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Legislation

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(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1809/95
of 25 July 1995
establishing unit values for the determination of the customs value of certain
perishable goods

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 1762/95 ⁽³⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 25 July 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 171, 21. 7. 1995, p. 8.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	25,78 146,92 248,59	338,74 167,37 990,81	48,17 21,17 21,80	187,53 55 688,62	7 823,68 53,98	4 148,72 5 062,16
1.30	Onions (other than seed) 0703 10 19	a) b) c)	30,53 173,95 294,34	401,08 198,17 1 173,15	57,03 25,06 25,81	222,05 65 937,23	9 263,51 63,91	4 912,22 5 993,77
1.40	Garlic 0703 20 00	a) b) c)	83,09 473,44 801,09	1 091,60 539,36 3 192,91	155,22 68,22 70,25	604,33 179 457,90	25 212,00 173,95	13 369,34 16 312,93
1.50	Leeks ex 0703 90 00	a) b) c)	42,20 240,45 406,87	554,41 273,94 1 621,64	78,83 34,65 35,68	306,93 91 144,83	12 804,91 88,35	6 790,15 8 285,17
1.60	Cauliflowers ex 0704 10 10 ex 0704 10 90	a) b) c)	129,66 738,80 1 250,11	1 703,43 841,67 4 982,52	242,21 106,45 109,63	943,06 280 043,56	39 343,25 271,45	20 862,81 25 456,28
1.70	Brussels sprouts 0704 20 00	a) b) c)	53,71 306,04 517,84	705,63 348,65 2 063,95	100,33 44,10 45,41	390,65 116 004,47	16 297,44 112,45	8 642,15 10 544,94
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	33,87 192,99 326,55	444,97 219,86 1 301,54	63,27 27,81 28,64	246,35 73 153,44	10 277,31 70,91	5 449,82 6 649,73
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>) ex 0704 90 90	a) b) c)	79,26 451,62 764,18	1 041,29 514,51 3 045,77	148,06 65,07 67,01	576,48 171 188,13	24 050,18 165,94	12 753,25 15 561,20
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	81,30 463,24 783,85	1 068,10 527,75 3 124,16	151,87 66,75 68,74	591,32 175 594,18	24 669,18 170,21	13 081,50 15 961,71
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 90	a) b) c)	156,73 893,04 1 511,10	2 059,07 1 017,39 6 022,76	292,78 128,68 132,51	1 139,95 338 510,16	47 557,21 328,13	25 218,48 30 770,96
1.120	Endives ex 0705 29 00	a) b) c)	21,82 124,33 210,38	286,66 141,64 838,49	40,76 17,91 18,45	158,70 47 127,49	6 620,93 45,68	3 510,93 4 283,94
1.130	Carrots ex 0706 10 00	a) b) c)	28,30 161,23 272,82	371,75 183,68 1 087,37	52,86 23,23 23,92	205,81 61 115,85	8 586,15 59,24	4 553,04 5 555,50
1.140	Radishes ex 0706 90 90	a) b) c)	39,42 224,61 380,06	517,89 255,89 1 514,82	73,64 32,36 33,33	286,71 85 140,50	11 961,37 82,53	6 342,84 7 739,37
1.160	Peas (<i>Pisum sativum</i>) 0708 10 10 0708 10 90	a) b) c)	175,84 1 001,92 1 695,33	2 310,11 1 141,43 6 757,05	328,48 144,37 148,67	1 278,93 379 781,05	53 355,35 368,13	28 293,10 34 522,53

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
1.170	Beans :							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 10 ex 0708 20 90	a) b) c)	224,92 1 281,60 2 168,57	2 954,96 1 460,05 8 643,21	420,17 184,66 190,17	1 635,93 485 793,28	68 248,98 470,89	36 190,85 44 159,16
1.170.2	Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 10 ex 0708 20 90	a) b) c)	108,70 619,37 1 048,02	1 428,07 705,61 4 177,08	203,06 89,24 91,90	790,61 234 773,52	32 983,28 227,57	17 490,26 21 341,18
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 528,94 895,01	1 219,57 602,59 3 567,23	173,41 76,21 78,49	675,18 200 497,02	28 167,78 194,35	14 936,72 18 225,41
1.190	Globe artichokes 0709 10 10 0709 10 20 0709 10 30	a) b) c)	115,68 659,14 1 115,32	1 519,77 750,92 4 445,30	216,10 94,97 97,81	841,38 249 849,13	35 101,25 242,18	18 613,37 22 711,57
1.200	Asparagus :							
1.200.1	— green ex 0709 20 00	a) b) c)	571,77 3 257,95 5 512,71	7 511,79 3 711,59 21 971,89	1 068,11 469,43 483,43	4 158,70 1 234 933,77	173 495,55 1 197,05	92 000,66 112 256,88
1.200.2	— other ex 0709 20 00	a) b) c)	114,14 650,37 1 100,47	1 499,54 740,92 4 386,13	213,22 93,71 96,50	830,18 246 523,00	34 633,96 238,96	18 365,58 22 409,22
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	29,82 169,93 287,53	391,80 193,59 1 146,00	55,71 24,48 25,21	216,91 64 410,88	9 049,07 62,43	4 798,51 5 855,02
1.220	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>) ex 0709 40 00	a) b) c)	59,79 340,68 576,46	785,50 388,12 2 297,59	111,69 49,09 50,55	434,87 129 136,24	18 142,32 125,17	9 620,45 11 738,63
1.230	Chantarelles 0709 51 30	a) b) c)	326,73 1 861,71 3 150,17	4 292,52 2 120,94 12 555,56	610,36 268,25 276,25	2 376,44 705 687,52	99 141,87 684,04	52 572,63 64 147,80
1.240	Sweet peppers 0709 60 10	a) b) c)	84,96 484,13 819,18	1 116,24 551,54 3 264,98	158,72 69,76 71,84	617,97 183 508,88	25 781,12 177,88	13 671,13 16 681,17
1.250	Fennel 0709 90 50	a) b) c)	73,55 419,09 709,13	966,28 477,44 2 826,35	137,40 60,39 62,19	534,95 158 855,50	22 317,57 153,98	11 834,49 14 440,15
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	47,44 270,31 457,39	623,25 307,95 1 823,01	88,62 38,95 40,11	345,05 102 462,34	14 394,91 99,32	7 633,29 9 313,94
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	83,78 477,38 807,76	1 100,68 543,85 3 219,46	156,51 68,78 70,84	609,36 180 950,56	25 421,70 175,40	13 480,54 16 448,61
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	57,32 326,58 552,61	753,00 372,06 2 202,51	107,07 47,06 48,46	416,88 123 792,38	17 391,56 119,99	9 222,34 11 252,87

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.40	Avocados, fresh ex 0804 40 10 ex 0804 40 90	a) b) c)	124,34 708,46 1 198,78	1 633,49 807,11 4 777,94	232,27 102,08 105,13	904,34 268 545,05	37 727,83 260,31	20 006,19 24 411,05
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	135,88 774,23 1 310,06	1 785,13 882,04 5 221,48	253,83 111,56 114,88	988,29 293 474,46	41 230,16 284,47	21 863,39 26 677,16
2.60	Sweet oranges, fresh :							
2.60.1	— Sanguines and semi-sanguines 0805 10 01 0805 10 11 0805 10 21 0805 10 32 0805 10 42 0805 10 51	a) b) c)	27,46 156,49 264,80	360,83 178,29 1 055,41	51,31 22,55 23,22	199,76 59 319,73	8 333,81 57,50	4 419,23 5 392,23
2.60.2	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins 0805 10 05 0805 10 15 0805 10 25 0805 10 34 0805 10 44 0805 10 55	a) b) c)	49,22 280,48 474,60	646,70 319,54 1 891,59	91,96 40,41 41,62	358,03 106 316,98	14 936,45 103,06	7 920,45 9 664,33
2.60.3	— Others 0805 10 09 0805 10 19 0805 10 29 0805 10 36 0805 10 46 0805 10 59	a) b) c)	33,99 193,67 327,71	446,55 220,64 1 306,15	63,50 27,91 28,74	247,22 73 412,19	10 313,66 71,16	5 469,09 6 673,25
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh :							
2.70.1	— Clementines ex 0805 20 11 ex 0805 20 21	a) b) c)	72,74 414,49 701,36	955,69 472,21 2 795,39	135,89 59,72 61,50	529,09 157 115,32	22 073,09 152,30	11 704,85 14 281,96
2.70.2	— Monreales and Satsumas ex 0805 20 13 ex 0805 20 23	a) b) c)	49,38 281,36 476,09	648,73 320,54 1 897,54	92,24 40,54 41,75	359,15 106 651,33	14 983,42 103,38	7 945,36 9 694,73
2.70.3	— Mandarines and wilkings ex 0805 20 15 ex 0805 20 25	a) b) c)	82,37 469,34 794,16	1 082,15 534,69 3 165,28	153,87 67,63 69,64	599,10 177 905,20	24 993,86 172,45	13 253,66 16 171,78
2.70.4	— Tangerines and others ex 0805 20 17 ex 0805 20 19 ex 0805 20 27 ex 0805 20 29	a) b) c)	50,12 285,61 483,27	658,52 325,37 1 926,15	93,64 41,15 42,38	364,57 108 259,75	15 209,39 104,94	8 065,18 9 840,93
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	105,99 603,92 1 021,89	1 392,46 688,02 4 072,91	198,00 87,02 89,61	770,90 228 918,87	32 160,76 221,90	17 054,10 20 808,99

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.90	Grapefruit, fresh :							
2.90.1	— white	a)	47,63	625,73	88,97	346,42	14 452,08	7 663,60
	ex 0805 40 10	b)	271,39	309,17	39,10	102 869,25	99,71	9 350,93
	ex 0805 40 90	c)	459,21	1 830,25	40,27			
2.90.2	— pink	a)	55,93	734,74	104,47	406,77	16 969,91	8 998,75
	ex 0805 40 10	b)	318,67	363,04	45,92	120 791,08	117,09	10 980,05
	ex 0805 40 90	c)	539,21	2 149,11	47,29			
2.100	Table grapes	a)	139,63	1 834,46	260,84	1 015,60	42 369,46	22 467,54
	0806 10 21	b)	795,63	906,41	114,64	301 583,97	292,33	27 414,33
	0806 10 29	c)	1 346,26	5 365,77	118,06			
	0806 10 30							
	0806 10 61							
	0806 10 69							
2.110	Water melons	a)	13,43	176,48	25,09	97,70	4 076,03	2 161,42
	0807 10 10	b)	76,54	87,20	11,03	29 013,00	28,12	2 637,31
		c)	129,51	516,20	11,36			
2.120	Melons (other than water melons) :							
2.120.1	— Amarillo, Cuپر, Honey Dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	a)	70,61	927,65	131,90	513,57	21 425,41	11 361,40
	ex 0807 10 90	b)	402,33	458,35	57,97	152 505,16	147,83	13 862,89
		c)	680,78	2 713,37	59,70			
2.120.2	— other	a)	44,70	587,20	83,50	325,09	13 562,26	7 191,75
	ex 0807 10 90	b)	254,68	290,14	36,70	96 535,55	93,57	8 775,19
		c)	430,93	1 717,56	37,79			
2.140	Pears							
2.140.1	Pears — Nashi (<i>Pyrus pyrifolia</i>)	a)	—	—	—	—	—	—
	ex 0808 20 31	b)	—	—	—	—	—	—
	ex 0808 20 37	c)	—	—	—	—	—	—
	ex 0808 20 41							
2.140.2	Other	a)	—	—	—	—	—	—
	ex 0808 20 10	b)	—	—	—	—	—	—
	ex 0808 20 31	c)	—	—	—	—	—	—
	ex 0808 20 37							
	0808 20 41							
2.150	Apricots	a)	287,20	3 773,15	536,51	2 088,90	87 146,24	46 211,63
	0809 10 10	b)	1 636,46	1 864,32	235,80	620 303,18	601,27	56 386,26
	0809 10 50	c)	2 769,02	11 036,41	242,83			
2.160	Cherries	a)	—	—	—	—	—	—
	0809 20 11	b)	—	—	—	—	—	—
	0809 20 19	c)	—	—	—	—	—	—
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	—	—	—	—	—	—
	0809 30 19	b)	—	—	—	—	—	—
	0809 30 59	c)	—	—	—	—	—	—
2.180	Nectarines	a)	—	—	—	—	—	—
	ex 0809 30 11	b)	—	—	—	—	—	—
	ex 0809 30 51	c)	—	—	—	—	—	—

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.190	Plums 0809 40 10 0809 40 40	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.200	Strawberries 0810 10 10 0810 10 90	a) b) c)	353,04 2 011,63 3 403,85	4 638,19 2 291,74 13 566,64	659,51 289,85 298,50	2 567,81 762 515,24	107 125,58 739,12	56 806,21 69 313,50
2.205	Raspberries 0810 20 10	a) b) c)	760,25 4 331,87 7 329,87	9 987,91 4 935,05 29 214,50	1 420,20 624,17 642,78	5 529,53 1 642 006,01	230 685,03 1 591,63	122 326,91 149 260,21
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	194,02 1 105,52 1 870,63	2 548,98 1 259,46 7 455,72	362,44 159,29 164,04	1 411,17 419 050,22	58 872,26 406,19	31 218,59 38 092,14
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 90 10	a) b) c)	102,61 584,66 989,28	1 348,03 666,07 3 942,97	191,68 84,24 86,75	746,30 221 615,40	31 134,70 214,82	16 510,01 20 145,09
2.230	Pomegranates ex 0810 90 85	a) b) c)	87,74 499,94 845,94	1 152,70 569,55 3 371,64	163,90 72,04 74,18	638,16 189 503,48	26 623,30 183,69	14 117,72 17 226,08
2.240	Khakis (including Sharon fruit) ex 0810 90 85	a) b) c)	262,37 1 494,95 2 529,57	3 446,88 1 703,11 10 082,06	490,12 215,41 221,83	1 908,27 566 664,23	79 610,52 549,28	42 215,61 51 510,42
2.250	Lychees ex 0810 90 30	a) b) c)	461,75 2 631,02 4 451,90	6 066,30 2 997,37 17 743,84	862,58 379,10 390,40	3 358,44 997 295,45	140 109,80 966,70	74 296,97 90 655,29

COMMISSION REGULATION (EC) No 1810/95

of 26 July 1995

fixing the maximum export refund for white sugar for the 59th 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 1101/95⁽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 last amended by Regulation (EC) No 1333/95⁽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 59th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, 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 59th 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 42,850 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 amended Regulation (EEC) No 990/93 are observed.

Article 2

This Regulation shall enter into force on 27 July 1995.

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

Done at Brussels, 26 July 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 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 129, 14. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

COMMISSION REGULATION (EC) No 1811/95

of 26 July 1995

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 1101/95⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EC) No 2529/94⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾, as amended by Regulation (EC) No 1380/95⁽⁹⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁰⁾, as last amended by Regulation (EC) No 150/95⁽¹¹⁾, 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⁽¹²⁾, as last amended by Regulation (EC) No 1053/95⁽¹³⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

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, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 July 1995.

(1) OJ No L 177, 1. 7. 1981, p. 4.

(2) OJ No L 110, 17. 5. 1995, p. 1.

(3) OJ No L 143, 25. 6. 1968, p. 6.

(4) OJ No L 167, 26. 6. 1976, p. 13.

(5) OJ No L 89, 10. 4. 1968, p. 3.

(6) OJ No L 50, 4. 3. 1970, p. 1.

(7) OJ No L 269, 20. 10. 1994, p. 14.

(8) OJ No L 102, 28. 4. 1993, p. 14.

(9) OJ No L 138, 21. 6. 1995, p. 1.

(10) OJ No L 387, 31. 12. 1992, p. 1.

(11) OJ No L 22, 31. 1. 1995, p. 1.

(12) OJ No L 108, 1. 5. 1993, p. 106.

(13) OJ No L 107, 12. 5. 1995, p. 4.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 26 July 1995 fixing 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	35,74 ⁽¹⁾
1701 11 90 910	35,43 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,74 ⁽¹⁾
1701 12 90 910	35,43 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3885
	— ECU/100 kg —
1701 99 10 100	38,85
1701 99 10 910	38,52
1701 99 10 950	38,52
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3885

⁽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 amended Regulation (EEC) No 990/93 are observed.

COMMISSION REGULATION (EC) No 1812/95

of 26 July 1995

fixing the representative prices and the additional import duties for molasses 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 market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imprints of molasses in the sugar sector and amending Regulation (EEC) No 785/68⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

The representative prices and the additional duties applying to imprints of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 July 1995.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question in the event of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,41	—	0,00
1703 90 00 ⁽¹⁾	8,95	—	0,00

⁽¹⁾ For the standard quality as defined in Article 1 of Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1813/95

of 26 July 1995

relating to a standing invitation to tender to determine levies and/or refunds on exports of white 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 Articles 13 (2), 17 (5) and (15), 20 (3) and the second subparagraph of Article 39 thereof,

Whereas, in conformity with Article 20 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾, as last amended by Regulation (EC) No 1053/94⁽⁴⁾, the amounts of tenders submitted within the framework of an invitation to tender organized by virtue of a measure relating to the common agricultural policy will be expressed in ecus; whereas Article 3 (3) of Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licences in the sugar sector⁽⁵⁾, provides that the amounts of the successful tenders shall be expressed in ecus on the licences and other documents certifying those amounts; whereas the value of the ecu shall be determined in accordance with Articles 2 and 3 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as last amended by Regulation (EC) No 150/95⁽⁷⁾;

Whereas, in view of the situation on the Community and world sugar markets, a standing invitation to tender should be issued as soon as possible for the export of white sugar in respect of the 1995/96 marketing year which, having regard to possible fluctuations in world prices for sugar, must provide for the determination of export levies and/or export refunds;

Whereas, the general rules governing invitations to tender for the purpose of determining export refunds for sugar were established by Article 17 a of Regulation (EEC) No 1785/81;

Whereas, in view of the specific nature of the transactions involved, special detailed rules should be laid down in this Regulation, whilst those provided for in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed

rules for governing export refunds on sugar⁽⁸⁾, as last amended by Regulation (EC) No 2529/94⁽⁹⁾, should not apply; whereas, for the same reasons, appropriate provisions should be laid down with regard to export licences issued in connection with the standing invitation to tender and there should be a derogation from Commission Regulation (EC) No 1464/95; whereas, however, the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁰⁾, as last amended by Regulation (EC) No 1199/95⁽¹¹⁾, and those of Commission Regulation (EEC) No 120/89 of 19 January 1989 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹²⁾, as amended by Regulation (EEC) No 1431/93⁽¹³⁾, should remain applicable;

Whereas Article 13 (1) of Regulation (EEC) No 1068/93 provides that where agricultural conversion rates are fixed in advance, on application by the party concerned, on the terms referred to in the second subparagraph of Article 6 (1) of Regulation (EEC) No 3813/92, such application must be lodged at the same time as the submission of the tender as part of a tendering procedure; whereas, for reasons specific to the sugar market, when an operator intends to take up the option of an advance fixing of an agricultural conversion rate, his decision shall be made only when the application for the export certificate in question is lodged; whereas in practice he may only apply for advance fixing of the agricultural conversion rate in question after having been declared successful tenderer in respect of the levy or refund for the quantity of sugar indicated in his tender; whereas in the case of the present tendering procedure, a derogation must be made from the said provisions, leaving the tenderer the option of applying for advance fixing of the agricultural conversion rate at the time when the application for the export certificate in question is lodged;

Whereas Commission Regulation (EC) No 974/95 of 28 April 1995 on certain transitional measures required to implement the Uruguay Round Agricultural Agreement⁽¹⁴⁾ provides that the export licences for the sugar sector issued during the two months before 1 October 1995 shall be issued for quantities which correspond to

(1) OJ No L 177, 1. 7. 1981, p. 4.

(2) OJ No L 110, 17. 5. 1995, p. 1.

(3) OJ No L 108, 1. 5. 1993, p. 106.

(4) OJ No L 107, 12. 5. 1995, p. 4.

(5) OJ No L 144, 28. 6. 1995, p. 14.

(6) OJ No L 387, 31. 12. 1992, p. 1.

(7) OJ No L 22, 31. 1. 1995, p. 1.

(8) OJ No L 50, 4. 3. 1970, p. 1.

(9) OJ No L 269, 20. 10. 1994, p. 14.

(10) OJ No L 331, 2. 12. 1988, p. 1.

(11) OJ No L 119, 30. 5. 1995, p. 4.

(12) OJ No L 16, 20. 1. 1989, p. 19.

(13) OJ No L 140, 11. 6. 1993, p. 27.

(14) OJ No L 97, 29. 4. 1995, p. 66.

the quantities normally disposed of during those two months and which do not fall within the limits laid down by the Agricultural Agreement; whereas in so far as the sugar sector is concerned, a quantity of 667 500 tonnes of sugar is to be considered as corresponding to the quantities normally disposed of by way of licences issued with advance fixing of the refund during the course of the last three years in respect of the two months preceding the month of October; whereas provision should consequently be made for the licences for the said quantity, which will be committed first of all for export under this tender, to be considered as transitional licences;

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. A standing invitation to tender shall be issued in order to determine export levies and/or export refunds on white sugar. During the period of validity of this standing invitation, partial invitations to tender shall be issued.

2. The standing invitation to tender shall remain open until a date to be determined later.

Article 2

The standing invitation to tender and the partial invitation shall be conducted in accordance with Article 17 a of Regulation (EEC) No 1785/81 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. The Member States shall establish a notice of the invitation to tender. The notice of the invitation to tender shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published elsewhere.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified during that period.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

(a) shall begin on 27 July 1995;

(b) shall end on 3 August 1995 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

(a) shall begin on the first working day following the end of the preceding period;

(b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. Notwithstanding paragraph 2 (b), the period for the submission of tenders which was to end on:

— Wednesday 16 August 1995 shall end on Thursday 17 August 1995 at 10.30 a.m.,

— Wednesday 1 November 1995 shall end on Tuesday 31 October 1995 at 10.30 a.m.,

— Wednesday 3 January 1996 shall end on Thursday 4 January 1996 at 10.30 a.m.

4. Notwithstanding paragraph 2, no partial invitations to tender will be issued on Wednesday 27 December 1995 and Wednesday 3 April 1996.

5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex, telegram or fax message.

2. An offer must indicate:

(a) the reference number of the invitation to tender to which the offer relates;

(b) the name and address of the tenderer;

(c) the quantity of white sugar to be exported;

(d) the amount of the export levy or, where applicable, of the export refund, per 100 kilograms of white sugar, expressed in ecus with three decimal places;

(e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

(a) the quantity to be exported is not less than 250 tonnes of white sugar;

(b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;

(c) it includes a declaration by the tenderer that if this tender is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of white sugar to be exported ;

(d) it includes a declaration by the tenderer that if his tender is successful he will :

— where the obligation to export resulting from the export licence referred to in Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (4), and

— within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used ;

(e) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if :

(a) the minimum export levy or, where applicable, the maximum export refund is fixed on the day of the expiry of the period for the submission of the tenders in question ;

(b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the present invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of ECU 11 per 100 kilograms of white sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (4), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure* the security referred to in paragraph 1 will be released :

(a) to unsuccessful tenderers in respect of the quantity for which no award has been made ;

(b) to successful tenderers who have not applied for the relevant export licence within the period referred to in Article 12 (b), to the extent of ECU 10 per 100 kilograms of white sugar.

However, this part of the releasable security shall be reduced by the amount of representing the difference existing, as applicable :

— between the maximum amount of the export refund fixed for the partial invitation concerned and the maximum amount of the export refund fixed for the following partial invitation when the latter amount is higher than the former,

or

— between the minimum amount of the export levy fixed for the partial invitation concerned and the minimum amount of the export levy fixed for the following partial invitation when the latter amount is lower than the former ;

(c) to successful tenderers for the quantity for which they have fulfilled, within the meaning of Articles 29 (b) and 30 (1) (b) (i) of Regulation (EEC) No 3719/88, the export obligation resulting from the licence referred to under Article 12 (b) in accordance with the terms of Article 33 of that Regulation.

The part of the security or the security which is not released shall be forfeit in respect of the quantity of sugar for which the corresponding obligations have not been fulfilled.

4. In case of *force majeure*, the competent authority of the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. The persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenders remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for the partial invitation concerned.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either :

- a minimum export levy,
- or
- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender :

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy ; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,
- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent ; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows :

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or

— by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate at least :

- (a) the reference number of the invitation to which the tender relates ;
- (b) the quantity of white sugar to be exported ;
- (c) the amount expressed in ecus of the export levy to be charged, or where applicable of the export refund to be granted per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have :

- (a) the right to receive in the circumstances referred to under (b), in respect of the quantity awarded, an export licence indicating, as appropriate, the export levy or the export refund quoted in his tender ;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3719/88, an application for an export licence in respect of that quantity, the application not being revocable and Article 12 of Regulation (EEC) No 120/89 not applying in such a case. The application shall be lodged in accordance with the relevant provisions of Regulation (EEC) No 3719/88, not later than :
 - the last working day preceding the date of the partial invitation to tender to be held the following week,
 - or
 - if no partial invitation to tender is due to be held that week, the last working day of the following week ;
- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (4).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EC) No 1464/95 shall not apply to the white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However, export licences issued in respect of the partial invitations held from 1 May 1996 will be valid only until 30 September 1996.

3. The export licences issued in respect of the partial invitations held between 1 August and 30 September 1995 will be usable only from 15 October 1995.

4. Except in cases of *force majeure*, if the obligation to export resulting from the export licence referred to under Article 12 (b) has not been fulfilled and if the security referred to in Article 6 is less than :

(a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 20 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence ;

or

(b) the sum of the export levy indicated on the licence and the refund referred to in Article 17 a (2) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence ;

or

(c) the export refund referred to in Article 17 a (2) of Regulation (EEC) No 1785/81 in force on the last day of validity of the licence reduced by the refund indicated on the said licence,

then, for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the valuation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6 (1).

Article 14

If the tenderer intends to apply for advance fixing of agricultural conversion rate under this standing invitation to tender, the provisions of the second indent of Article 13 (1) of Regulation (EEC) No 1068/93 shall not apply.

Article 15

If the prices fixed in ecus pursuant to Regulation (EEC) No 1785/81 are amended during the interval between the day of expiry of the period for submission of tenders and

the day of export, the amounts of the export refunds and the export levies fixed under the terms of this invitation to tender before 1 July 1996, for the sugar exported from that date, shall be adjusted.

2. For the adjustment referred to in paragraph 1 :

(a) in the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1996 which is greater than that in force on 30 June 1996 the export refund and the export levy shall be adjusted by an amount equal to the difference expressed in ecus per 100 kilograms existing between the intervention price for white sugar applicable with effect from 1 July 1996 and the intervention price for that sugar in force on 30 June 1996 ;

(b) in the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1996 which is lower than that in force on 30 June 1996, the export refund and the export levy shall be adjusted by an amount equal to the difference expressed in ecus per 100 kilograms existing between the intervention price for white sugar in force on 30 June 1996 and the intervention price for that sugar applicable with effect from 1 July 1996.

3. For the calculation of the differences referred to in paragraph 2, the intervention prices in question shall be increased by the corresponding storage levy referred to in the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

4. For the purpose of applying this Article, the Member State issuing the relevant export licence shall at the time of issue complete section 'special particulars' by adding the following :

'to be adjusted in accordance with adjudication Regulation (EC) No 1813/95 for exports which take place after 30 June 1996.'

5. Upon presentation by the holder of the export licence concerned, or by the assignee when the licence has been transferred, to the Member State that issued it and before the customs formalities for the quantities concerned have been carried out, that Member State shall enter the refund rate after adjustment in the section 'special particulars' and shall duly certify and stamp that section.

6. Member States shall inform the Commission as quickly as possible of the quantities of sugar for which an adjustment under this Article has been made.

Article 16

When white sugar of CN code 1701 99 10 produced from beet or cane harvested in the Community or from raw sugar imported into the Community under preferential arrangements, is stocked in bulk under a customs warehousing or free zone procedure for advance payment of the refund as defined by Council Regulation (EEC) No 565/80 ⁽¹⁾, that sugar may, in addition to the operations referred to in Article 28 (4) of Commission Regulation (EEC) No 3665/87 ⁽²⁾, be mixed in the same place of storage with other white sugar of the same CN code 1701 99 10, having the same origin as indicated above, of the same commercial quality and possessing equivalent technical characteristics.

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

Done at Brussels, 26 July 1995.

Article 17

For the application of Regulation (EC) No 974/95, the applications for licences and the licences issued under this invitation to tender shall bear the endorsement 'transitional licences — Regulation (EC) No 974/95' for the first 667 500 tonnes committed for export between 1 August 1995 and 30 September 1995.

These provisions shall not be applicable to the licences showing a refund fixed in accordance with Article 17 a (2) of Regulation (EEC) No 1785/81.

Article 18

This Regulation shall enter into force on 27 July 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.

COMMISSION REGULATION (EC) No 1814/95
of 26 July 1995
on the issuing of import licences for bananas under the tariff quota for the third
quarter of 1995

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

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

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

Whereas Commission Regulation (EEC) No 1442/93 ⁽⁵⁾, as last amended by Regulation (EC) No 1164/95 ⁽⁶⁾, lays down detailed rules for the application of the arrangements for importing bananas into the Community; whereas Regulation (EC) No 478/95 lays down additional rules for the application of the tariff quota arrangements laid down in Articles 18 and 19 of Regulation (EEC) No 404/93 and amends Regulation (EEC) No 1442/93;

Whereas Article 2 of Commission Regulation (EC) No 1387/95 of 19 July 1995 on the issuing of import licences for bananas under the tariff quota for the third quarter of 1995 and on the submission of new applications ⁽⁷⁾ estab-

lishes the quantities available for new requests for third quarter 1995 tariff quota import licences; whereas Article 4 (3) of Regulation (EC) No 478/95 provides for the determination without delay of the quantities for which licences may be issued for products of the origin/s concerned;

Whereas the Management Committee for bananas has not delivered its opinion within the time limit laid down by the chairman,

HAS ADOPTED THIS REGULATION:

Article 1

In respect of the new applications provided for in Article 4 (1) of Regulation (EC) No 478/95, import licences shall be issued under the tariff quota for the import of bananas, provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, for the third quarter of 1995, for the quantity indicated in the new licence application.

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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁴⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁵⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁶⁾ OJ No L 117, 24. 5. 1995, p. 14.

⁽⁷⁾ OJ No L 134, 20. 6. 1995, p. 22.

COMMISSION REGULATION (EC) No 1815/95

of 26 July 1995

establishing the supply balance for the Canary Islands in the rice products sector, and laying down detailed rules for the adjustment of aid for products coming from the Community

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 Regulation (EC) No 3290/94⁽²⁾, and in particular Article 3 (4) thereof,

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

Whereas in order to apply Article 2 of Regulation (EEC) No 1601/92 the forecast supply balance for the Canary Islands should be established for rice sector products; whereas that balance must allow the total amount fixed to be revised during the budget year in response to the requirements of that region;

Whereas in order to apply Article 3 (2) of Regulation (EEC) No 1601/92, provision should be made for the adjustment of aid granted for the supply of rice sector products coming from the Community market in order to prevent, in particular before the harvest, the conclusion of supply contracts eligible for aid for the new marketing year, and in order to take account of the practices pertaining in the sector; whereas this adjustment must be made on the basis of the difference between the buying-in intervention prices valid in the month of the application for the aid certificate and in the month of drawing of the certificate respectively; whereas this adjustment mechanism must apply from 1 July 1995 because of the appli-

cation from that date of Council Regulation (EC) No 3290/94 to the rice sector;

Whereas the Management Committee for Cereals has not delivered its opinion within the time limit laid down by the chairman,

HAS ADOPTED THIS REGULATION:

Article 1

In application of Article 2 of Regulation (EEC) No 1601/92, the forecast balance quantities in the rice sector benefiting from the exemption from import duty on products coming from third countries or benefiting from Community aid shall be as set out in the Annex hereto.

Article 2

For the application of Article 3 (2) of Regulation (EEC) No 1601/92, the amount of aid shall be adjusted on the basis of the level of the monthly increases applicable to the intervention price and, where appropriate, on differences in that price for different stages of processing, using the applicable conversion rate.

Article 3

This Regulation shall enter into force on the 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, 26 July 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.

ANNEX

SUPPLY BALANCE FOR RICE FOR THE CANARY ISLANDS FOR THE 1995/96
MARKETING YEAR

		(in tonnes)
Product (CN code)		Canary Islands
Milled rice	1006 30	12 000
Broken rice	1006 40	2 000

COMMISSION REGULATION (EC) No 1816/95

of 26 July 1995

laying down certain provisions for the implementation of Council Regulation (EC) No 3036/94 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3036/94 of 8 December 1994 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries⁽¹⁾, and in particular Article 3 (8) thereof,

Whereas it is necessary to define the amounts reserved for the traditional beneficiaries referred to in the first subparagraph of Article 3 (4) of the said Regulation ;

Whereas it is necessary to fix the maximum amounts referred to in the fourth subparagraph of Article 3 (5) of the said Regulation, starting from 1 January 1995 with regard to the allocation of quantities against the maximum amounts which had been specified in Regulation (EC) No 3036/94 which entered into force on 1 January 1995 ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Economic Outward Processing Arrangements for Textiles,

Article 1

For the purposes of Article 3 (4) (1) of Regulation (EC) No 3036/94, a past beneficiary obtains for each category and third country, an amount equal to the whole quantity for which he has carried out outward processing operations. These operations carried out are those for which compensating products of a specific category and country have been reimported under the economic outward processing arrangements during the course of the year 1993 or 1994, the choice being left to the applicant.

Article 2

The maximum amounts referred to in the fourth subparagraph of Article 3 (5) of Regulation (EC) No 3036/94, correspond to the maximum amounts contained in the Annex.

Article 3

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

It is applicable as of 1 January 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 322, 15. 12. 1994, p. 1.

ANNEX

Maximum amounts referred to in Article 3 (5) (4) of Regulation (EC) No 3036/94

Category	Maximum amount
5, 6, 7, 8	30 000 pieces
14, 15, 16, 17, 21, 24, 26, 27, 29, 73, 74	20 000 pieces
4, 13, 31	80 000 pieces
12	100 000 pairs
18, 68, 76, 78, 83	5 tonnes
159, 161	2 tonnes

COMMISSION REGULATION (EC) No 1817/95

of 26 July 1995

amending Regulation (EC) No 1502/95 on rules of application (cereal sector import duties 1995/96 marketing year) for Council Regulation (EEC) No 1766/92

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 Commission Regulation (EC) No 1664/95⁽²⁾, and in particular Article 10 (4) thereof,

Whereas Article 4 of Commission Regulation (EC) No 1502/95⁽³⁾ on rules of application (cereal sector import duties 1995/96 marketing year) for Council Regulation (EEC) No 1766/92 provides that one of the components to be used in determining representative cif import prices is the representative exchange quotation on the market of the United States of America; whereas for durum wheat and barley (which is representative of 'other forage grains') the market in question, Mid-America Commodity Exchange is such that it is necessary to enable alternative quotations to be taken into account at times; whereas fob quotations in the United States should be used for this

purpose; whereas it is therefore necessary to amend Regulation (EC) No 1502/95;

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

Annex II to Regulation (EC) No 1502/95 is replaced by the provisions of the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 158, 8. 7. 1995, p. 13.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

ANNEX

ANNEX II

Quotation exchanges and reference varieties

Product	Common wheat			Durum wheat	Maize	Other feed grains
Standard quality	High	Medium	Low			
Reference variety (type/grade) for exchange quotation	Hard red spring No 2	Hard Red Winter No 2	Soft red Winter No 2	Hard amber Durum No 2	Yellow corn No 3	US barley No 2
Quotation exchange	Minneapolis Grain Exchange	Kansas City Board of Trade	Chicago Board of Trade	MidAmerica Commodity Exchange ⁽¹⁾	Chicago Board of Trade	MidAmerica Commodity Exchange ⁽¹⁾

⁽¹⁾ If no quotation is available which would allow the calculation of a representative cif import price, publicly available fob quotations in the United States of America shall be used.

COMMISSION REGULATION (EC) No 1818/95

of 26 July 1995

amending Regulation (EC) No 1573/95 on the detailed rules for the application
of Regulation (EEC) No 1418/76 with regard to import duties on 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 Council Regulation
(EC) No 1530/95 ⁽²⁾, and in particular Article 12 (2) and
(4) thereof,

Whereas Article 4 of Commission Regulation (EC) No
1573/95 ⁽³⁾ lays down that the import duties for certain
rice products must be fixed by the Commission every two
weeks on a Wednesday for application from the following
day;

Whereas, since the system provided for by Regulation
(EC) No 1573/95 applies from 1 July 1995, it is necessary
to provide that the first fixing of import duties should
cover the period between 1 July and the first Thursday of
that month; whereas Regulation (EC) No 1573/95 should
therefore be amended to that effect;

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

The first subparagraph of Article 4 (1) of Regulation (EC)
No 1573/95 is hereby replaced by the following:

'1. The import duties for the products referred to in
Article 3 shall be calculated every week but shall be
fixed by the Commission every two weeks on a
Wednesday and for the period up to the first Thursday
of July 1995 from 1 July of that year, in accordance
with the method provided for in Article 5 and shall
apply from the day following their fixing.'

Article 2

This Regulation shall enter into force on the 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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 5.

⁽³⁾ OJ No L 150, 1. 7. 1995, p. 53.

COMMISSION REGULATION (EC) No 1819/95

of 26 July 1995

**fixing for the 1995/96 marketing year the production aid for tinned pineapple
and the minimum price to be paid to pineapple producers**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 525/77 of 14 March 1977 establishing a system of production aid for tinned pineapple ⁽¹⁾, as last amended by Regulation (EEC) No 1699/85 ⁽²⁾, and in particular Article 8 thereof,

Whereas, under Article 4 of Regulation (EEC) No 525/77, the minimum price to be paid to producers is to be determined on the basis of the minimum price applicable during the preceding marketing year, and the trend of production costs in the fruit and vegetable sector;

Whereas Article 5 of the said Regulation lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis;

Whereas the Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

For the 1995/96 marketing year :

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 525/77 to be paid to producers for pineapples; and
- (b) the production aid referred to in Article 5 of the said Regulation for tinned pineapple;

shall be as set out in the Annex.

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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 46.

⁽²⁾ OJ No L 163, 22. 6. 1985, p. 12.

*ANNEX***Minimum price to be paid to the producers**

Product	ECU/100 kilograms net, ex producer
Pineapple intended for the manufacture of tinned pineapple	37,648

Production aid

Product	ECU/100 kilograms net
Tinned pineapple	165,646

COMMISSION REGULATION (EC) No 1820/95

of 26 July 1995

amending Regulation (EEC) No 2257/92 laying down detailed rules for implementation of the specific arrangements for supplying Madeira with certain vegetable oils and establishing a forecast balance, and amending Regulation (EC) No 2883/94 establishing a forecast balance for the supply to the Canary Islands of agricultural products covered by the specific measures provided for in Articles 2, 3, 4 and 5 of Council Regulation (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION :

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 10 thereof,

Article 1

Article 1 (1) of Regulation (EEC) No 2257/92 is replaced by the following :

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⁽³⁾, as last amended by Regulation (EC) No 3290/94, and in particular Article 3 (4) thereof,

'1. The quantities of the forecast supply balance for Madeira for the 1995/96 marketing year which qualify for exemption from customs duties on imports from third countries or which benefit from Community supply aid shall be as follows :

(tonnes)

CN code	Description of goods	Quantity
1507 to 1516 (excluding 1509 and 1510)	Vegetable oils (excluding olive oil)	3 000'

Whereas, pursuant to Article 2 of Regulation (EEC) No 1600/92, Commission Regulation (EEC) No 2257/92⁽⁴⁾, as last amended by Regulation (EC) No 2405/94⁽⁵⁾, establishes, for the 1994/95 marketing year, the forecast balance for certain vegetable oils and Madeira ; whereas as a result, the forecast supply balance for the 1995/96 marketing year should be established ;

Article 2

Whereas pursuant to Article 2 of Regulation (EEC) No 1601/92, Commission Regulation (EC) No 2883/94⁽⁶⁾, as last amended by Regulation (EC) No 1688/95⁽⁷⁾, establishes, for the 1994/95 marketing year, the forecast supply balance for certain vegetable oils for the Canary Islands ; whereas, as a result, the forecast supply balance for the 1995/96 marketing year should be established ;

Annex VIII to Regulation (EC) No 2883/94 hereby replaced by the Annex hereto.

Article 3

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

It shall apply with effect from 1 July 1995.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

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

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ No L 219, 4. 8. 1992, p. 44.

⁽⁵⁾ OJ No L 257, 5. 10. 1994, p. 6.

⁽⁶⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁷⁾ OJ No L 161, 12. 7. 1995, p. 13.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX**ANNEX VIII***Vegetable oils (excluding olive oil)***(in tonnes)*

CN code	Designation of goods	Quantity
1507 to 1516 (excluding 1509 and 1510)	Vegetable oils (except olive oil)	35 000 ⁽¹⁾

⁽¹⁾ Of which 24 500 tonnes are for the processing and/or packaging sector

COMMISSION REGULATION (EC) No 1821/95**of 26 July 1995****setting the intervention threshold for apples for the 1995/96 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1121/89 of 27 April 1989 on the introduction of an intervention threshold for apples and cauliflowers⁽¹⁾, as last amended by Regulation (EC) No 1327/95⁽²⁾, and in particular Article 3 thereof,

Whereas Article 1 of Regulation (EEC) No 1121/89 specifies how the intervention threshold is to be determined; whereas it is for the Commission to set the intervention threshold by the percentages given in paragraph 1 of that Article to average production for fresh consumption in

the last five marketing years for which figures are available;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention threshold for apples for the 1995/96 marketing year shall be 281 700 tonnes.

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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 29. 4. 1989, p. 21.

⁽²⁾ OJ No L 128, 13. 6. 1995, p. 8.

COMMISSION REGULATION (EC) No 1822/95

of 26 July 1995

on the sale at a price fixed in advance of unprocessed dried figs from the 1994
harvest to distillation industries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) no 1206/90 of 7 May 1990 laying down general rules for the system of production aid for processed fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 2202/90⁽²⁾, and in particular Article 6 (2) thereof,

Having regard to Commission Regulation (EEC) No 1707/85 of 21 June 1985 on the sale of unprocessed dried figs by storage agencies for the manufacture of alcohol⁽³⁾, and in particular Article 5 thereof,

Whereas Article 6 (2) of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies⁽⁴⁾, as last amended by Regulation (EC) No 1363/95⁽⁵⁾, provides that products intended for specific uses shall be sold at prices fixed in advance or determined by an invitation to tender;

Whereas the aforementioned Regulation (EEC) No 1707/85 provides that unprocessed dried figs may be sold at a price fixed in advance to distillation industries;

Whereas the Greek storage agency is holding roughly 1 034 tonnes of unprocessed dried figs from the 1994 harvest; whereas the products should be offered to the distillation industries;

Whereas the selling price should be fixed in such a way that disturbance of the Community market in alcohol and spirituous beverages is avoided;

Whereas the amount of the processing security provided for in Article 2 (2) of Regulation (EEC) No 1707/85

should be fixed, taking into consideration the difference between the normal market price for dried figs and the selling price fixed by this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agency shall undertake the sale of unprocessed dried figs from the 1994 harvest to the distillation industries in accordance with the provisions of Regulation (EEC) No 626/85 and (EEC) No 1707/85 at a price fixed at ECU 4 per 100 kilograms net.
2. The processing security referred to in Article 2 (2) of Regulation (EEC) No 1707/85 is fixed at ECU 15 per 100 kilograms net.

Article 2

1. Purchase applications shall be submitted to the Greek storage agency Sykiki, at the head office of IDAGEP, Acharnon Street 241, Athens, Greece, for products held by that agency.
2. Information on the quantities and places where the products are stored may be obtained from the Greek storage agency Sykiki, Kritis Street 13, Kalamata, Greece.

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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽³⁾ OJ No L 163, 22. 6. 1985, p. 38.

⁽⁴⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁵⁾ OJ No L 132, 16. 6. 1995, p. 8.

COMMISSION REGULATION (EC) No 1823/95

of 26 July 1995

determining the extent to which applications lodged in July 1995 for import licences under the regime provided for by a tariff quota for certain products falling within CN codes ex 0203 19 55 and ex 0203 29 55 in the pigmeat sector for the period from 1 July 1995 to 30 June 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1486/95 of 28 June 1995 opening and providing for the administration of a tariff quota for certain products falling within CN codes ex 0203 19 55 and ex 0203 29 55 in the pigmeat sector for the period from 1 July 1995 to 30 June 1996⁽¹⁾,

Whereas the applications for import licences lodged for the third quarter of 1995 are greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

Article 1

1. Applications for import licences for the period 1 July to 30 September 1995 submitted under Regulation (EC) No 1486/95 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1995 applications may be lodged pursuant to Regulation (EC) No 1486/95 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 27 July 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 58.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1995
G2	97,6
G3	21,6

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 October to 31 December 1995
G2	1 416
G3	208

COMMISSION REGULATION (EC) No 1824/95

of 26 July 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 Commission Regulation (EC) No 1664/95 ⁽²⁾, 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 1728/95 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1728/95 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 70 000 tonnes of soft wheat flour and 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 ⁽⁴⁾, as last amended by Regulation (EC) No 1043/95 ⁽⁵⁾, 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 ⁽⁶⁾, as last amended by Regulation (EC) No 150/95 ⁽⁷⁾, 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 ⁽⁸⁾, as last amended by Regulation (EC) No 1053/95 ⁽⁹⁾,

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 1728/95 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 27 July 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 158, 8. 7. 1995, p. 13.

⁽³⁾ OJ No L 163, 14. 7. 1995, p. 30.

⁽⁴⁾ OJ No L 114, 20. 5. 1995, p. 24.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 106, 11. 5. 1995, p. 8.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 26 July 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	—	—	1101 00 11 000	—	—
0712 90 19 000	—	—	1101 00 15 100	01	0 (*)
1001 10 00 200	—	—	1101 00 15 130	01	0 (*)
1001 10 00 400	—	—	1101 00 15 150	—	—
1001 90 91 000	—	—	1101 00 15 170	—	—
1001 90 99 000	—	—	1101 00 15 180	—	—
1002 00 00 000	—	—	1101 00 15 190	—	—
1003 00 10 000	—	—	1101 00 90 000	—	—
1003 00 90 000	—	—	1102 10 00 500	01	13,50 (*)
1004 00 00 200	—	—	1102 10 00 700	—	—
1004 00 00 400	—	—	1102 10 00 900	—	—
1005 10 90 000	—	—	1103 11 10 200	—	— (*)
1005 90 00 000	—	—	1103 11 10 400	—	— (*)
1007 00 90 000	—	—	1103 11 10 900	—	—
1008 20 00 000	—	—	1103 11 90 200	—	— (*)
			1103 11 90 800	—	—

(1) The destinations are identified as follows:

01 All third countries.

(2) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended 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 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 70 000 tonnes of common wheat flour destined for third countries.

(*) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 50 000 tonnes of rye flour destined for third countries.

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

COMMISSION REGULATION (EC) No 1825/95

of 26 July 1995

on the opening of a standing invitation to tender for 50 000 tonnes of rye held by the German intervention agency for processing in Spain

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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 1664/95⁽²⁾, and in particular Article 5 thereof,

Whereas the drought affecting Spain in recent months has resulted in a shortage of fodder, which may induce stockfarmers to sell their livestock early, thereby adversely affecting their incomes;

Whereas that shortage may be made good by making 50 000 tonnes of rye available to Spanish stockfarmers; whereas, for its part, the Spanish intervention agency does not have fodder grain available; whereas such Community grain is available at the German intervention agency;

Whereas, given the current market situation, a standing invitation to tender should be opened for 50 000 tonnes of rye held by the German intervention agency for compulsory dispatch to Spain;

Whereas the aim of the measures can only be achieved if the minimum price laid down under the invitation to tender takes account of the forwarding costs between Germany and Spain but does not disturb the Spanish domestic market; whereas, under these circumstances, the most appropriate procedure is that followed for exports of cereals to third countries; whereas a special system, combining certain rules on resale on the internal market and those on exports, should therefore be laid down;

Whereas, as regards proof of processing in Spain, Commission Regulation (EEC) No 3002/92 of 16 October 1992 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽³⁾, as last amended by Regulation (EEC) No 1938/93⁽⁴⁾, should apply;

Whereas, in view of the early harvest in Spain and if the provisions of this Regulation are to produce an effect, the measures adopted must be applied as soon as possible;

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,

Article 1

1. Notwithstanding Commission Regulation (EEC) No 2131/93 laying down the procedure and conditions for the sale of cereals held by intervention agencies⁽⁵⁾, the German intervention agency shall organize a standing invitation to tender under the conditions laid down hereunder for 50 000 tonnes of rye it holds with a view to processing in Spain.

2. The regions where the 50 000 tonnes of rye are stored are set out in Annex I.

Article 2

1. In the notice of invitation to tender provided for in Article 5, the intervention agency shall specify for each lot the port or place of exit which may be accessed at the lowest transport costs and which has adequate technical facilities for dispatching the cereals put up for tender.

2. The lowest transport costs between the place of storage and the place of loading at the port or place of exit referred to in paragraph 1 shall be reimbursed to the successful tenderer by the intervention agency in respect of the quantities delivered.

Article 3

Tenders shall be deemed to relate to cereals delivered to, but not unloaded at, the ports or places of exit referred to in Article 2.

Article 4

When each closing date for the submission of tenders has expired, the Member State concerned shall forward to the Commission a list of tenders, without names, showing in each case in particular the quantity, the price and the price increases or reductions applying thereto. In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall fix the minimum selling price or shall decide to take no action in respect of tenders received.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 158, 8. 7. 1995, p. 13.

⁽³⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁴⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽⁵⁾ OJ No L 191, 31. 7. 1993, p. 76.

The minimum selling price shall be set at a level which does not disturb the Spanish market.

Article 5

At least five days before the first closing date for the submission of tenders, the German intervention agency shall publish a notice of invitation to tender setting out:

- supplementary terms and conditions of sale in accordance with this Regulation,
- the main physical and technical characteristics of the various lots as ascertained at the time of buying-in by the intervention agency or during checks conducted thereafter,
- the places of storage and the names and addresses of the storers.

The notice and any amendments thereto shall be forwarded to the Commission before the first closing date for the submission of tenders.

The German intervention agency shall take all measures necessary to enable interested parties to assess the quality of the cereals put up for sale before submitting their tenders.

Article 6

1. Tenders shall refer to the standard quality defined in Council Regulation (EEC) No 2731/75 fixing standard qualities for common wheat, rye, barley, maize and durum wheat⁽¹⁾.

Where the quality of the cereals does not comply with the standard quality, the price of the tender accepted shall be adjusted by applying price increases or reductions pursuant to Articles 4 and 5 of Regulation (EEC) No 1766/92.

2. Tenders submitted may not be adjusted or withdrawn.

Tenders shall only be valid if they are accompanied by:

- proof that the tenderer has lodged a security of ECU 10 per tonne,
- proof that a contract of sale for delivery in Spain has been concluded, subject to award to the contract,
- a written undertaking by the tenderer that the cereals covered by the award will be processed in Spain by 31 October 1995 at the latest.

Article 7

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall expire at 9 a.m. (Brussels time) on 3 August 1995.

2. The time limit for the submission of tenders in response to subsequent partial invitations to tender shall expire at 9 a.m. (Brussels time) each Thursday.

3. The closing date for the last partial invitation to tender shall expire at 9 a.m. (Brussels time) on 31 August 1995.

4. Tenders must be submitted to the German intervention agency at the following address:

Bundesanstalt für Landwirtschaft und Ernährung (BLE),
Adickesallee 40,
D-60322 Frankfurt/Main,
(Telex: 4-11475, 4-16044).

Article 8

Not later than two hours after the expiry of the time limit for the submission of tenders, the German intervention agency shall notify the Commission of tenders received. Such notifications shall be sent to the telex or telefax numbers set out in Annex III, using the model set out in Annex II.

Article 9

The intervention agency shall immediately inform all tenderers of the outcome of their tenders. Within three working days of such notification, it shall forward statements of award to the successful tenderers by registered letter or written telecommunication.

Article 10

Successful tenderers shall pay for the cereals before they are removed and at the latest within one month of the date of forwarding of the statements referred to in Article 9. They shall bear all risks and storage costs in respect of cereals not removed within the term of payment.

Cereals covered by contracts awarded and not removed within the term of payment shall be deemed to all effects to have been removed on expiry of that term. In such cases, the tender price shall be adjusted by reference to the quality specifications laid down in the notice of invitation to tender.

Where the successful tenderer has not paid for the cereals within the term laid down in the first paragraph, the contract shall be cancelled by the intervention agency in respect of the quantities not paid for.

Article 11

Securities as referred to in Article 6 (2) shall be released where they cover quantities in respect of which:

- the tender has not been accepted,
- the selling price is paid within the term laid down and a security covering the difference between the price accepted and the intervention price applying on the closing date for the submission of tenders, plus ECU 30/tonne, has been lodged.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 22.

Article 12

1. Securities as referred to in the second indent of Article 11 shall be released where they cover quantities in respect of which the tenderers provide proof that the product:

- has been processed in Spain by 31 October 1995 at the latest, except in cases of *force majeure*, or
- is no longer fit for human or animal consumption.

2. Proof that the cereals covered by this Regulation have been processed in Spain shall be furnished in accordance with Regulation (EEC) No 3002/92.

However, processing shall be deemed to have taken place once the rye has been delivered to a store in Spain.

Article 13

In addition to the endorsements provided for in Regulation (EEC) No 3002/92, box 104 of the T5 control copy must bear one or more of the following:

- Destinos a la transformación [Reglamento (CE) nº 1825/95],
- Til forarbejdning (forordning (EF) nr. 1825/95),
- Zur Verarbeitung bestimmt (Verordnung (EG) Nr. 1825/95),
- Προορίζονται για μεταποίηση [Κανονισμός (ΕΚ) αριθ. 1825/95],
- For processing (Regulation (EC) No 1825/95),
- Destinées à la transformation [règlement (CE) nº 1825/95],
- Destinate alla trasformazione [regolamento (CE) n. 1825/95],
- Bestemd om te worden verwerkt (Verordening (EG) nr. 1825/95),
- Para transformação [Regulamento (CE) nº 1825/95],
- Tarkoitettu jalostukseen [Asetus (EY) N:o 1825/95],
- För bearbetning (förfordning (EG) nr 1825/95).

Article 14

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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	14 067
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	4 842
Berlin/Brandenburg/Mecklenburg- Vorpommern	21 837
Sachsen/Sachsen-Anhalt/Thüringen	9 268

ANNEX II

Standing invitation for the resale of 50 000 tonnes of rye held by the German intervention agency for dispatch to Spain

(Regulation (EC) No 1825/95)

1	2	3	4	5	6
Number of tenderer	Number of lot	Quantity (tonnes)	Tender price (ECU/tonne)	Price increase (+) or reduction (-) (ECU/tonne) (p. m.)	Commercial costs (ECU/tonne)
1					
2					
3					
etc.					

ANNEX III

Only the following numbers in Brussels should be used (DG VI. (C.1) Attention : Messrs Thibault and Brus) :

- telex : — 22037 AGREC B,
 — 22070 AGREC B (Greek alphabet);
- telefax : — 295 01 32,
 — 296 10 97,
 — 295 25 15.

COMMISSION REGULATION (EC) No 1826/95

of 26 July 1995

on the opening of a standing invitation to tender for 200 000 tonnes of barley
held by the German intervention agency for processing in Spain

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 Commission Regulation (EC) No 1664/95⁽²⁾, and in particular Article 5 thereof,

Whereas the drought affecting Spain in recent months has resulted in a shortage of fodder, which may induce stockfarmers to sell their livestock early, thereby adversely affecting their incomes;

Whereas that shortage may be made good by making 200 000 tonnes of barley available to Spanish stockfarmers; whereas, for its part, the Spanish intervention agency does not have fodder grain available; whereas such Community grain is available at the German intervention agency;

Whereas, given the current market situation, a standing invitation to tender should be opened for 200 000 tonnes of barley held by the German intervention agency for compulsory dispatch to Spain;

Whereas the aim of the measures can only be achieved if the minimum price laid down under the invitation to tender takes account of the forwarding costs between Germany and Spain but does not disturb the Spanish domestic market; whereas, under these circumstances, the most appropriate procedure is that followed for exports of cereals to third countries; whereas a special system, combining certain rules on resale on the internal market and those on exports, should therefore be laid down;

Whereas, as regards proof of processing in Spain, Commission Regulation (EEC) No 3002/92 of 16 October 1992 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽³⁾, as last amended by Regulation (EEC) No 1938/93⁽⁴⁾, should apply;

Whereas, in view of the early harvest in Spain and if the provisions of this Regulation are to produce an effect, the measures adopted must be applied as soon as possible;

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

1. Notwithstanding Commission Regulation (EEC) No 2131/93 laying down the procedure and conditions for the sale of cereals held by intervention agencies⁽⁵⁾, the German intervention agency shall organize a standing invitation to tender under the conditions laid down hereunder for 200 000 tonnes of barley it holds with a view to processing in Spain.

2. The regions where the 200 000 tonnes of barley are stored are set out in Annex I.

Article 2

1. In the notice of invitation to tender provided for in Article 5, the intervention agency shall specify for each lot the port or place of exit which may be accessed at the lowest transport costs and which has adequate technical facilities for dispatching the cereals put up for tender.

2. The lowest transport costs between the place of storage and the place of loading at the port or place of exit referred to in paragraph 1 shall be reimbursed to the successful tenderer by the intervention agency in respect of the quantities delivered.

Article 3

Tenders shall be deemed to relate to cereals delivered to, but not unloaded at, the ports or places of exit referred to in Article 2.

Article 4

When each closing date for the submission of tenders has expired, the Member State concerned shall forward to the Commission a list of tenders, without names, showing in each case in particular the quantity, the price and the price increases or reductions applying thereto. In accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, the Commission shall fix the minimum selling price or shall decide to take no action in respect of tenders received.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 158, 8. 7. 1995, p. 13.

⁽³⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁴⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽⁵⁾ OJ No L 191, 31. 7. 1993, p. 76.

The minimum selling price shall be set at a level which does not disturb the Spanish market.

Article 5

At least five days before the first closing date for the submission of tenders, the German intervention agency shall publish a notice of invitation to tender setting out:

- supplementary terms and conditions of sale in accordance with this Regulation,
- the main physical and technical characteristics of the various lots as ascertained at the time of buying-in by the intervention agency or during checks conducted thereafter,
- the places of storage and the names and addresses of the storers.

The notice and any amendments thereto shall be forwarded to the Commission before the first closing date for the submission of tenders.

The German intervention agency shall take all measures necessary to enable interested parties to assess the quality of the cereals put up for sale before submitting their tenders.

Article 6

1. Tenders shall refer to the standard quality defined in Council Regulation (EEC) No 2731/75 fixing standard qualities for common wheat, rye, barley, maize and durum wheat⁽¹⁾.

Where the quality of the cereals does not comply with the standard quality, the price of the tender accepted shall be adjusted by applying price increases or reductions pursuant to Articles 4 and 5 of Regulation (EEC) No 1766/92.

2. Tenders submitted may not be adjusted or withdrawn.

Tenders shall only be valid if they are accompanied by:

- proof that the tenderer has lodged a security of ECU 10 per tonne,
- proof that a contract of sale for delivery in Spain has been concluded, subject to award to the contract,
- a written undertaking by the tenderer that the cereals covered by the award will be processed in Spain by 31 October 1995 at the latest.

Article 7

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall expire at 9 a.m. (Brussels time) on 3 August 1995.

2. The time limit for the submission of tenders in response to subsequent partial invitations to tender shall expire at 9 a.m. (Brussels time) each Thursday.

3. The closing date for the last partial invitation to tender shall expire at 9 a.m. (Brussels time) on 31 August 1995.

4. Tenders must be submitted to the German intervention agency at the following address:

Bundesanstalt für Landwirtschaft und Ernährung (BLE),
Adickesallee 40,
D-60322 Frankfurt/Main,
(Telex: 4-11475, 4-16044).

Article 8

Not later than two hours after the expiry of the time limit for the submission of tenders, the German intervention agency shall notify the Commission of tenders received. Such notifications shall be sent to the telex or telefax numbers set out in Annex III, using the model set out in Annex II.

Article 9

The intervention agency shall immediately inform all tenderers of the outcome of their tenders. Within three working days of such notification, it shall forward statements of award to the successful tenderers by registered letter or written telecommunication.

Article 10

Successful tenderers shall pay for the cereals before they are removed and at the latest within one month of the date of forwarding of the statements referred to in Article 9. They shall bear all risks and storage costs in respect of cereals not removed within the term of payment.

Cereals covered by contracts awarded and not removed within the term of payment shall be deemed to all effects to have been removed on expiry of that term. In such cases, the tender price shall be adjusted by reference to the quality specifications laid down in the notice of invitation to tender.

Where the successful tenderer has not paid for the cereals within the term laid down in the first paragraph, the contract shall be cancelled by the intervention agency in respect of the quantities not paid for.

Article 11

Securities as referred to in Article 6 (2) shall be released where they cover quantities in respect of which:

- the tender has not been accepted,
- the selling price is paid within the term laid down and a security covering the difference between the price accepted and the intervention price applying on the closing date for the submission of tenders, plus ECU 30/tonne, has been lodged.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 22.

Article 12

1. Securities as referred to in the second indent of Article 11 shall be released where they cover quantities in respect of which the tenderers provide proof that the product:

- has been processed in Spain by 31 October 1995 at the latest, except in cases of *force majeure*, or
- is no longer fit for human or animal consumption.

2. Proof that the cereals covered by this Regulation have been processed in Spain shall be furnished in accordance with Regulation (EEC) No 3002/92.

However, processing shall be deemed to have taken place once the rye has been delivered to a store in Spain.

Article 13

In addition to the endorsements provided for in Regulation (EEC) No 3002/92, box 104 of the T5 control copy must bear one or more of the following:

- Destinados a la transformación [Reglamento (CE) n° 1826/95],
- Til forarbejdning (forordning (EF) nr. 1826/95),
- Zur Verarbeitung bestimmt (Verordnung (EG) Nr. 1826/95),
- Προορίζονται για μεταποίηση [Κανονισμός (ΕΚ) αριθ. 1826/95],
- For processing (Regulation (EC) No 1826/95),
- Destinées à la transformation [règlement (CE) n° 1826/95],
- Destinate alla trasformazione [regolamento (CE) n. 1826/95],
- Bestemd om te worden verwerkt (Verordening (EG) nr. 1826/95),
- Para transformação [Regulamento (CE) n° 1826/95],
- Tarkoitettu jalostukseen [Asetus (EY) N:o 1826/95],
- För bearbetning (förordning (EG) nr 1826/95).

Article 14

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, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	45 351
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	3 673
Berlin/Brandenburg/Mecklenburg- Vorpommern	95 921
Sachsen/Sachsen-Anhalt/Thüringen	55 060

ANNEX II

Standing invitation for the resale of 200 000 tonnes of barley held by the German intervention agency for dispatch to Spain

(Regulation (EC) No 1826/95)

1	2	3	4	5	6
Number of tenderer	Number of lot	Quantity (tonnes)	Tender price (ECU/tonne)	Price increase (+) or reduction (-) (ECU/tonne) (p. m.)	Commercial costs (ECU/tonne)
1					
2					
3					
etc.					

ANNEX III

Only the following numbers in Brussels should be used (DG VI. (C.1) Attention : Messrs Thibault and Brus) :

- telex : — 22037 AGREC B,
 — 22070 AGREC B (Greek alphabet);
- telefax : — 295 01 32,
 — 296 10 97,
 — 295 25 15.

COMMISSION REGULATION (EC) No 1827/95

of 26 July 1995

fixing the price difference for white sugar applicable for the calculation of the
levy in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1544/95 ⁽²⁾, and in particular Article 55 (3) thereof,

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 ⁽³⁾, and in particular Article 3 (1) thereof,

Whereas Article 55 of Regulation (EEC) No 822/87 provides for an import levy on added sugar content for products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99; whereas that levy is calculated in particular on the basis of the difference, determined by the Commission, between the threshold price for white sugar and the average cif price for that product;

Whereas threshold prices for white sugar are being discontinued with effect from 1 July 1995 for the purposes of implementing the agricultural agreement included during the Uruguay Round; whereas, however, it is necessary, pending the application of the entry price system for grape juice and grape must on 10 September 1995, to continue to calculate the levy for the products concerned on the basis of the criteria provided for in Article 55 (2);

Whereas a standard amount replacing the threshold price for white sugar and equal to the threshold price applicable on 30 June 1995 must therefore be fixed on a provisional basis for the period up to 31 August 1995 and the difference referred to in the abovementioned Article 55 (2) must be calculated on that basis;

Whereas, in order to avoid any interruption in the system and any speculation, the standard amount must be made applicable from 1 July 1995;

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

HAS ADOPTED THIS REGULATION:

Article 1

The difference referred to in Article 55 (2) of Regulation (EEC) No 822/87 shall be fixed at ECU 0,4876.

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 until 31 August 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

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

COMMISSION REGULATION (EC) No 1828/95

of 26 July 1995

amending Regulation (EEC) No 3461/85 on the organization of campaigns to promote the consumption of grape juice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1544/95 ⁽²⁾, and in particular Article 45 (4) thereof,

Whereas Commission Regulation (EEC) No 3461/85 ⁽³⁾, as last amended by Regulation (EEC) No 1977/93 ⁽⁴⁾, lays down rules for the organization of campaigns to promote the consumption of grape juice;

Whereas Article 1 of Regulation (EEC) No 3461/85 provides that the campaigns to promote the consumption of grape juice may be implemented only up to the 1993/94 wine year; whereas it is therefore necessary to amend it, given that Article 46 (4) of Regulation (EEC) No 822/87 extends the implementation of such campaigns up to 1995/96;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3461/85 is amended as follows:

Article 1 (1) is replaced by the following:

'1. The campaigns to promote the consumption of Community grape juice provided for, up to the 1995/96 wine year, by Article 46 (4) of Regulation (EEC) No 822/87 shall be organized in those Member States in which:

- the prospects of increasing the disposal of grape juice are the most favourable,
- the existing marketing conditions allow swift adjustment of supply to the expansion of demand engendered by the campaigns.'

Article 2

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

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

⁽³⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁴⁾ OJ No L 180, 23. 7. 1993, p. 33.

COMMISSION REGULATION (EC) No 1829/95

of 26 July 1995

determining the Member States in which the campaigns to promote the consumption of grape juice are to be carried out during the 1994/95 wine year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1544/95 ⁽²⁾, and in particular Article 46 (5) and Article 81 thereof,

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

Whereas Article 1 (2) of Commission Regulation (EEC) No 3461/82 of 9 December 1985 on the organization of campaigns to promote the consumption of grape juice ⁽⁵⁾, as last amended by Regulation (EC) No 1828/95 ⁽⁶⁾, provides that the Member States in which the campaigns to promote the consumption of grape juice are to be carried out and the total amounts allocated for the financing of the campaigns in each of the said Member States must be determined for each wine year;

Whereas Article 4 (2) of Commission Regulation (EEC) No 2641/88 ⁽⁷⁾ laying down detailed rules for the application of the aid scheme for the use of grapes, grape must and concentrated grape must to produce grape juice, as last amended by Regulation (EEC) No 2056/94 ⁽⁸⁾, fixes the proportion of the aid intended for financing the promotional campaign at 35 %;

Whereas Annex VII to Commission Regulation (EC) No 2000/94 of 27 July 1994 fixing the buying-in prices, aids and certain other amounts applicable for the 1993/94 wine year to intervention measures in the wine sector ⁽⁹⁾ fixes the amount of aid for the 1994/95 wine year;

Whereas the amount available for such financing depends on the quantities of products in respect of which aid is

granted; whereas the estimate adopted for promotional campaigns in 1985/86, 1986/87, 1987/88, 1988/89, 1989/90, 1990/91, 1991/92, 1992/93 and 1993/94 makes it possible for these to be financed; whereas the amount available for financing the 1994/95 campaign measure is estimated at ECU 8 million;

Whereas Member States meeting the conditions for carrying out such promotional campaigns are those where such measures have been carried out in previous wine years;

Whereas, in order to ensure better management of the budget funds, it has proved necessary to fix a deadline for the signature and payment of contracts;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1994/95 wine year, campaigns to promote the consumption of grape juice as provided for in Article 1 (1) of Regulation (EEC) No 3461/85 shall be carried out in Germany, France, Spain and the Netherlands.

The total amount for financing those campaigns shall be:

- ECU 2 075 000 in Germany,
- ECU 1 650 000 in France,
- ECU 1 430 000 in Spain,
- ECU 605 000 in the Netherlands.

2. Contracts for that campaign shall be signed within nine months at the latest following the date of entry into force of this Regulation. The payment of contracts shall be made three months at the latest after the successful fulfilment of the contracts.

3. The amounts referred to in paragraph 1 shall be converted into national currencies using the agricultural conversion rate in force on 1 September 1995.

Article 2

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁶⁾ See page 46 of this Official Journal.

⁽⁷⁾ OJ No L 236, 26. 8. 1988, p. 25.

⁽⁸⁾ OJ No L 187, 13. 7. 1991, p. 30.

⁽⁹⁾ OJ No L 201, 4. 8. 1994, p. 3.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1830/95
of 26 July 1995
amending representative prices and additional duties for the import of certain
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⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1806/95 ⁽⁵⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 July 1995.

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

Done at Brussels, 26 July 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 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 150, 1. 7. 1995, p. 36.

⁽⁵⁾ OJ No L 174, 26. 7. 1995, p. 38.

ANNEX

to the Commission Regulation of 26 July 1995 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	26,53	3,33
1701 11 90 ⁽¹⁾	26,53	8,27
1701 12 10 ⁽¹⁾	26,53	3,19
1701 12 90 ⁽¹⁾	26,53	7,84
1701 91 00 ⁽²⁾	34,74	7,86
1701 99 10 ⁽²⁾	34,74	3,92
1701 99 90 ⁽²⁾	34,74	3,92
1702 90 99 ⁽³⁾	0,35	0,31

⁽¹⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1831/95
of 26 July 1995

fixing the maximum export refunds on olive oil for the 16th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94

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,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽²⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 2517/94⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽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 Article 6 of Regulation (EC) No 2517/94 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current

situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

The maximum export refunds for olive oil for the 16th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 July 1995.

Article 2

This Regulation shall enter into force on 27 July 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽³⁾ OJ No L 268, 19. 10. 1994, p. 3.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

ANNEX

to the Commission Regulation of 26 July 1995 fixing the maximum export refunds on olive oil for the 16th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94

(ECU/100 kg)

Product code	Amount of refund (')
1509 10 90 100	45,35
1509 10 90 900	—
1509 90 00 100	54,10
1509 90 00 900	—
1510 00 90 100	—
1510 00 90 900	—

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

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

COMMISSION REGULATION (EC) No 1832/95
of 26 July 1995
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽²⁾, and in particular the first sentence of Article 3 (1) thereof,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽³⁾, as last amended by Regulation (EEC) No 2962/77⁽⁴⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 1053/95⁽⁸⁾;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾, 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 Oils and Fats,

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

⁽²⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽³⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁴⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽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 107, 12. 5. 1995, p. 4.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 26 July 1995 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	42,00
1509 10 90 900	0,00
1509 90 00 100	50,50
1509 90 00 900	0,00
1510 00 90 100	9,50
1510 00 90 900	0,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 as well as for exports to third countries.

⁽²⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 are observed.

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

COMMISSION REGULATION (EC) No 1833/95**of 26 July 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 last amended by Regulation (EC) No 1740/95 ⁽²⁾, and in particular Article 4 (1) 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 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 27 July 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 167, 18. 7. 1995, p. 10.

⁽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 26 July 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)			(ECU/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value	CN code	Third country code ⁽¹⁾	Standard import value
0702 00 35	052	47,7		508	88,2
	060	80,2		512	52,9
	066	41,7		524	45,8
	068	32,4		528	62,3
	204	50,9		800	99,9
	212	117,9		804	82,9
	624	75,0		999	71,3
	999	63,7			
0707 00 25	052	50,1	0808 20 51	052	84,9
	053	166,9		388	60,7
	060	39,2		512	47,3
	066	53,8		528	55,8
	068	60,4		800	55,8
	204	49,1		804	64,8
	624	207,3		999	61,6
	999	89,5			
0709 90 77	052	55,6	0809 10 40	052	64,6
	204	77,5		064	117,3
	624	196,3		999	91,0
	999	109,8			
0805 30 30			0809 20 51, 0809 20 59	052	158,5
	388	72,0		061	181,9
	512	77,9		064	254,1
	524	59,4		068	262,6
	528	52,7		400	174,3
	600	54,7		624	239,5
	624	78,0		676	166,2
	999	65,8		999	205,3
0806 10 40	052	83,2	0809 30 31, 0809 30 39	052	59,2
	600	144,5		220	121,8
	624	132,8		624	106,8
	999	120,2		999	95,9
0808 10 71, 0808 10 73, 0808 10 79	039	79,3	0809 40 30	064	129,7
	388	64,9		624	245,1
	400	65,9		999	187,4

⁽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 1834/95

of 26 July 1995

on the transitional measures applicable in Austria in the wine sector for the 1995/96 wine year

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 (1) thereof,

Whereas Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EC) No 1544/95⁽²⁾, lays down the basic rules for the management of the market in that sector; whereas, in particular, Article 1 (6) thereof lays down that the wine year lasts from 1 September to 31 August;

Whereas, by virtue of the abovementioned Act of Accession, the common organization of the market in wine has applied in Austria since the moment of accession; whereas, however, the Commission, by Regulation (EC) No 3299/94 of 21 December 1994 on transitional measures applicable in Austria in the wine-growing sector⁽³⁾, as amended by Regulation (EC) No 670/95⁽⁴⁾, postponed the application of important market management measures until the 1995/96 wine year because they could not usefully be initiated during the 1994/95 wine year;

Whereas the compulsory distillation measures imposed on Community table wine producers pursuant to Article 39 of Regulation (EEC) No 822/87 require the setting up of a large administrative organization; whereas, moreover, if the measure in question were to be initiated in Austria its impact would be negligible given the small proportion of table wine by comparison with quality wine; whereas, therefore, producers should be exempted from that distillation obligation for the 1995/96 wine year; whereas, however, given that they could be eligible for other forms of voluntary distillation, a distillation price and an *ad hoc* wine quantity should be fixed for Austrian producers taking account of the possibility that compulsory distillation may not be applied;

Whereas, to smooth the transition from the former national arrangements to the Community arrangements and to ensure stability on the market in Austrian wines,

wine producers in Austria should be exempted from the distillation obligation laid down in Articles 35 and 39 of Regulation (EEC) No 822/87 and at the same time special provisions appropriate to that situation should be adopted;

Whereas, to respond to the current absence of suitable distillation structures for wine-making by-products in Austria, that Member State's producers should be exempted from the distillation obligation laid down by Article 35 of the above Regulation and at the same time, in order to establish equitable treatment for all Community producers, they should be obliged to withdraw those by-products under supervision;

Whereas the overpressing of grapes, whether crushed or not, and of wine lees should also be avoided; whereas the marcs and lees withdrawn under supervision must present the minimum characteristics required by Commission Regulation (EEC) No 3105/88, as last amended by Regulation (EEC) No 3186/92⁽⁵⁾, whereas the impact of that operation should be equivalent to that of normal legal instruments;

Whereas the development of the situation on the Austrian wine market, and in particular the current phase of transition to the Community arrangements, should be monitored with a view to facilitating that transition;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to the special transitional measures laid down in the Act of Accession, the measures provided for in Articles 35 and 39 of Regulation (EEC) No 822/87 shall not apply in Austria in the 1995/96 wine year.

2. However, notwithstanding paragraph 1, any legal or natural person or group of persons processing grapes harvested in Austria shall be obliged to withdraw under supervision the by-products of such processing. Such

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 37.

⁽⁴⁾ OJ No L 70, 30. 3. 1995, p. 1.

⁽⁵⁾ OJ No L 277, 8. 10. 1988, p. 21.

by-products shall present the minimum characteristics required by Regulation (EEC) No 3105/88. The competent Austrian authorities shall adopt suitable national measures to ensure the proper application of this measure.

3. Where the voluntary distillation measures laid down in Articles 38 and 42 of Regulation (EEC) No 822/87 are initiated, the Commission shall, in establishing the quantities of wine concerned, the prices and aids in Austria,

take account of the impact of compulsory distillation on producers' incomes in that Member State.

Article 2

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

It shall apply from 1 September 1995.

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

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

No 62/95/COL

of 9 June 1995

Extending the period of validity of the rules for aid to the synthetic fibres industry and amending the fifth time the Procedural and Substantive Rules in the Field of State Aid

THE EFTA SURVEILLANCE AUTHORITY,

has decided to extend the period of validity of the rules for aid to the synthetic fibres industry until 31 March 1996. Consequently, the Procedural and Substantive Rules in the Field of State Aid ⁽¹⁾, adopted on 19 January 1994 ⁽²⁾ as last amended on 19 October 1994 ⁽³⁾, are amended as follows:

Paragraph 22.4 (1) of the State Aid Guidelines shall be replaced by the following:

'The above rules will apply until 31 March 1996, unless otherwise decided by the EFTA Surveillance Authority.'

Done at Brussels, 9 June 1995.

For the EFTA Surveillance Authority

Björn FRIDFINNSSON

Acting President

⁽¹⁾ Hereinafter referred to as the 'State Aid Guidelines'.

⁽²⁾ OJ No L 231, 3. 9. 1994, p. 1.

⁽³⁾ OJ No L 383, 31. 12. 1994.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1768/95 of 24 July 1995 implementing rules on the agricultural exemption provided for in Article 14 (3) of Council Regulation (EC) No 2100/94 on Community plant variety rights

(Official Journal of the European Communities No L 173 of 25 July 1995)

Page 21, date of signature :

for: 'Done at Brussels, 18 July 1995.'

read: 'Done at Brussels, 24 July 1995.'
