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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1314/95**of 9 June 1995**

laying down the extent to which applications lodged on 5 and 6 June 1995 for certificates for the advance-fixing of the export refund for certain poultrymeat products may be accepted

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

Having regard to Commission Regulation (EC) No 437/95 of 28 February 1995 laying down detailed rules for granting a special refund for exports of poultrymeat sector products to certain third countries⁽¹⁾, as amended by Regulation (EC) No 973/95⁽²⁾, and in particular Article 3 thereof,

Whereas the export refunds for poultrymeat are laid down by Commission Regulation (EC) No 909/95⁽³⁾;

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

Whereas pursuant to Article 3 of Regulation (EC) No 437/95, it may be decided to terminate the lodging of applications for advance-fixing certificates and to reduce the quantities applied for when the total quantity exceeds 40 000 tonnes; whereas, in view of the quantities for

which advance-fixing certificates have been applied for, applications may be granted in full,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for certificates for the advance-fixing of the refund for products falling within CN codes 0207 21 10 900, 0207 21 90 190, 0207 41 11 900, 0207 41 71 190, 0207 42 51 000, 0207 42 59 000 and 0207 42 10 990 referred to in the Annex to Regulation (EC) No 909/95 and which must be exported under the conditions laid down in Regulation (EC) No 437/95, submitted on 5 and 6 June 1995, shall be granted in full.

Article 2

This Regulation shall enter into force on 12 June 1995.

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 45, 1. 3. 1995, p. 30.

⁽²⁾ OJ No L 97, 29. 4. 1995, p. 65.

⁽³⁾ OJ No L 93, 26. 4. 1995, p. 16.

COMMISSION REGULATION (EC) No 1315/95

of 9 June 1995

suspending advance fixing of export refunds on certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

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 first subparagraph of Article 13 (7) thereof,

Having regard to Commission Regulation (EC) No 1222/94 of 31 May 1994 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, as last amended by Regulation (EC) No 1149/95 ⁽³⁾, and in particular the first subparagraph of Article 5 (3) thereof,

Whereas the first subparagraph of Article 13 (7) of Regulation (EEC) No 1766/92 and the first subparagraph of Article 5 (3) of Regulation (EC) No 1222/94 make provision for advance fixing of the refund to be suspended for basic products exported in the form of certain goods;

Whereas the situation on certain markets may make it necessary for the refunds to be adjusted; whereas in order

to prevent applications for advance fixing of refunds for speculative purposes, the abovementioned advance fixing should be suspended until this adjustment comes into force;

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

Advance fixing of export refunds on durum wheat, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92, is suspended until 30 June 1995.

Article 2

This Regulation shall enter into force on 10 June 1995.

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

Done at Brussels, 9 June 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽³⁾ OJ No L 116, 23. 5. 1995, p. 1.

COMMISSION REGULATION (EC) No 1316/95**of 9 June 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

All applications for import licences from 1 until 5 June 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.

Article 2

This Regulation shall enter into force on 10 June 1995.

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

Done at Brussels, 9 June 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 1317/95

of 9 June 1995

on the adjustment of refunds fixed in advance on malt

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

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

Whereas Commission Regulation (EC) No 2577/94 of 24 October 1994 laying down special measures concerning export licences for malt issued between 1 August and 31 December 1994⁽²⁾, as amended by Regulation (EC) No 822/95⁽³⁾, provides that second-issue licences valid from 1 July to 30 September 1995 are to be subject to the rules in force at the time of issue of the first-issue licence; whereas refunds fixed in advance were then adjusted in accordance with Article 13 (4) of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94; whereas Regulation (EC) No 3290/94 abolishes the threshold price from 1 July 1995;

Whereas Article 12 of Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed

rules for the application of the system of import and export licences for cereals and rice⁽⁵⁾ lays down the method for calculating the adjustment from 1 July 1995; whereas the new rule should apply to second-issue licences as the method of adjustment is slightly more favourable to the operators;

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

Notwithstanding Article 2 (3) of Regulation (EC) No 2577/94, the adjustment of refunds provided for in Article 13 (4) of Regulation (EEC) No 1766/92 shall be made in accordance with the method laid down in Article 12 (2) and (3) of Regulation (EC) No 1162/95.

Article 2

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

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 273, 25. 10. 1994, p. 2.

⁽³⁾ OJ No L 83, 13. 4. 1995, p. 7.

⁽⁴⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁵⁾ OJ No L 117, 24. 5. 1995, p. 2.

COMMISSION REGULATION (EC) No 1318/95

of 9 June 1995

amending Regulation (EC) No 2883/94 establishing a forecast balance for the supply to the Canary Islands to agricultural products covered by the specific measures provided for in Articles 2, 3, 4 and 5 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 the Act of Accession of Austria, Finland and Sweden and Regulation (EC) No 3290/94⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down the detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Regulation (EC) No 2883/94, as last amended by Regulation (EC) No 1113/95⁽⁵⁾, establishes the supply balance for milk products for the Canary Islands; whereas that balance may be revised where necessary, by means of adjustments during the year to the quantities, within the total laid down, on the basis of the region's requirements; whereas in order to satisfy the requirements of the Canary

Islands for milk products, in particular cheese, beef and veal, and pigmeat, the quantities set down in the forecast supply balances for those products must be adjusted; whereas the corresponding Annexes to Regulation (EC) No 2883/94 should consequently be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II and IV to Regulation (EC) No 2883/94 are hereby replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

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

⁽³⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ No L 111, 18. 5. 1995, p. 13.

ANNEX

'FORECAST SUPPLY BALANCES

SUPPLY BALANCE FOR THE CANARY ISLANDS FOR THE PERIOD 1 JULY 1994 (*) TO 30 JUNE 1995

ANNEX I

Live animals of the bovine species and beefmeat

CN code	Designation of goods	Number (*) or quantity (in tonnes)
0102 10 00	Pure-bred breeding bovines (*)	4 300 (*)
ex 0102 90	Bovine animals for fattening	8 000 (*)
0201	Meat of bovine animals, fresh or chilled	11 500
0202	Meat of bovine animals, frozen	29 000
1602 50	Other prepared or preserved meat, meat offal or blood of bovine animals	2 500

(*) Entry under this heading is subject to the conditions laid down in the relevant Community provisions.

ANNEX II

Live animals of the porcine species and pigmeat

CN code	Designation of goods	Number (*) or quantity (in tonnes)
0103 10 00	Pure-bred breeding swine (*):	
	— male animals	160 (*)
	— female animals	3 000 (*)
ex 0203	Meat of domestic swine, fresh or chilled	—
ex 0203	Meat of domestic swine, frozen	19 000 (2)
1601 00	Sausages and similar products of meat, meat offal or blood; preparations based on these, products	12 000
1602 20 90	Other prepared or preserved meat of liver of any animal other than goose and duck liver	600
	Other prepared or preserved meat or meat offal or blood of domestic swine	
1602 41 10	Hams and cuts thereof	4 000
1602 42 10	Shoulders and cuts thereof	3 000
1602 49	Other, including mixtures	4 000

(*) Entry under this heading is subject to the conditions laid down in the relevant Community provisions.

(2) Of which 5 000 tonnes are for the processing and/or packaging sector.

(*) From 1 November 1994 in the case of products coming under tariff heading 1509.

ANNEX IV

Milk products

<i>(in tonnes)</i>		
CN code	Designation of goods	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	90 000 ⁽¹⁾
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	25 000 ⁽²⁾
0405 00	Butter and other fats and oils derived from milk	3 500
0406	Cheeses	} 13 500
0406 30		
0406 90 23		
0406 90 25		
0406 90 27		
0406 90 76		
0406 90 78		
0406 90 79		
0406 90 81		} 1 500
0406 90 86		
0406 90 87		
0406 90 88		
1901 90 99	Milk-based preparations without fat	7 000 ⁽³⁾
2106 90 92	Milk-based preparations for children not containing milk fat	200

⁽¹⁾ Of which 2 000 tonnes are for the processing and/or packaging sector.

⁽²⁾ Of which 13 500 tonnes are for the processing and/or packaging sector.

⁽³⁾ The entire amount (7 000 tonnes) is for the processing and/or packaging sector.

COMMISSION REGULATION (EC) No 1319/95

of 9 June 1995

amending Regulation (EEC) No 338/92 laying down detailed rules for the application of Council Regulation (EEC) No 3763/91 with regard to the Community quota for the import of 8 000 tonnes of wheat bran falling within CN code 2302 30 originating in the ACP States into the French department of Réunion

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 3 (5) thereof,

Whereas the implementation of the Uruguay Round Agreement on Agriculture calls for major changes in the import arrangements ; whereas the detailed rules for the application of Commission Regulation (EEC) No 338/92 ⁽³⁾ must therefore be adapted accordingly ;

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

Article 1

Article 1 of Regulation (EEC) No 338/92 is hereby replaced by the following :

'Article 1

This Regulation lays down detailed rules for the application of the annual Community quota for imports into the French department of Réunion exempt from the import duty of 8 000 tonnes of wheat bran covered by CN code 2302 30 originating in the ACP States pursuant to Article 3 (4) of Regulation (EEC) No 3763/91.'

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 from 1 July 1995.

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

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

⁽³⁾ OJ No L 36, 13. 2. 1992, p. 16.

COMMISSION REGULATION (EC) No 1320/95
of 9 June 1995
fixing the import levies on rice and broken rice

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 178/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1249/95 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 10 June 1995.

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 52.

⁽⁵⁾ OJ No L 121, 1. 6. 1995, p. 72.

ANNEX

to the Commission Regulation of 9 June 1995 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (*)		
	Arrangement in Regulation (EEC) No 3877/86 (2)	ACP Bangladesh (1) (2) (3) (4)	Third countries (except ACP and Bangladesh) (5)
1006 10 21	—	188,94	386,58
1006 10 23	—	178,40	365,51
1006 10 25	—	178,40	365,51
1006 10 27	274,13	178,40	365,51
1006 10 92	—	188,94	386,58
1006 10 94	—	178,40	365,51
1006 10 96	—	178,40	365,51
1006 10 98	274,13	178,40	365,51
1006 20 11	—	237,25	483,22
1006 20 13	—	224,09	456,89
1006 20 15	—	224,09	456,89
1006 20 17	342,66	224,09	456,89
1006 20 92	—	237,25	483,22
1006 20 94	—	224,09	456,89
1006 20 96	—	224,09	456,89
1006 20 98	342,66	224,09	456,89
1006 30 21	—	291,45	611,70
1006 30 23	—	330,04	688,79
1006 30 25	—	330,04	688,79
1006 30 27	516,59	330,04	688,79
1006 30 42	—	291,45	611,70
1006 30 44	—	330,04	688,79
1006 30 46	—	330,04	688,79
1006 30 48	516,59	330,04	688,79
1006 30 61	—	310,81	651,46
1006 30 63	—	354,28	738,39
1006 30 65	—	354,28	738,39
1006 30 67	553,79	354,28	738,39
1006 30 92	—	310,81	651,46
1006 30 94	—	354,28	738,39
1006 30 96	—	354,28	738,39
1006 30 98	553,79	354,28	738,39
1006 40 00	—	62,68	132,62

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1321/95

of 9 June 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 10 June 1995.

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

Done at Brussels, 9 June 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 9 June 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 35	052	46,3
	060	80,2
	066	44,3
	068	32,4
	204	50,9
	212	117,9
	624	75,0
	999	63,9
0707 00 25	052	47,2
	053	166,9
	060	39,2
	066	53,8
	068	60,4
	204	49,1
	624	207,3
	999	89,1
0709 90 77	052	61,4
	204	77,5
	624	196,3
	999	111,7
0805 30 30	388	65,3
	528	63,4
	600	54,7
	624	78,0
	999	65,4
0809 10 20	052	155,4
	064	133,9
	999	144,6
0809 20 41, 0809 20 49	052	280,5
	064	197,1
	400	208,0
	676	386,6
	999	268,1

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

COMMISSION REGULATION (EC) No 1322/95

of 9 June 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 8 June 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 10 June 1995.

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

Done at Brussels, 9 June 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 9 June 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	109,87 ⁽²⁾ ⁽³⁾
0712 90 19	109,87 ⁽²⁾ ⁽³⁾
1001 10 00	49,08 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	94,44
1001 90 99	94,44 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	144,19 ⁽⁶⁾
1003 00 10	106,95
1003 00 90	106,95 ⁽⁹⁾
1004 00 00	105,83
1005 10 90	109,87 ⁽²⁾ ⁽³⁾
1005 90 00	109,87 ⁽²⁾ ⁽³⁾
1007 00 90	114,14 ⁽⁴⁾
1008 10 00	58,25 ⁽⁹⁾
1008 20 00	62,70 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	0
1101 00 11	175,35 ⁽⁹⁾
1101 00 15	175,35 ⁽⁹⁾
1101 00 90	175,35 ⁽⁹⁾
1102 10 00	247,45
1103 11 10	119,45
1103 11 90	202,94
1107 10 11	181,24
1107 10 19	138,75
1107 10 91	203,51 ⁽¹⁰⁾
1107 10 99	155,38 ⁽⁹⁾
1107 20 00	178,91 ⁽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 1323/95
of 9 June 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 1101/95 ⁽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 1313/95 ⁽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 8 June 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 10 June 1995.

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 126, 9. 6. 1995, p. 30.

ANNEX

to the Commission Regulation of 9 June 1995 fixing the import levies on white sugar and raw sugar*(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	38,44 ⁽¹⁾
1701 11 90	38,44 ⁽¹⁾
1701 12 10	38,44 ⁽¹⁾
1701 12 90	38,44 ⁽¹⁾
1701 91 00	44,95
1701 99 10	44,95
1701 99 90	44,95 ⁽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 1324/95
of 9 June 1995
altering the basic amount of the import levies on syrups and certain other
products in the sugar sector

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 1101/95 ⁽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 syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1227/95 ⁽⁵⁾, as amended by Regulation (EC) No 1261/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1227/95 to the information known to the Commission that the basic amount of

the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 8 June 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EC) No 1227/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 1995.

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

Done at Brussels, 9 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 121, 1. 6. 1995, p. 7.

⁽⁶⁾ OJ No L 122, 2. 6. 1995, p. 29.

ANNEX

**to the Commission Regulation of 9 June 1995 altering the basic amount of the import levy
on syrups and certain other products in the sugar sector**

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4495	—
1702 20 90	0,4495	—
1702 30 10	—	62,23
1702 40 10	—	62,23
1702 60 10	—	62,23
1702 60 90 10 ⁽²⁾	—	118,24
1702 60 90 90 ⁽³⁾	0,4495	—
1702 90 30	—	62,23
1702 90 60	0,4495	—
1702 90 71	0,4495	—
1702 90 80	—	118,24
1702 90 99	0,4495	—
2106 90 30	—	62,23
2106 90 59	0,4495	—

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

⁽²⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product obtained by hydrolysis of inulin or oligofructoses.

⁽³⁾ Taric code : CN code 1702 60 90, other than inulin syrup.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 12 May 1995

on payment periods in commercial transactions (*)

(Text with EEA relevance)

(95/198/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas on 21 April 1993 the European Parliament adopted a Resolution on the Commission's communications to the Council 'Towards a European subcontracting market' and 'SME participation in public procurement contracts in the Community' ⁽¹⁾, calling on the Commission to make specific proposals on late payments;

Whereas on 30 June 1993 the Economic and Social Committee adopted an Opinion ⁽²⁾ on the 'Commission staff working paper on the problem of the time taken to make payments in commercial transactions' ⁽³⁾;

Whereas in its White Paper on Growth, Competitiveness and Employment ⁽⁴⁾ the Commission announced an initiative concerning payment periods;

Whereas on 25 May 1994 the Commission adopted a Communication on the implementation of an integrated programme in favour of SMEs and the craft sector ⁽⁵⁾;

Whereas the European Parliament in its Resolution on the Integrated Programme emphasized that the Commission should forward proposals to deal with the problem of late payment ⁽⁶⁾;

Whereas heavy administrative and financial burdens are placed on businesses, particularly small and medium-sized ones, as a result of the length of payment periods in commercial transactions; whereas overdue payments are a danger to the financial balance and even the survival of businesses;

Whereas there has been a deterioration in payment practices in the majority of the countries of the Community in recent years; whereas this deterioration has not been caused by economic factors alone, but also reflects a structural trend in business relations; whereas the intensification of trade and competition in the internal market could well bring about a general lengthening of payment periods in the Community;

Whereas the differences between the payment rules and practices in the Member States constitute an obstacle to the proper functioning of the internal market;

Whereas, without undermining contractual freedom as regards the determination of payment periods, it is advisable to promote greater transparency of the time limits applicable between contracting parties and to encourage adherence to the agreed deadlines;

(*) The explanatory note of this recommendation is published as a Communication in OJ No C 144, 10. 6. 1995, p. 3.

(1) JO No C 150, 31. 5. 1993, p. 71.

(2) JO No C 249, 13. 9. 1993, p. 21.

(3) SEC(92) 2214 final of 18 November 1992.

(4) White Paper on Growth, Competitiveness and Employment, p. 14.

(5) COM(94) 207 final of 3 June 1994.

(6) Resolution A4-0022/94, PV 28 II, 24 October 1994.

Whereas better information and training for businesses, in particular small and medium-sized ones, in the matter of payment periods would help improve business practices in this area ;

Whereas the penalty system for overdue payments in the Member States must be such as both to discourage late payment and fully compensate the creditors for the various costs incurred ;

Whereas a penalty system can be dissuasive only if it is accompanied by redress procedures which are rapid, effective and inexpensive for the creditor ;

Whereas it is necessary to take supplementary measures in order to improve adherence to payment periods in cross-border transactions ;

Whereas public authorities and public-law enterprises handle a considerable volume of payments to businesses ; whereas strict payment discipline on the part of these authorities would have a spill-over effect on the economy as a whole ; whereas current practices must be improved if public procurement contracts really are to be opened up to businesses, particularly small and medium-sized ones,

HEREBY RECOMMENDS :

Article 1

Objectives

Member States are requested to take the necessary legal and practical steps to ensure adherence to contractual payment periods in commercial transactions and to improve payment periods for public procurement contracts.

In particular, they are requested to take the most appropriate steps, to supplement their legal and administrative systems, in order to :

- reinforce transparency in contractual relations, improve training and information in businesses and mitigate the fiscal effects of late payments,
- ensure adequate compensation for late payments,
- guarantee appropriate redress procedures,
- eliminate difficulties specific to cross-border trade,
- improve payment for public procurement contracts.

Article 2

Transparency, information and training, VAT

1. Greater transparency of the payment periods applicable in commercial transactions, should be encouraged. To this end, the Member States are requested to :

- (a) take the appropriate steps to encourage clear indication, in commercial contracts, of the period applicable and the date at which the payment falls due, by, for example, a statement on the invoice. Where there is no written contract or where the payment period has

not been clearly indicated on the invoice, they shall provide for a simple and clear rule which determines both the payment period and the payment deadline legally applicable to the contract ;

- (b) encourage indication, on commercial documents, of any discounts and charges applicable to early or late payment ;
- (c) encourage indication in commercial contracts of a period, following the receipt of goods or services, during which the recipient may raise any objections regarding the quality or quantity received. The legislation should contain a subsidiary rule which applies in the absence of any provision in the contract ;
- (d) stipulate that notices of public procurement contracts or bills of quantities should contain precise details of the payment periods and deadlines practised by the awarding authorities.

2. Member States are requested to encourage public and private initiatives, including those of professional organizations, designed to improve the information and training offered to businesses, particularly small and medium-sized ones, in the management of payment periods. Such schemes may involve, in particular :

- (a) providing advice and legal assistance in the drafting of commercial documents and contracts ;
- (b) providing information and training on the most suitable payment rules and practices for particular sectors, regions and countries, and on internal and external debt-recovery procedures ;
- (c) developing practical means of cash-flow management, in particular computing facilities, and promotion electronic data interchange (EDI) within SMEs ;
- (d) recourse to debt-recovery techniques such as factoring.

3. In view of the specific needs of SMEs and in particular the effects on their liquidity, which are liable to arise from late payments, the Member States are requested to provide that they enjoy the most favourable payment periods under Council Directive 77/388/EEC (Sixth Directive on VAT) ⁽¹⁾. This concerns the possibility of :

- (a) deferring payment of VAT until the corresponding invoice has been settled, for small businesses at least ;
- (b) permitting small businesses to submit their VAT returns after longer periods.

Article 3

Compensation for late payment

Conditions should be created whereby the creditor can be suitably compensated for damages incurred through late payment by the debtor. To this end, Member States are requested to :

⁽¹⁾ OJ No L 145, 13. 7. 1977, p. 1.

- (a) recognize the right of creditors to interest on arrears as soon as the contractual or statutory period has been exceeded ;

Article 5

Cross-border trade

- (b) set a rate of interest for late payments, otherwise applicable in the absence of specific provisions in the contract, at a level which is sufficiently dissuasive for bad payers ;

The difficulties which are specific to cross-border trade in respect of payment should be eliminated. To this end, Member States are requested to :

- (c) recognize, in addition to the right to interest on arrears, a right to other compensation for damage incurred by the creditor through late payment. This compensation should cover, in particular, the legal and administrative costs of recovery.

- (a) encourage better information and training in businesses on the management of payment periods in cross-border trade ;

- (b) facilitate recovery procedures for cross-border debts which are not in dispute. In particular, it should be made easier to obtain a writ of execution for such debts ;

- (c) take all necessary measures to facilitate and speed up the resolution of law suits and the execution of judgments in the case of late cross-border payments.

Article 4

Redress procedures

Steps should be taken to ensure that creditors to whom payment is overdue have access to rapid, efficient and inexpensive redress procedures enabling them to obtain payment and compensation for damages. To this end, Member States are requested to :

- (a) encourage the introduction of procedures to settle claims without recourse to legal proceedings, with a view to the rapid, efficient and inexpensive settlement of payment disputes ;
- (b) improve the effectiveness of simplified legal procedures for the settlement of claims in respect of limited sums. These procedures should provide for simple, low-cost methods for taking legal action. The thresholds for the application of these procedures should be set at a level which covers a considerable number of business transactions. There should be efficient conditions for enforcing rulings made under these simplified procedures ;
- (c) improve the effectiveness of accelerated recovery procedures. These procedures should allow, with fewer formalities and shorter time limits, the granting of a writ of execution when a debt is not contested. These procedures should take place quickly, with a minimum of formalities and financial cost to the creditor, and apply irrespective of the size of the claim.

Article 6

Public procurement contracts

Steps must be taken to ensure that public authorities and public-law enterprises — the latter as defined in Council Directive 93/38/EEC⁽¹⁾ — are disciplined in the matter of payment. To this end, Member States are requested to :

- (a) take steps to ensure that all the authorities concerned are aware of the consequences of late payment on the financial well-being of economic operators ;
- (b) adhere to a period of 60 days for payments for public procurement contracts, without prejudice to any shorter times currently in effect. Member States are requested to examine the extent to which they can reduce the time it takes for public authorities to pay companies, and the extent to which they can simplify the relevant existing rules ;
- (c) establish precise administrative procedures, including time limits, to ensure that public payments are made as rapidly as possible. In particular, time limits should be fixed for the completion of pre-payment administrative formalities, such as public works reception procedures ;
- (d) carry out regular checks on the payment periods of all authorities at all levels, the results to be made available in an official publication ;

⁽¹⁾ OJ No L 199, 9. 8. 1993, p. 84.

- (e) provide for payment — at the same time as the face value of the invoice is paid — of interest on invoices not paid by the date specified in the contract. Appropriate checks should be made to ensure that the public authorities adhere to this principle;
- (f) make provision for sub-contractors to be paid within reasonable time limits under public procurement contracts.

*Article 7***Report**

To enable the Commission to evaluate what progress has been made, Member States are requested to forward a

report to the Commission on action taken in respect of the various elements of this Recommendation before 31 December 1997.

*Article 8***Addressees**

This Recommendation is addressed to the Member States.

Done at Brussels, 12 May 1995.

For the Commission

Christos PAPOUTSIS

Member of the Commission

COMMISSION DECISION

of 31 May 1995

approving the single programming document for Community structural measures for improving the processing and marketing conditions for agricultural products in Hessen (Federal Republic of Germany), in respect of Objective 5a, covering the period between 1994 and 1999

(Only the German text is authentic)

(95/199/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2843/94⁽²⁾, and in particular Article 10a thereof,

Whereas on 29 April 1994 the German Government submitted to the Commission the single programming document referred to in Article 10a of Regulation (EEC) No 866/90 for the *Land* of Hessen, supplemented by additional information sent on 16 August, 7 September and 7 November 1994, and 12 and 27 January 1995; whereas that document contains the plans designed to improve the structures relating to the various product sectors referred to in Article 2 (1) of Regulation (EEC) No 866/90 and the aid applications referred to in Article 10a of that Regulation;

Whereas the single programming document meets the conditions of and contains the information required in Article 1 (3) of Commission Regulation (EC) No 860/94 of 18 April 1994 on plans and applications in the form of operational programmes for aid from the Guidance Section of the EAGGF for investments for improving the processing and marketing conditions for agricultural and forestry products⁽³⁾;

Whereas the single programming document was drawn up in agreement with the Member State concerned under the partnership as defined in Article 4 of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁴⁾, as amended by Regulation (EC) No 3193/94⁽⁵⁾;

Whereas the second indent of Article 2 of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrange-

ments for using the ecu for the purposes of the budgetary management of the Structural Funds⁽⁶⁾, as amended by Regulation (EC) No 2745/94⁽⁷⁾, provides that in Commission decisions approving single programming documents, the Community assistance decided upon for the entire period and the annual breakdown thereof are to be set out in ecus, at prices for the year in which the decision is taken, and are to be subject to indexation; whereas the annual breakdown must be compatible with the progressive increase in commitment appropriations as set out in Annex II to Regulation (EEC) No 2052/88 as amended; whereas the indexation is to be based on a single rate per year corresponding to the rates applied annually to the Community budget on the basis of the mechanisms for technical adjustment of the financial perspectives;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽⁸⁾, as last amended by Council Regulation (ECSC, EC, Euratom) No 2730/94⁽⁹⁾, provides that the legal commitments entered into for measures extending over more than one financial year are to contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas, during the implementation of the single programming document, the Member State will ensure that the individual projects included therein will conform with the selection criteria for investments for improving the processing and marketing conditions for agricultural products currently in force, in application of Article 8 (1) of Regulation (EEC) No 866/90;

Whereas in order to ensure clarity over the whole of the conditions governing the implementation of Regulation (EEC) No 866/90 in Germany this Member State will submit to the Commission, before 15 May 1995, a consolidated version of the single planning document showing the agreement reached by the partnership, as set out

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 302, 25. 11. 1994, p. 1.

⁽³⁾ OJ No L 99, 19. 4. 1994, p. 7.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽⁵⁾ OJ No L 337, 24. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 170, 3. 7. 1990, p. 36.

⁽⁷⁾ OJ No L 290, 11. 11. 1994, p. 4.

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 293, 12. 11. 1994, p. 7.

within the document annexed to the present Decision ⁽¹⁾; whereas this consolidated version must contain all the information required in accordance with Article 10a of Regulation (EEC) No 866/90 and Articles 8, 9, 10 and 14 of Regulation (EEC) No 4253/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 states that the Member States will supply the Commission with the appropriate financial information to permit it to verify that the principle of additionality has been respected; whereas analysis of the information supplied by the German authorities shows that this principle has been taken into account; whereas supplementary verification of the respect of the principle should be made on the basis of information to be supplied with the consolidated version of the single programming document; whereas, in addition, the verification that this principle continues to be respected will be pursued in the framework of partnership during the implementation of the single programming document; whereas these verifications are essential for the continuation of EAGGF aid to the measures concerned in the present Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural measures for improving the processing and marketing conditions for agricultural and forestry products in Hessen, covering the period 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The sectors included for joint action are:

- meat,
- fruit and vegetables,
- potatoes,
- other products (non-food),
- products falling into more than one category (organic products).

Article 3

The assistance from the EAGGF granted in respect of that single programming document shall amount to a maximum of ECU 20 980 000.

The methods of approval of the financial assistance, including the EAGGF contribution to the sectors adopted for joint action, are specified within the implementation provisions and the financial plans annexed to the present Decision ⁽²⁾.

Article 4

For the purposes of indexation, the annual breakdown of the planned maximum overall allocation for assistance from the EAGGF shall be as follows:

<i>ECU (1995 indexed prices)</i>	
1994	3 330 000
1995	3 980 000
1996	2 990 000
1997	3 280 000
1998	3 560 000
1999	3 840 000
Total	20 980 000

Article 5

The budget commitment for the first tranche shall be ECU 3 330 000.

The commitments for subsequent tranches shall be based on the financing plan for the single programming document and on progress made in implementation.

Article 6

The Community assistance shall relate only to expenditure connected with operations covered by this single programming document which have been the subject, in the Member State, of legally binding provisions and for which the necessary funds have been specifically committed by 31 December 1999 at the latest. The deadline for the entry in the accounts of expenditure on such measures shall expire on 31 December 2001.

Article 7

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 31 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ Annex not published in the Official Journal.

⁽²⁾ Annex not published in the Official Journal.

COMMISSION DECISION

of 31 May 1995

approving the single programming document for Community structural measures for improving the processing and marketing conditions for agricultural products in Bavaria (Federal Republic of Germany), in respect of Objective 5a, covering the period between 1994 and 1999

(Only the German text is authentic)

(95/200/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2843/94⁽²⁾, and in particular Article 10a thereof,

Whereas on 29 April 1994 the German Government submitted to the Commission the single programming document referred to in Article 10a of Regulation (EEC) No 866/90 for the *Land* of Bavaria, supplemented by additional information sent on 21 July, 16 August, 9 and 30 September, 10 and 15 November 1994 and 30 January 1995; whereas that document contains the plans designed to improve the structures relating to the various product sectors referred to in Article 2 (1) of Regulation (EEC) No 866/90 and the aid applications referred to in Article 10a of that Regulation;

Whereas the single programming document meets the conditions of and contains the information required in Article 1 (3) of Commission Regulation (EC) No 860/94 of 18 April 1994 on plans and applications in the form of operational programmes for aid from the Guidance Section of the EAGGF for investments for improving the processing and marketing conditions for agricultural and forestry products⁽³⁾;

Whereas the single programming document was drawn up in agreement with the Member State concerned under the partnership as defined in Article 4 of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁴⁾, as amended by Regulation (EC) No 3193/94⁽⁵⁾;

Whereas the second indent of Article 2 of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrange-

ments for using the ecu for the purposes of the budgetary management of the Structural Funds⁽⁶⁾, as amended by Regulation (EC) No 2745/94⁽⁷⁾, provides that in Commission decisions approving single programming documents, the Community assistance decided upon for the entire period and the annual breakdown thereof are to be set out in ecus, at prices for the year in which the decision is taken, and are to be subject to indexation; whereas the annual breakdown must be compatible with the progressive increase in commitment appropriations as set out in Annex II to Regulation (EEC) No 2052/88 as amended; whereas the indexation is to be based on a single rate per year corresponding to the rates applied annually to the Community budget on the basis of the mechanisms for technical adjustment of the financial perspectives;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽⁸⁾, as last amended by Council Regulation (ECSC, EC, Euratom) No 2730/94⁽⁹⁾, provides that the legal commitments entered into for measures extending over more than one financial year are to contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas, during the implementation of the single programming document, the Member State will ensure that the individual projects included therein will conform with the selection criteria for investments for improving the processing and marketing conditions for agricultural products currently in force, in application of Article 8 (1) of Regulation (EEC) No 866/90;

Whereas in order to ensure clarity over the whole of the conditions governing the implementation of Regulation (EEC) No 866/90 in Germany this Member State will submit to the Commission, before 15 May 1995, a consolidated version of the single planning document showing the agreement reached by the partnership, as set out

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 302, 25. 11. 1994, p. 1.

⁽³⁾ OJ No L 99, 19. 4. 1994, p. 7.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽⁵⁾ OJ No L 337, 24. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 170, 3. 7. 1990, p. 36.

⁽⁷⁾ OJ No L 290, 11. 11. 1994, p. 4.

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 293, 12. 11. 1994, p. 7.

within the document annexed to the present Decision ⁽¹⁾; whereas this consolidated version must contain all the information required in accordance with Article 10a of Regulation (EEC) No 866/90 and Articles 8, 9, 10 and 14 of Regulation (EEC) No 4253/88;

Whereas Article 9 (3) of Regulation (EEC) No 4253/88 states that the Member States will supply the Commission with the appropriate financial information to permit it to verify that the principle of additionality has been respected; whereas analysis of the information supplied by the German authorities shows that this principle has been taken into account; whereas supplementary verification of the respect of the principle should be made on the basis of information to be supplied with the consolidated version of the single programming document; whereas, in addition, the verification that this principle continues to be respected will be pursued in the framework of partnership during the implementation of the single programming document; whereas these verifications are essential for the continuation of EAGGF aid to the measures concerned in the present Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

The single programming document for Community structural measures for improving the processing and marketing conditions for agricultural and forestry products in Bavaria, covering the period 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The sectors included for joint action are:

- meat,
- milk and milk products,
- cereals,
- wines,
- fruit and vegetables,
- flowers and plants,
- seeds,
- potatoes,
- other products (non-food),
- products falling into more than one category (organic products).

Article 3

The assistance from the EAGGF granted in respect of that single programming document shall amount to a maximum of ECU 85 540 000.

The methods of approval of the financial assistance, including the EAGGF contribution to the sectors adopted for joint action, are specified within the implementation provisions and the financial plans annexed to the present Decision ⁽²⁾.

Article 4

For the purposes of indexation, the annual breakdown of the planned maximum overall allocation for assistance from the EAGGF shall be as follows:

<i>ECU (1995 indexed prices)</i>	
1994	13 560 000
1995	16 250 000
1996	12 180 000
1997	13 380 000
1998	14 540 000
1999	15 630 000
Total	85 540 000

Article 5

The budget commitment for the first tranche shall be ECU 13 560 000.

The commitments for subsequent tranches shall be based on the financing plan for the single programming document and on progress made in implementation.

Article 6

The Community assistance shall relate only to expenditure connected with operations covered by this single programming document which have been the subject, in the Member State, of legally binding provisions and for which the necessary funds have been specifically committed by 31 December 1999 at the latest. The deadline for the entry in the accounts of expenditure on such measures shall expire on 31 December 2001.

Article 7

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 31 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ Annex not published in the Official Journal.

⁽²⁾ Annex not published in the Official Journal.

CORRIGENDA

Corrigendum to Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of that Member States relating to recreational craft

(Official Journal of the European Communities No L 164 of 30 June 1994)

On page 26 in Annex IV, last paragraph :

for: 'The CE marking is followed by the identification number of the notified body, if it intervenes in the control of production, as well as by the last two figures of the year that the CE marking is affixed.'

read: 'The CE marking is followed by the identification number of the notified body if it intervenes in the control of production.'
