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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1951/95**of 8 August 1995****fixing the export refunds on eggs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94 ⁽²⁾, and in particular the Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

Whereas Council Regulation (EEC) No 990/93 ⁽³⁾, as amended by Regulation (EC) No 1380/95 ⁽⁴⁾, 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 it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas the Management Committee for Poultrymeat and Eggs has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 August 1995.

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

Done at Brussels, 8 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

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

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁴⁾ OJ No L 138, 21. 6. 1995, p. 1.

ANNEX

to the Commission Regulation of 8 August 1995 fixing the export refunds on eggs

Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units
0407 00 11 000	02	4,00
0407 00 19 000	02	2,80
		ECU/100 kg
0407 00 30 000	03	20,00
	04	10,00
0408 11 80 100	01	68,00
0408 19 81 100	01	25,00
0408 19 89 100	01	25,00
0408 91 80 100	01	50,00
0408 99 80 100	01	10,00

⁽¹⁾ The destinations are as follows :

01 All destinations,

02 All destinations except the United States of America,

03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, Hong Kong and Russia,

04 All destinations except those of 03.

⁽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 1952/95

of 8 August 1995

determining the percentage of quantities covered by applications for export licences for eggs which may be accepted

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

Having regard to Commission Regulation (EC) No 1371/95 of 16 June 1995 laying down detailed rules for implementing the system of export licences in the egg sector⁽¹⁾, and in particular Article 3 (4) thereof,

Whereas Regulation (EC) No 1371/95 provides for specific measures where applications for export licences concern quantities and/or expenditure which exceed the normal trade patterns or where there is a risk that they will be exceeded, taking account of the limit referred to in Article 8 (12) of Council Regulation (EEC) No 2771/75⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and by Regulation (EC) No 3290/94⁽³⁾, and/or the corresponding expenditure during the period in question;

Whereas the market for certain egg products is affected by uncertainties; whereas the refunds currently applicable for these products could lead to applications being made for export licences for speculative purposes; whereas there is a risk that the issue of certificates for the quantities applied for from 2 to 4 August 1995 may lead to the quantities corresponding to the normal trade patterns for the products concerned being exceeded;

Whereas applications for which export licences have not yet been granted should be rejected for the products

concerned and acceptance coefficients applying to the quantities requested should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences for eggs submitted pursuant to Regulation (EC) No 1371/95 shall be dealt with as follows:

1. for applications from 31 July to 4 August 1995, 100 % of the quantities applied for in the case of categories 1 and 2 referred to in Annex I to the abovementioned Regulation shall be accepted;
2. for applications from 2 to 4 August 1995, 100 % of the quantities applied for in the case of categories 4 and 5 referred to in Annex I to the abovementioned Regulation shall be accepted;
3. no further action shall be taken in respect of applications pending for certificates which should have been issued from 9 August 1995 for categories 3, 6 and 7 referred to in Annex I to the abovementioned Regulation.

Article 2

This Regulation shall enter into force on 9 August 1995.

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

Done at Brussels, 8 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 133, 17. 6. 1995, p. 16.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 49.

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

COMMISSION REGULATION (EC) No 1953/95

of 8 August 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 9 August 1995.

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

Done at Brussels, 8 August 1995.

For the Commission

Hans VAN DEN BROEK

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 8 August 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	0808 10 92, 0808 10 94, 0808 10 98	039	79,3
	060	80,2		064	79,1
	066	41,7		388	58,4
	068	32,4		400	57,6
	204	50,9		508	68,4
	212	117,9		512	47,6
	624	75,0		524	45,8
	999	63,7		528	51,8
0707 00 25	052	50,1	0808 20 57	800	95,8
	053	166,9		804	77,4
	060	39,2		999	66,1
	066	53,8		052	77,4
	068	60,4		388	111,1
	204	49,1		512	39,8
	624	207,3		528	54,0
	999	89,5		800	55,8
0709 90 79	052	55,6	0809 20 69	804	64,8
	204	77,5		999	67,2
	624	196,3		052	258,4
	999	109,8		061	182,0
0805 30 30	388	66,8	0809 30 41, 0809 30 49	064	254,1
	512	77,7		068	262,6
	524	62,8		400	332,0
	528	58,4		600	94,9
	600	40,9		624	239,5
	624	78,0		676	166,2
	999	64,1		999	223,7
	052	113,9	0809 40 30	052	59,2
0806 10 40	220	110,8		220	121,8
	400	148,3		624	106,8
	412	132,4		999	95,9
	512	186,0		064	71,7
	600	155,2		066	62,1
	624	129,7		624	152,8
	999	139,5		999	95,5

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

COMMISSION REGULATION (EC) No 1954/95**of 8 August 1995****on the issue of import licences for frozen thin skirt of bovine animals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1033/95 of 8 May 1995 on the opening and administration of an import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 for the period 1 July 1995 to 30 June 1996 ⁽¹⁾, and in particular Article 8 (3) thereof,

Whereas Article 1 (3) (b) of Regulation (EC) No 1033/95 fixes the amount of frozen thin skirt which may be imported on special terms in 1995/96 at 800 tonnes;

Whereas Article 8 (3) of Regulation (EC) No 1033/95 lays down that the quantities applied for may be reduced; whereas the applications lodged relate to total quantities which exceed the quantities available; whereas, under

these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences made pursuant to Article 7 of Regulation (EC) No 1033/95 are hereby met to the extent of 0,057787 % of the quantity requested.

Article 2

This Regulation shall enter into force on 9 August 1995.

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

Done at Brussels, 8 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 105, 9. 5. 1995, p. 15.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES

of 26 July 1995

appointing a member of the Court of First Instance of the European
Communities

(95/315/EC, Euratom, ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COMMUN-
ITIES,

Having regard to the Treaty establishing the European
Community, and in particular Article 168a thereof,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Article 32d
thereof,

Having regard to the Treaty establishing the European
Atomic Energy Community, and in particular Article
140a thereof,

Having regard to Council Decision 88/591/ECSC, EEC,
Euratom of 24 October 1988 establishing a Court of First
Instance of the European Communities⁽¹⁾,

Having regard to Decision 95/1/EC, Euratom, ECSC of
the Council of the European Union of 1 January 1995
adjusting the instruments concerning the accession of
new Member States to the European Union⁽²⁾, and in
particular Article 10 amending Article 2 (1) of Decision
88/591/ECSC, EEC, Euratom and Article 31 (2) amending
Article 157 (2) of the Act of Accession thereof,

Whereas, in a letter dated 27 June 1995 addressed to the
President of the Council of Ministers of the European
Union, Mr José Luis da Cruz Vilaça, Judge at the Court of

First Instance of the European Communities, tendered his
resignation with effect from 18 September 1995;

Whereas, pursuant to Articles 44 and 8 of the Protocol on
the Statute of the Court of Justice of the European Coal
and Steel Community, to Articles 44 and 7 of the
Protocol on the Statute of the Court of Justice of the
European Economic Community and Articles 45 and 7 of
the Protocol on the Statute of the Court of Justice of the
European Atomic Energy Community, a Judge should be
appointed for the remainder of Mr José Luis da Cruz
Vilaça's term of office,

HAVE DECIDED AS FOLLOWS:

Article 1

The following is hereby appointed judge to the Court of
First Instance for the period up to and including 31
August 1998: Mr Rui Manuel Gens de Moura Ramos.

Article 2

This Decision shall be effective from 18 September 1995.

Done at Brussels, 26 July 1995.

The President
J. ELORZA

⁽¹⁾ OJ No L 319, 25. 11. 1988, p. 1, as corrected by OJ No C
215, 21. 8. 1989, p. 1. Decision as amended by Decision 93/
350/Euratom, ECSC, EEC (OJ No L 144, 16. 6. 1993, p. 21),
as amended by Decision 94/149/ECSC, EC of 17 March 1994
(OJ No L 66, 10. 3. 1994, p. 29).

⁽²⁾ OJ No L 1, 1. 1. 1995, p. 1.

COUNCIL

COUNCIL DECISION

of 18 July 1995

appointing an alternate member of the Committee of the Regions

(95/316/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Having regard to the Council Decision 94/65/EC of 26 January 1994 appointing members and alternate members of the Committee of the Regions for the period 26 January 1994 to 25 January 1998 ⁽¹⁾,

Whereas a seat for an alternate member has become vacant on the Committee of the Regions following the resignation of Mr Pupillo, notified to the Council on 10 May 1995;

Having regard to the proposal from the Italian Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Aldo Bottin is hereby appointed an alternate member of the Committee of the Regions in place of Mr Pupillo for the remainder of the latter's term of office, which runs until 25 January 1998.

Done at Brussels, 18 July 1995.

For the Council

The President

J. SOLANA

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.

COUNCIL DECISION
of 18 July 1995
appointing an alternate member of the Committee of the Regions
(95/317/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Sole Article

Having regard to the Council Decision 94/65/EC of 26 January 1994 appointing members and alternate members of the Committee of the Regions for the period 26 January 1994 to 25 January 1998⁽¹⁾,

Mr Carlo Andreotti is hereby appointed an alternate member of the Committee of the Regions in place of Mr Bazzanella for the remainder of the latter's term of office, which runs until 25 January 1998.

Whereas an alternate member's seat has become vacant on the Committee following the resignation of Mr Bazzanella, which was notified to the Council on 14 June 1995;

Done at Brussels, 18 July 1995.

Having regard to the proposal from the Italian Government,

For the Council

The President

J. SOLANA

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.

DECISION No 3/95 OF THE EC-TURKEY ASSOCIATION COUNCIL**of 24 July 1995****amending Decision No 1/94 concerning the application of Article 3 of the Additional Protocol to the Ankara Agreement to goods obtained in the Member States of the Community**

(95/318/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement creating an association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to the above-mentioned Agreement, and in particular Article 3 thereof,

Whereas the eligibility of goods obtained in the European Community in the circumstances referred to in Article 3, paragraph 1 of the Additional Protocol to benefit from the provisions of Title I, Chapter I, section I and of Chapter II of the aforementioned Protocol, is subject to the collection, in the exporting State, of a compensatory levy the rate of which is based on the tariff reduction granted to these goods in Turkey;

Whereas Decision No 1/94 concerning the application of Article 3 of the Additional Protocol to the Ankara Agreement to goods obtained in the Member States of the Community⁽¹⁾ fixes this rate at 90 % in respect of goods on the 12-year list and 80 % in respect of goods on the 22-year list;

Whereas, on 31 December 1994, Turkey carried out a new reduction of the customs duties for the goods subject to Article 10 of the Additional Protocol, which raised the total rate of the reductions which Turkey has carried out to 95 % on the 12-year list and to 90 % on the 22-year list; whereas, consequently, in accordance with Article 1 (2) of Decision No 1/94, the percentage of common customs tariff duties to be taken into account for the determination of the compensatory levy to be collected at

the time of export from the Community to Turkey should be amended accordingly;

Whereas the identification of the goods as to whether they belong to one or the other of the said lists proves particularly difficult due to the presence of numerous 'ex' subheadings; whereas, in view of simplification, a single rate of 90 % should therefore be fixed whatever the nature of the goods; whereas the fiscal and economic impact of this simplification is negligible,

HAS DECIDED AS FOLLOWS:

Article 1

In Article 1 (1) of Decision No 1/94, the words 'for those on the 12-year list and at 80 for those on the 22-year list' shall be deleted.

Article 2

This Decision shall enter into force one month following its adoption.

Done at Brussels, 24 July 1995.

For the Council of the Association

The President

U. ÖZÜLKER

Ambassador, Permanent Delegate

⁽¹⁾ OJ No L 356, 31. 12. 1994, p. 23.

COMMISSION

COMMISSION DECISION

of 12 July 1995

setting up a Committee of Senior Labour Inspectors

(95/319/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas a 'Group of Senior Labour Inspectors' has informally been in operation since 1982;

Whereas the Commission communication⁽¹⁾ on its programme concerning safety, hygiene and health at work envisages the formalization of regular meetings of this Group;

Whereas the Council conclusions of 21 December 1992 on the effective implementation and enforcement of Community legislation in the area of social affairs⁽²⁾ invite the Member States and the Commission to encourage and support continued close cooperation between members of the Group, with due regard to the principle of subsidiarity;

Whereas the Commission communication⁽³⁾ on its programme concerning safety, hygiene and health at work provides for the formalization of the 'Group of Senior Labour Inspectors' as a Committee;

Whereas the Council resolution of 16 June 1994 on the development of administrative cooperation on the implementation and enforcement of Community legislation in the internal market⁽⁴⁾ develops an approach to administrative cooperation between the Member States and between these and the Commission, based on obligations of mutual assistance and transparency and on the principles of proportionality and confidentiality;

Whereas this approach should also be adopted in implementing and enforcing Community social legislation in the field of health and safety at work in particular as

stated in the Commission's White Paper on European social policy (§ 10B) and the medium Term Social Action Programme;

Whereas the identification, analysis and resolution of practical problems related to implementing, and monitoring the enforcement of, secondary Community legislation on health and safety at work fall mainly within the competence of national labour inspection services and require close cooperation between those services and the Commission;

Whereas the 'Committee of Senior Labour Inspectors', by virtue of its long experience, constitutes an appropriate framework for monitoring, on the basis of close cooperation between its members and the Commission, the effective and equivalent enforcement of secondary Community law on health and safety at work, and for the rigorous analysis of the practical questions involved in monitoring the enforcement of legislation in this field;

Whereas this Decision does not conflict with the obligations of the Member States arising under the ILO Labour Inspection Convention of 11 July 1947 (No 81),

HAS DECIDED AS FOLLOWS:

Article 1

1. The Commission shall be assisted by a 'Committee of Senior Labour Inspectors', hereinafter referred to as the 'Committee'.
2. The Committee shall consist of representatives of the labour inspection services of the Member States.

Article 2

1. The Committee shall give its opinion to the Commission, either at the Commission's request or on its own initiative, on all problems relating to the enforcement by the Member States of Community law on health and safety at work.

⁽¹⁾ OJ No C 28, 3. 2. 1988, p. 3.

⁽²⁾ OJ No C 49, 19. 2. 1993, p. 6.

⁽³⁾ COM (95) 282 final.

⁽⁴⁾ OJ No C 179, 1. 7. 1994, p. 1.

2. Due to the diversity of the responsibilities of the national labour inspection services, which may go beyond the area of health and safety at work, the Committee, at the request of the Commission or on its own initiative, shall also provide its opinion on matters covering other areas of Community social legislation which have an impact on health and safety at work.

3. The Committee shall propose to the Commission any initiative which it considers appropriate to encourage the effective enforcement of Community law on health and safety at work, notably by means of a closer cooperation between the national labour inspection systems.

Article 3

The Committee, in assisting the Commission, shall work towards the achievement of the following objectives :

1. defining common principles of labour inspection in the field of health and safety at work and developing methods of assessing the national systems of inspection in relation to those principles ;
2. promoting improved knowledge and mutual understanding of the different national systems and practices of labour inspection, the methods and legal frameworks for action ;
3. developing exchanges between national labour inspection services of their experiences in monitoring the enforcement of secondary Community law on health and safety at work, so as to ensure its consistent enforcement throughout the Community ;
4. promoting exchanges for labour inspectors between national administrations and the setting up of training programmes for inspectors ;
5. drawing up and publishing documents to facilitate the activities of labour inspectors ;
6. developing a reliable and efficient system of rapid information exchange between labour inspectorates on all problems encountered in monitoring the enforcement of Community legislation in the field of health and safety at work ;
7. establishing active cooperation with labour inspectorates of third countries, so as to promote the work done by the Community on health and safety at work and to assist in resolving any cross-border problems ;
8. studying the possible impact of other Community policies on labour inspection activities relating to health and safety at work and working conditions.

Article 4

The Committee shall set up a three-year programme, whereby the individual activities to be undertaken shall be specified each year, taking into account the evaluation of the activities undertaken the previous year.

Article 5

1. The Committee shall consist of two representatives from each Member State.
2. The members of the Committee shall be nominated by the Commission on a proposal from the Member States.

3. The term of office of the members of the Committee shall be three years. Their appointment shall be renewable.

4. A member's term of office shall end before the expiry of the three-year period with his or her resignation or death, or following a communication to the Commission from the Member State concerned indicating that the term of office is to be terminated.

5. Members shall not receive payment for their work.

Article 6

The list of the members shall be published by the Commission in the *Official Journal of the European Communities* for information purposes.

Article 7

1. The Committee shall be chaired by a representative of the Commission.
2. The chairman shall be assisted by two vice-chairmen chosen from amongst the members from the two Member States holding the Presidency of the Council in the year concerned.
3. The chairman and the two vice-chairmen shall constitute the Bureau.
4. The Bureau shall prepare and organize the work of the Committee in conjunction with the Commission's services, which shall function as secretariat to the Committee, Bureau and working groups referred to in Article 9.

Article 8

1. The Committee may, in accordance with the representative of the Commission, set up working groups.
2. Experts shall take part in the deliberations only in respect of the item for which they have been invited to attend.

Article 9

1. The Committee may, in accordance with the representative of the Commission, set up working groups.
2. The working groups shall be chaired by a member of the Committee and shall consist of members of the Committee and/or experts, as necessary. The working groups shall report to the plenary session of the Committee.

Article 10

1. The Committee and the Bureau shall be convened by the chairman of the Committee, either at this own initiative or at the request of one-third of the members of the Committee. The Committee shall meet at least twice a year.
2. Representatives of the Commission shall take part in the meetings of the Committee and the working groups.

Article 11

1. The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.
2. The Committee's deliberations shall not be followed by a vote.
3. The Committee's conclusions shall be set out in writing. In the event of differences of opinion within the members of the Committee, a written statement of the views expressed shall be submitted to the Commission.

Article 12

1. The Committee shall submit an annual report to the Commission on its activities, especially on any problem relating to the enforcement or to the monitoring of the enforcement of secondary Community law on health and safety at work.
2. The Commission shall forward that report to the Council, the European Parliament, the Economic and

Social Committee and to the Advisory Committee on Safety, Hygiene and Health Protection at Work.

Article 13

Without prejudice to the provisions of Article 214 of the Treaty, the members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or its working groups, where the Commission or a member of the Committee asks for the information given or the opinion requested to be kept confidential.

In such cases, meetings shall be attended by the members of the Committee and the representatives of the Commission only.

Done at Brussels, 12 July 1995.

For the Commission

Pádraig FLYNN

Member of the Commission

COMMISSION DECISION

of 12 July 1995

setting up a Scientific Committee for Occupational Exposure Limits to Chemical Agents

(95/320/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community,

Article 1

Whereas common rules concerning safety, hygiene and health at work must afford adequate protection of the health of workers at the place of work within the Community;

There shall be attached to the Commission a Scientific Committee (hereinafter called the 'Committee') to examine the health effects of chemical agents on workers at work.

Whereas the elaboration and amendment of common rules concerning safety, health and hygiene at work require a scientific evaluation of risk at the place of work and of the measures that need to be implemented to protect against these risks;

Article 2

Whereas such an evaluation requires the participation of highly qualified scientific persons in all fields relating to safety, hygiene and health at work;

1. The task of the Committee shall be to supply the Commission with opinions at the latter's request on any matter relating to the toxicological examination of chemicals for their effects on health of workers.

Whereas on the occasion of the adoption of Council Directive 88/642/EEC⁽¹⁾, which amended Directive 80/1107/EEC⁽²⁾ on the protection of workers against risks associated with exposure to chemical, physical and biological agents at work, the Council called upon the Commission to set up a scientific committee responsible for the evaluation of available scientific data required to set limit values;

The Committee shall in particular give advice on the setting of Occupational Exposure Limits (OELs) based on scientific data and where appropriate shall propose values which may include:

- the eight-hour time weighted average (TWA),
- short-term limits/excursion limits (STEL),
- biological limit values.

Whereas the Commission welcomed the request from the Council and since 1990 has consulted informally a scientific expert group on occupational exposure limits;

The OELs may be supplemented, as appropriate, by further notations.

Whereas in its communication on a programme concerning safety, hygiene and health at work the Commission has included amongst the objectives for the coming five years the development of preventative measures in relation with chemical agents;

The Committee shall advise on any absorption of the substance in question via other routes (such as skin and/or mucous membranes) which is likely to occur.

Whereas it is important that the Commission obtain impartial scientific opinions of highly qualified persons in order to conduct this ongoing examination;

2. Any recommendation shall be supported and explained by information on the basic data, a description of the critical effects, the extrapolation techniques used, and any data on possible risks to human health. The feasibility of monitoring exposure at any proposed limit value(s) shall also be noted.

Whereas to this end a scientific committee of a consultative nature should be attached to the Commission,

3. The Committee shall keep under review all relevant scientific factors relating to the setting of OELs and shall make recommendations to assist the Commission in setting out priorities.

4. The Committee shall carry out such other actions relating to the toxicological evaluation of chemical agents as may be requested by the Commission.

⁽¹⁾ OJ No L 356, 24. 12. 1988, p. 74.

⁽²⁾ OJ No L 327, 3. 12. 1980, p. 8.

Article 3

1. The Committee shall be composed of not more than 21 members drawn from all Member States and reflecting the full range of scientific expertise which is necessary to fulfil the mandate in Article 2, including, in particular, chemistry, toxicology, epidemiology, occupational medicine and industrial hygiene, and general competence in setting OELs.

2. The Commission shall appoint the members of the Committee, after consulting the respective Member States, having regard to the need to ensure that the various specific areas are covered.

3. The Committee shall elect from the members a chairman and two vice-chairmen for a period of three years. Elections shall be by a majority of two-thirds of the members present.

4. The term of office for members of the Committee shall be three years. Their appointments may be renewed. After the expiry of the three-year period members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

In the event of resignation or death of a member of the Committee during a period of appointment the Commission shall appoint a new member of the Committee in accordance with paragraph 2.

Article 4

A list of members shall be published by the Commission, for information purposes, in the *Official Journal of the European Communities*.

Article 5

1. The Committee may form working groups from amongst its members, with the agreement of the representatives of the Commission.

2. The mandate of the working group shall be to report to the Committee on the subjects referred to them by it.

Article 6

1. Meetings of the Committee shall take place, in general, four times a year.

2. The representatives of the Commission may invite individuals having particular expertise in the subject being studied to participate at the meetings.

3. The services of the Commission shall act as the secretariat of the Committee and the working groups.

4. The representatives of the Commission shall take part in the meetings of the Committee and the working groups.

Article 7

The Committee and its working groups shall normally meet at the headquarters of the Commission when they are convened by the latter. However, in exceptional circumstances and whenever necessary in the light of scientific requirements, meetings may be held at places other than the headquarters of the Commission when convened by the latter.

Article 8

1. The deliberations of the Committee shall relate to the request for an opinion made by the representatives of the Commission.

The representatives of the Commission, in requesting the opinion of the Committee, may fix the length of time in which the opinion is to be given.

2. The Committee shall make every endeavour to make its recommendation on the basis of a consensus. The Committee's deliberations shall not be followed by a vote.

3. Where the opinion requested is the subject of the unanimous agreement of the members of the Committee, these latter shall establish the common conclusions. In the absence of unanimous agreement, the various positions taken in the course of the deliberations shall be entered in a report drawn up under the auspices of the representatives of the Commission.

4. Without prejudice to Article 9 (1), the Commission shall publish the opinions of the Committee.

Article 9

Without prejudice to the provisions of Article 214 of the Treaty, members of the Committee shall be under an obligation not to divulge information coming to their knowledge as a result of the work of Committee when the Commission informs them that the opinion requested relates to material of a confidential nature.

In such cases, only Committee members and representatives of the Commission shall be present at the meeting.

Done at Brussels, 12 July 1995.

For the Commission

Pádraig FLYNN

Member of the Commission

COMMISSION DECISION

of 25 July 1995

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

(Only the German text is authentic)

(95/321/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas on 29 April 1994 the German Government submitted to the Commission the single programming document referred to in Article 10a of Regulation (EEC) No 866/90 for the *Land of Hamburg*, supplemented by additional information sent on 27 May 1994, 11 August 1994, 12 September 1994, 6 October 1994, 17 November 1994 and 24 April 1995; whereas that document contains the plans designed to improve the structures relating to the various product sectors referred to in Article 2 (1) of Regulation (EEC) No 866/90 and the aid applications referred to in Article 10a of that Regulation;

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 302, 25. 11. 1994, p. 1.

⁽³⁾ OJ No L 99, 19. 4. 1994, p. 7.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽⁵⁾ OJ No L 337, 24. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 170, 3. 7. 1990, p. 36.

⁽⁷⁾ OJ No L 290, 11. 11. 1994, p. 4.

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 293, 12. 11. 1994, p. 7.

out within the document annexed to the present Decision⁽¹⁾; whereas this consolidated version must contain all the information required in accordance with Article 10a of Regulation (EEC) No 866/90 and Articles 8, 9, 10 and 14 of Council Regulation (EEC) No 4253/88⁽²⁾;

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

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

HAS ADOPTED THIS DECISION:

Article 1

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

Article 2

The sectors determined for joint action are:

- meat,
- fruits and vegetables,
- flowers and plants.

Article 3

The assistance from the EAGGF granted in respect of that single programming document shall amount to a maximum of ECU 4 298 000.

The methods of approval of the financial assistance, including the EAGGF contribution to the sectors adopted

for joint action, are specified within the implementation provisions and the financial plans annexed to the present Decision⁽³⁾.

Article 4

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

<i>ECU (prices indexed to 1995)</i>	
1994	682 000
1995	817 000
1996	612 000
1997	672 000
1998	730 000
1999	785 000
Total	4 298 000

Article 5

The budget commitment for the first tranche shall be ECU 682 000.

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

Article 6

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

Article 7

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 25 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ Annex not published in the Official Journal

⁽²⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽³⁾ Annex not published in the Official Journal