive quantities, provides for a period of reflection of three days before the actual issue of an export licence for certain products processed from cereals; whereas that provision should be extended to most of the other products processed from cereals referred to in Commission Regulation (EEC) No 1620/93⁽⁶⁾, as amended by Regulation (EC) No 438/95⁽⁷⁾;

Whereas, in view of the urgency of the matter, these measures should be applied as soon as possible;

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

Article 9 (3) of Regulation (EEC) No 891/89 is hereby replaced by the following:

'3. Export licences for products falling within CN codes 1102 20 10, 1103 13 10, 1103 13 90, 1103 29 20, 1104 21 50, 1104 23 10, 1108 11 00, 1108 12 00, 1108 13 00, 1109 00 00, 1702 30 51, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 79, 2106 90 55, 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51, 2309 90 53 and for products falling within CN codes 1001 10 00, 1101 00 15, 1103 11 10, 1103 11 90, 1107 10 and 1107 20 with advance fixing of the refund shall be issued on the third working day following the day the application was lodged, provided that no measure to suspend advance fixing of the refund is taken by the Commission during that period.

For products processed from cereals and rice referred to in the Annex to Commission Regulation (EEC) No 1620/93^(*) but not referred to in the above paragraph, Member States shall notify the Commission (each month) for each product code as defined in Commission Regulation (EEC) No 3846/87^(**) of the quantities for which licences have been issued, both with and without advance fixing of the refund.

(^{*}) OJ No L 155, 25. 6. 1993, p. 29.

(^{**}) OJ No L 366, 24. 12. 1987, p. 1.

(⁽¹⁾) OJ No L 181, 1. 7. 1992, p. 21.
(⁽²⁾) OJ No L 349, 31. 12. 1994, p. 105.
(⁽³⁾) OJ No L 97, 29. 4. 1995, p. 66.
(⁽⁴⁾) OJ No L 94, 7. 4. 1989, p. 13.
(⁽⁵⁾) OJ No L 284, 1. 11. 1994, p. 24.
(⁽⁶⁾) OJ No L 155, 25. 6. 1993, p. 29.
(⁽⁷⁾) OJ No L 45, 1. 3. 1995, p. 32.

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, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1044/95

of 10 May 1995

on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

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

Whereas Commission Regulation (EC) No 3243/94 of 21 December 1994 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EC) No 3071/94 and (EC) No 3073/94 for high-quality beef and frozen buffalo meat⁽²⁾, as amended by Regulation (EC) No 498/95⁽³⁾, provides in Article 6, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁴⁾, as last amended by Regulation (EC) No 1084/94⁽⁵⁾;

Whereas Article 1 (1) (d) of Regulation (EC) No 3243/94 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in the first half of 1995 at 5 200 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 May 1995 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EC) No 3243/94 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 15 of Regulation (EEC) No 2377/80, during the first five days of June 1995 for 3 360 tonnes.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 325, 17. 12. 1994, p. 1.

⁽²⁾ OJ No L 338, 28. 12. 1994, p. 62.

⁽³⁾ OJ No L 50, 7. 3. 1995, p. 2.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 120, 11. 5. 1994, p. 30.

COMMISSION REGULATION (EC) No 1045/95

of 10 May 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 11 May 1995.

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

Done at Brussels, 10 May 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 10 May 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 25	052	86,9
	060	80,2
	066	57,8
	204	50,9
	212	117,9
	624	78,0
	999	78,6
0707 00 20	052	47,2
	053	166,9
	060	39,2
	066	63,0
	068	64,4
	204	49,1
	624	207,3
0709 90 75	999	91,0
	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 1046/95

of 10 May 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 1027/95⁽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 47,698 per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 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 103, 6. 5. 1995, p. 31.

COMMISSION REGULATION (EC) No 1047/95

of 10 May 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 9 May 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 11 May 1995.

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

Done at Brussels, 10 May 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 10 May 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	113,24 ⁽²⁾ ⁽³⁾
0712 90 19	113,24 ⁽²⁾ ⁽³⁾
1001 10 00	61,94 ⁽¹⁾ ⁽⁵⁾ ⁽¹¹⁾
1001 90 91	110,05
1001 90 99	110,05 ⁽²⁾ ⁽¹¹⁾
1002 00 00	144,36 ⁽⁶⁾
1003 00 10	109,21
1003 00 90	109,21 ⁽²⁾
1004 00 00	112,57
1005 10 90	113,24 ⁽²⁾ ⁽³⁾
1005 90 00	113,24 ⁽²⁾ ⁽³⁾
1007 00 90	115,88 ⁽⁴⁾
1008 10 00	60,31 ⁽²⁾
1008 20 00	65,68 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽²⁾
1008 90 10	(7)
1008 90 90	0
1101 00 11	201,20 ⁽²⁾
1101 00 15	201,20 ⁽²⁾
1101 00 90	201,20 ⁽²⁾
1102 10 00	247,42
1103 11 10	139,29
1103 11 90	228,79
1107 10 11	209,03
1107 10 19	159,51
1107 10 91	207,53 ⁽¹⁰⁾
1107 10 99	158,39 ⁽²⁾
1107 20 00	182,42 ⁽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 amended Regulation (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 1048/95

of 10 May 1995

suspending advance fixing of the export refunds on certain 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 the second subparagraph of Article 13 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1766/92 provides that the provisions concerning advance fixing of the refund may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas there is a danger that the continuation of the present system could give rise to speculative operations; whereas the advance fixing of the export refunds on certain products processed from cereals and rice should therefore be suspended;

Whereas the above situation requires that application of the provisions concerning advance fixing of refunds for the products concerned be temporarily suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 is hereby suspended from 11 to 12 May 1995.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

COMMISSION REGULATION (EC) No 1049/95
of 10 May 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 1029/95 ⁽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 9 May 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 11 May 1995.

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

Done at Brussels, 10 May 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 103, 6. 5. 1995, p. 34.

ANNEX**to the Commission Regulation of 10 May 1995 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	40,09 ⁽¹⁾
1701 11 90	40,09 ⁽¹⁾
1701 12 10	40,09 ⁽¹⁾
1701 12 90	40,09 ⁽¹⁾
1701 91 00	48,68
1701 99 10	48,68
1701 99 90	48,68 ⁽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 1050/95

of 10 May 1995

altering the export refunds 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 the fourth subparagraph of Article 13 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 1011/95 ⁽²⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1011/95 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas export possibilities exist for a quantity of 50 000 tonnes of rye flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽³⁾, as last amended by Regulation (EC) No 2658/94 ⁽⁴⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as last amended by Regulation (EC) No 150/95 ⁽⁶⁾, 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 ⁽⁷⁾, as last amended by Regulation (EC) No 157/95 ⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1011/95 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 102, 5. 5. 1995, p. 9.

⁽³⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 284, 1. 11. 1994, p. 24.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 10 May 1995 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 11 000	—	—
1001 10 00 400	—	—	1101 00 15 100	01	0
1001 90 91 000	—	—	1101 00 15 130	01	0
1001 90 99 000	06	0	1101 00 15 150	01	0
	02	1,00	1101 00 15 170	01	0
1002 00 00 000	04	65,00	1101 00 15 180	01	0
	05	85,00	1101 00 15 190	—	—
	02	10,00	1101 00 90 000	—	—
1003 00 10 000	—	—	1102 10 00 500	01	89,00 (*)
1003 00 90 000	03	59,00	1102 10 00 700	—	—
	02	10,00	1102 10 00 900	—	—
1004 00 00 200	—	—	1103 11 10 200	01	0 (3)
1004 00 00 400	—	—	1103 11 10 400	01	0 (3)
1005 10 90 000	—	—	1103 11 10 900	—	—
1005 90 00 000	—	—	1103 11 90 200	01	0 (3)
			1103 11 90 800	—	—

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein, Ceuta and Melilla,
- 04 Switzerland, Liechtenstein and Hungary,
- 05 Slovenia,
- 06 China.

(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.

(3) No refund is granted when this product contains compressed meal.

(*) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 50 000 tonnes of rye flour for export to third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1051/95

of 10 May 1995

altering the corrective amount applicable to the refund on cereals

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 13(4) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1014/95⁽²⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

Whereas the corrective amount must be fixed according to the same procedure as the refund; whereas it may be altered in the period between fixings;

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⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 May 1995.

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

Done at Brussels, 10 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 102, 5. 5. 1995, p. 16.

⁽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 10 May 1995 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	0	+ 20,00	+ 20,00	0	—	—
	02	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	- 35,00	- 35,00	- 35,00	- 35,00	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 15 130	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 15 150	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 15 170	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 15 180	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	- 35,00	- 35,00	- 35,00	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	—	—
1103 11 10 400	01	0	0	0	0	0	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	0	0	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

- 01 all third countries,
- 02 Other third countries,
- 03 China.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION DIRECTIVE 95/11/EC

of 4 May 1995

amending Council Directive 87/153/EEC fixing guidelines for the assessment of
additives in animal nutrition

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9 (2) thereof,Whereas Council Directive 70/524/EEC provides for guidelines for the assessment of additives in animal nutrition subsequently adopted by Council Directive 87/153/EEC of 16 February 1987 fixing guidelines for the assessment of additives in animal nutrition⁽²⁾, as last amended by Commission Directive 94/40/EC⁽³⁾, and any amendment thereto in light of advances in scientific and technical knowledge;

Whereas in order to have guarantee on the conservation without any change of the microbial strains and consequently of continuity during the industrial use, it is necessary to deposit the reference material in a culture collection recognized as an international depositary Authority in accordance with the Budapest Treaty; whereas this provision permits, moreover, the precise references of the used microbial strains;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 87/153/EEC is hereby amended as set out in the Annex to this Directive.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 31 December 1995 at the latest. They shall immediately inform the Commission thereof.

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

*Article 3*This Directive shall enter into force on the twentieth day following its publication in the *Official Journal of the European Communities*.*Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 4 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.⁽²⁾ OJ No L 64, 7. 3. 1987, p. 19.⁽³⁾ OJ No L 208, 11. 8. 1994, p. 15.

ANNEX

1. In Section II, the text of the point 2.2 is replaced by the following text :

'2.2 Formula, empirical and structural, and molecular weight. Qualitative and quantitative composition of the main components, if the active substance is a fermentation product.

For micro-organisms : name and place of the culture collection recognized as an International Depositary Authority⁽¹⁾, if possible in the European Union, where the strain is deposited and accession number, genetic modification and all relevant properties for its identification. In addition, origin, appropriate morphological and physiological characteristics, developmental stages, relevant factors that may be involved in its biological activity (as an additive) and other genetic data for identification. Number of colony forming units (CFU) per gram.

For enzyme preparations : biological origin (in case of microbial origin : name and place of the culture collection recognized as an International Depositary Authority if possible in the European Union, where the strain is deposited and accession number, genetic modification and all relevant properties for its identification including genetic data), the activities towards relevant chemically pure model substrates and other physico-chemical characteristics.

A copy of the receipt of deposit of the micro-organism with an International Depositary Authority, precisising the name and the taxonomic description of the micro-organism according to the international Codes of Nomenclature must, in all cases, be provided.'

2. In Section V, the text of the point 2.2 is replaced by the following text :

'2.2 Formula, empirical and structural, and molecular weight. Qualitative and quantitative composition of the main components, if the active substance is a fermentation product.

For micro-organisms : name and place of the culture collection recognized as an International Depositary Authority, if possible in the European Union, where the strain is deposited and accession number, genetic modification and all relevant properties for its identification.

For enzyme preparations : biological origin (in case of microbial origin : name and place of the culture collection recognized as an International Depositary Authority if possible in the European Union, where the strain is deposited and accession number, genetic modification and all relevant properties for its identification including genetic data), the activities towards relevant chemically pure model substrates and other physico-chemical characteristics.'

⁽¹⁾ International Depositary Authority according to Article 7 of the Budapest Treaty on the International Recognition of Micro-organisms for the Purposes of Patent Procedure