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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2180/95

of 14 September 1995

revising the maximum amount for the B production levy and amending the minimum price for B beet in the sugar sector 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 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 second and third indents of Article 28 (8) thereof,

Whereas Article 28 (3) and (4) of Regulation (EEC) No 1785/81 provides that the losses resulting from the obligation to export surpluses of Community sugar are to be covered by production levies on the production of A and B sugar, of A and B isoglucose and of inulin syrup A and B within certain limits;

Whereas Article 28 (5) of Regulation (EEC) No 1785/81 provides that, where the receipts expected from the basic production levy and the B levy, which must not exceed 2 % and 30 % respectively of the intervention price for white sugar for that marketing year, may well fail to cover the foreseeable total loss for the current marketing year, the maximum percentage of the B levy is to be adjusted to the extent necessary to cover the said total loss but without exceeding 37,5 %;

Whereas the foreseeable receipts, prior to adjustment, of the levies to be collected in respect of the 1995/96 marketing year are below the equivalent of the average loss multiplied by the exportable surplus; whereas accordingly, in the light of the data at present available, the maximum amount of the B levy for 1995/96 should be raised to 37,5 % of the intervention price for the white sugar concerned;

Whereas the second subparagraph of Article 5 (2) of Regulation (EEC) No 1785/81 provides that, subject to Article 28 of that Regulation, the minimum price for B

beet is 68 % of the basic price for beet; whereas Article 28 (5) of the said Regulation provides that the revised maximum percentage for the B levy should be fixed for the current marketing year before 15 September of that marketing year, together with the corresponding adjustment of the minimum price for B beet set for the 1995/96 marketing year by way of Council Regulation (EC) No 1534/95⁽³⁾;

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 1995/96 marketing year the maximum amount referred to in the first indent of Article 28 (4) of Regulation (EEC) No 1785/81 shall be increased to 37,5 % of the intervention price for white sugar for that marketing year.

2. For the 1995/96 marketing year, the minimum price for B beet referred to in the second subparagraph of Article 5 (2) of Regulation (EEC) No 1785/81 shall be 60,5 % of the basic price for beet for that marketing year.

Article 2

For the 1995/96 marketing year the minimum price for B beet shall, pursuant to Article 28 (5) of Regulation (EEC) No 1785/81, be amended to ECU 28,84 per tonne.

Article 3

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 148, 30. 6. 1995, p. 11.

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

Done at Brussels, 14 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2181/95
of 14 September 1995
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1538/95 ⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products ⁽³⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 17.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 181,13 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽³⁾, as last amended by Regulation (EEC) No 222/88⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

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

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 repeal of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products⁽⁷⁾, as last amended by Regulation (EEC) No 2767/90⁽⁸⁾, makes it necessary to replace the references to destination zones with the code numbers of the destination countries listed in the Annex to Commission Regulation (EC) No 3079/94 of 16 December 1994 on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States⁽⁹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 15 September 1995.

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

Done at Brussels, 14 September 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 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁸⁾ OJ No L 267, 29. 9. 1990, p. 14.

⁽⁹⁾ OJ No L 325, 17. 12. 1994, p. 17.

ANNEX

to the Commission Regulation of 14 September 1995 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000	+	5,586	0402 21 91 500	+	115,79
0401 10 90 000	+	5,586	0402 21 91 600	+	125,48
0401 20 11 100	+	5,586	0402 21 91 700	+	131,17
0401 20 11 500	+	8,635	0402 21 91 900	+	137,59
0401 20 19 100	+	5,586	0402 21 99 100	+	103,97
0401 20 19 500	+	8,635	0402 21 99 200	+	104,68
0401 20 91 100	+	11,50	0402 21 99 300	+	105,97
0401 20 91 500	+	13,40	0402 21 99 400	+	113,27
0401 20 99 100	+	11,50	0402 21 99 500	+	115,79
0401 20 99 500	+	13,40	0402 21 99 600	+	125,48
0401 30 11 100	+	17,20	0402 21 99 700	+	131,17
0401 30 11 400	+	26,53	0402 21 99 900	+	137,59
0401 30 11 700	+	39,85	0402 29 15 200	+	0,6000
0401 30 19 100	+	17,20	0402 29 15 300	+	0,9108
0401 30 19 400	+	26,53	0402 29 15 500	+	0,9596
0401 30 19 700	+	39,85	0402 29 15 900	+	1,0321
0401 30 31 100	+	47,46	0402 29 19 200	+	0,6000
0401 30 31 400	+	74,12	0402 29 19 300	+	0,9108
0401 30 31 700	+	81,73	0402 29 19 500	+	0,9596
0401 30 39 100	+	47,46	0402 29 19 900	+	1,0321
0401 30 39 400	+	74,12	0402 29 91 100	+	1,0397
0401 30 39 700	+	81,73	0402 29 91 500	+	1,1327
0401 30 91 100	+	93,15	0402 29 99 100	+	1,0397
0401 30 91 400	+	136,90	0402 29 99 500	+	1,1327
0401 30 91 700	+	159,76	0402 91 11 110	+	5,586
0401 30 99 100	+	93,15	0402 91 11 120	+	11,50
0401 30 99 400	+	136,90	0402 91 11 310	+	18,18
0401 30 99 700	+	159,76	0402 91 11 350	+	22,29
0402 10 11 000	+	60,00	0402 91 11 370	+	27,10
0402 10 19 000	+	60,00	0402 91 19 110	+	5,586
0402 10 91 000	+	0,6000	0402 91 19 120	+	11,50
0402 10 99 000	+	0,6000	0402 91 19 310	+	18,18
0402 21 11 200	+	60,00	0402 91 19 350	+	22,29
0402 21 11 300	+	91,08	0402 91 19 370	+	27,10
0402 21 11 500	+	95,96	0402 91 31 100	+	22,72
0402 21 11 900	+	103,21	0402 91 31 300	+	32,03
0402 21 17 000	+	60,00	0402 91 39 100	+	22,72
0402 21 19 300	+	91,08	0402 91 39 300	+	32,03
0402 21 19 500	+	95,96	0402 91 51 000	+	26,53
0402 21 19 900	+	103,21	0402 91 59 000	+	26,53
0402 21 91 100	+	103,97	0402 91 91 000	+	93,15
0402 21 91 200	+	104,68	0402 91 99 000	+	93,15
0402 21 91 300	+	105,97	0402 99 11 110	+	0,0559
0402 21 91 400	+	113,27	0402 99 11 130	+	0,1150

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0402 99 11 150	+	0,1735	0403 90 51 100	+	5,586
0402 99 11 310	+	20,98	0403 90 51 300	+	8,635
0402 99 11 330	+	25,17	0403 90 53 000	+	11,50
0402 99 11 350	+	33,46	0403 90 59 110	+	17,20
0402 99 19 110	+	0,0559	0403 90 59 140	+	26,53
0402 99 19 130	+	0,1150	0403 90 59 170	+	39,85
0402 99 19 150	+	0,1735	0403 90 59 310	+	47,46
0402 99 19 310	+	20,98	0403 90 59 340	+	74,12
0402 99 19 330	+	25,17	0403 90 59 370	+	81,73
0402 99 19 350	+	33,46	0403 90 59 510	+	93,15
0402 99 31 110	+	0,2463	0403 90 59 540	+	136,90
0402 99 31 150	+	34,83	0403 90 59 570	+	159,76
0402 99 31 300	+	0,4746	0403 90 61 100	+	0,0559
0402 99 31 500	+	0,8173	0403 90 61 300	+	0,0864
0402 99 39 110	+	0,2463	0403 90 63 000	+	0,1150
0402 99 39 150	+	34,83	0403 90 69 000	+	0,1720
0402 99 39 300	+	0,4746	0404 90 11 100	+	59,14
0402 99 39 500	+	0,8173	0404 90 11 910	+	5,586
0402 99 91 000	+	0,9315	0404 90 11 950	+	18,02
0402 99 99 000	+	0,9315	0404 90 13 120	+	59,14
0403 10 02 000	+	—	0404 90 13 130	+	90,27
0403 10 04 200	+	—	0404 90 13 140	+	95,10
0403 10 04 300	+	—	0404 90 13 150	+	102,29
0403 10 04 500	+	—	0404 90 13 911	+	5,586
0403 10 04 900	+	—	0404 90 13 913	+	11,50
0403 10 06 000	+	—	0404 90 13 915	+	17,20
0403 10 12 000	+	—	0404 90 13 917	+	26,53
0403 10 14 200	+	—	0404 90 13 919	+	39,85
0403 10 14 300	+	—	0404 90 13 931	+	18,02
0403 10 14 500	+	—	0404 90 13 933	+	22,09
0403 10 14 900	+	—	0404 90 13 935	+	26,86
0403 10 16 000	+	—	0404 90 13 937	+	31,75
0403 10 22 100	+	5,586	0404 90 13 939	+	33,19
0403 10 22 300	+	8,635	0404 90 19 110	+	103,05
0403 10 24 000	+	11,50	0404 90 19 115	+	103,74
0403 10 26 000	+	17,20	0404 90 19 120	+	105,03
0403 10 32 100	+	0,0559	0404 90 19 130	+	112,26
0403 10 32 300	+	0,0864	0404 90 19 135	+	114,74
0403 10 34 000	+	0,1150	0404 90 19 150	+	124,35
0403 10 36 000	+	0,1720	0404 90 19 160	+	130,00
0403 90 11 000	+	59,14	0404 90 19 180	+	136,35
0403 90 13 200	+	59,14	0404 90 31 100	+	59,14
0403 90 13 300	+	90,27	0404 90 31 910	+	5,586
0403 90 13 500	+	95,10	0404 90 31 950	+	18,02
0403 90 13 900	+	102,29	0404 90 33 120	+	59,14
0403 90 19 000	+	103,05	0404 90 33 130	+	90,27
0403 90 31 000	+	0,5914	0404 90 33 140	+	95,10
0403 90 33 200	+	0,5914	0404 90 33 150	+	102,29
0403 90 33 300	+	0,9027	0404 90 33 911	+	5,586
0403 90 33 500	+	0,9510	0404 90 33 913	+	11,50
0403 90 33 900	+	1,0229	0404 90 33 915	+	17,20
0403 90 39 000	+	1,0305	0404 90 33 917	+	26,53

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 33 919	+	39,85	0404 90 99 990	+	0,9315
0404 90 33 931	+	18,02	0405 00 11 200	+	120,98
0404 90 33 933	+	22,09	0405 00 11 300	+	152,20
0404 90 33 935	+	26,86	0405 00 11 500	+	156,10
0404 90 33 937	+	31,75	0405 00 11 700	+	160,00
0404 90 33 939	+	33,19	0405 00 19 200	+	120,98
0404 90 39 110	+	103,05	0405 00 19 300	+	152,20
0404 90 39 115	+	103,74	0405 00 19 500	+	156,10
0404 90 39 120	+	105,03	0405 00 19 700	+	160,00
0404 90 39 130	+	112,26	0405 00 90 100	+	181,13
0404 90 39 150	+	114,74	0405 00 90 900	+	233,21
0404 90 51 100	+	0,5914	0406 10 20 100	+	—
0404 90 51 910	+	0,0559	0406 10 20 230	028	—
0404 90 51 950	+	20,79		400	34,33
0404 90 53 110	+	0,5914		404	—
0404 90 53 130	+	0,9027		...	42,17
0404 90 53 150	+	0,9510	0406 10 20 290	028	—
0404 90 53 170	+	1,0229		400	34,33
0404 90 53 911	+	0,0559		404	—
0404 90 53 913	+	0,1150		...	42,17
0404 90 53 915	+	0,1720	0406 10 20 610	028	11,87
0404 90 53 917	+	0,2653		037	—
0404 90 53 919	+	0,3985		039	—
0404 90 53 931	+	20,79		400	76,69
0404 90 53 933	+	24,95		404	—
0404 90 53 935	+	33,16		...	78,67
0404 90 53 937	+	34,51	0406 10 20 620	028	17,59
0404 90 59 130	+	1,0305		037	—
0404 90 59 150	+	1,1226		039	—
0404 90 59 930	+	0,5698		400	84,55
0404 90 59 950	+	0,8173		404	—
0404 90 59 990	+	0,9315		...	86,26
0404 90 91 100	+	0,5914	0406 10 20 630	028	21,10
0404 90 91 910	+	0,0559		037	—
0404 90 91 950	+	20,79		039	—
0404 90 93 110	+	0,5914		400	96,10
0404 90 93 130	+	0,9027		404	—
0404 90 93 150	+	0,9510		...	97,40
0404 90 93 170	+	1,0229	0406 10 20 640	028	—
0404 90 93 911	+	0,0559		037	—
0404 90 93 913	+	0,1150		039	—
0404 90 93 915	+	0,1720		400	114,29
0404 90 93 917	+	0,2653		404	—
0404 90 93 919	+	0,3985		...	114,29
0404 90 93 931	+	20,79	0406 10 20 650	028	24,18
0404 90 93 933	+	24,95		037	—
0404 90 93 935	+	33,16		039	—
0404 90 93 937	+	34,51		400	57,14
0404 90 99 130	+	1,0305		404	—
0404 90 99 150	+	1,1226		...	118,98
0404 90 99 930	+	0,5698			
0404 90 99 950	+	0,8173			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 10 20 660	+	—	0406 30 10 200	028	—
0406 10 20 810	028	—		037	—
	037	—		039	—
	039	—		400	34,43
	400	18,53		404	—
	404	—		...	38,52
	...	18,53	0406 30 10 250	028	—
0406 10 20 830	028	—		037	—
	037	—		039	—
	039	—		400	34,43
	400	31,62		404	—
	404	—		...	38,52
	...	31,62	0406 30 10 300	028	—
0406 10 20 850	028	—		037	—
	037	—		039	—
	039	—		400	50,55
	400	38,34		404	—
	404	—		...	56,51
	...	38,34	0406 30 10 350	028	—
0406 10 20 870	+	—		037	—
0406 10 20 900	+	—		039	—
0406 20 90 100	+	—		400	34,43
0406 20 90 913	028	—		404	—
	400	74,68		...	38,52
	404	—	0406 30 10 400	028	—
	...	74,68		037	—
0406 20 90 915	028	—		039	—
	400	99,57		400	50,55
	404	—		404	—
	...	99,57		...	56,51
0406 20 90 917	028	—	0406 30 10 450	028	—
	400	105,78		037	—
	404	—		039	—
	...	105,78		400	73,60
0406 20 90 919	028	—		404	—
	400	118,23		...	82,23
	404	—	0406 30 10 500	+	—
	...	118,23	0406 30 10 550	028	—
0406 20 90 990	+	—		037	—
0406 30 10 100	+	—		039	—
0406 30 10 150	028	—		400	34,43
	037	—		404	15,83
	039	—		...	38,52
	400	15,85	0406 30 10 600	028	—
	404	—		037	—
	...	18,06		039	—
				400	50,55
				404	22,16
				...	56,51

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 10 650	028	—	0406 30 31 730	028	—
	037	—		037	—
	039	—		039	—
	400	73,60		400	50,55
	404	—		404	—
	...	82,23		...	56,51
0406 30 10 700	028	—	0406 30 31 910	028	—
	037	—		037	—
	039	—		039	—
	400	73,60		400	34,43
	404	—		404	—
	...	82,23		...	38,52
0406 30 10 750	028	—	0406 30 31 930	028	—
	037	—		037	—
	039	—		039	—
	400	87,29		400	50,55
	404	—		404	—
	...	97,53		...	56,51
0406 30 10 800	028	—	0406 30 31 950	028	—
	037	—		037	—
	039	—		039	—
	400	87,29		400	73,60
	404	—		404	—
	...	97,53		...	82,23
0406 30 31 100	+	—	0406 30 39 100	+	—
	028	—		028	—
	037	—		037	—
	039	—		039	—
	400	15,85		400	34,43
	404	—		404	15,83
0406 30 31 300	...	18,06		...	38,52
	028	—	0406 30 39 500	028	—
	037	—		037	—
	039	—		039	—
	400	15,85		400	50,55
	404	—		404	22,16
0406 30 31 500	...	18,06		...	56,51
	028	—	0406 30 39 700	028	—
	037	—		037	—
	039	—		039	—
	400	34,43		400	73,60
	404	—		404	—
0406 30 31 710	...	38,52		...	82,23
	028	—	0406 30 39 930	028	—
	037	—		037	—
	039	—		039	—
	400	34,43		400	73,60
	404	—		404	—
	...	38,52		...	82,23

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 39 950	028	—	0406 90 06 900	+	—
	037	—	0406 90 07 000	028	—
	039	—		037	—
	400	87,29		039	—
	404	—		400	114,29
0406 30 90 000	...	97,53		404	—
	028	—		...	140,08
	037	—	0406 90 08 100	028	—
	039	—		037	—
	400	87,29		039	—
0406 40 50 000	404	—		400	114,29
	...	97,53		404	—
	028	—		...	140,08
	400	105,52	0406 90 08 900	+	—
0406 40 90 000	404	—	0406 90 09 100	028	—
	...	111,22		037	—
	028	—		039	—
	400	105,52		400	114,29
0406 90 02 100	404	—		404	—
	...	111,22		...	140,08
	028	—	0406 90 09 900	+	—
	037	—	0406 90 12 000	028	—
	039	—		037	—
0406 90 02 900	400	114,29		039	—
	404	—		400	114,29
	...	140,08		404	—
	+	—		...	140,08
	028	—	0406 90 14 100	028	—
0406 90 03 100	037	—		037	—
	039	—		039	—
	400	114,29		400	114,29
	404	—		404	—
	...	140,08		...	140,08
0406 90 03 900	+	—	0406 90 14 900	+	—
0406 90 04 100	028	—	0406 90 16 100	028	—
	037	—		037	—
	039	—		039	—
	400	114,29		400	114,29
	404	—		404	—
0406 90 04 900	...	140,08		...	140,08
	+	—	0406 90 16 900	+	—
	028	—	0406 90 21 900	028	—
	037	—		037	—
	039	—		039	—
0406 90 05 100	400	114,29		400	114,29
	404	—		404	—
	...	140,08		...	133,36
	+	—	0406 90 23 900	028	—
	028	—		037	—
0406 90 05 900	037	—		039	—
	039	—		400	57,14
	400	114,29		404	—
	404	—		...	118,98
	...	140,08			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 25 900	028	—	0406 90 35 990	028	—
	037	—		037	—
	039	—		039	—
	400	57,14		400	114,29
	404	—		404	—
	...	118,98		...	114,29
0406 90 27 900	028	—	0406 90 37 000	028	—
	037	—		037	—
	039	—		039	—
	400	49,34		400	114,29
	404	—		404	—
	...	100,83		...	140,08
0406 90 31 119	028	—	0406 90 61 000	028	—
	037	—		037	79,13
	039	—		039	79,13
	400	54,92		400	162,64
	404	14,07		404	123,07
	...	79,08		...	162,64
0406 90 31 151	028	—	0406 90 63 100	028	—
	037	—		037	92,33
	039	—		039	92,33
	400	51,33		400	186,48
	404	13,15		404	140,66
	...	73,71		...	186,48
0406 90 31 159	+	—	0406 90 63 900	028	—
0406 90 33 119	028	—		037	61,55
	037	—		039	61,55
	039	—		400	131,87
	400	54,92		404	70,33
	404	14,07		...	145,05
	...	79,08	0406 90 69 100	+	—
0406 90 33 151	028	—		028	—
	037	—		037	61,55
	039	—		039	61,55
	400	51,33		400	131,87
	404	13,15		404	70,33
	...	73,71		...	145,05
0406 90 33 919	028	—	0406 90 73 900	028	—
	037	—		037	37,51
	039	—		039	37,51
	400	54,92		400	132,76
	404	14,07		404	105,52
	...	79,08		...	132,76
0406 90 33 951	028	—	0406 90 75 900	028	—
	037	—		037	—
	039	—		039	—
	400	51,33		400	57,14
	404	13,15		404	—
	...	73,71		...	110,74
0406 90 35 190	028	—	0406 90 76 100	028	21,10
	037	37,51		037	—
	039	37,51		039	—
	400	139,38		400	51,66
	404	79,13		404	—
	...	139,38		...	97,40

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 76 300	028	—	0406 90 85 995	028	24,18
	037	—		037	—
	039	—		039	—
	400	57,14		400	57,14
	404	—		404	—
	...	118,98		...	118,98
0406 90 76 500	028	—	0406 90 85 999	+	—
	037	—		+	—
	039	—	0406 90 86 200	028	11,87
	400	65,94		037	—
	404	—		039	—
	...	118,98		400	78,67
0406 90 78 100	028	21,10		404	—
	037	—		...	78,67
	039	—	0406 90 86 300	028	17,59
	400	51,66		037	—
	404	—		039	—
	...	97,40		400	84,55
0406 90 78 300	028	—		404	—
	037	—		...	86,26
	039	—	0406 90 86 400	028	21,10
	400	57,14		037	—
	404	—		039	—
	...	118,98		400	96,10
0406 90 78 500	028	—		404	—
	037	—	0406 90 86 900	...	97,40
	039	—		028	—
	400	65,94		037	—
	404	—		039	—
	...	118,98		400	114,29
0406 90 79 900	028	—		404	—
	037	—	0406 90 87 100	...	114,29
	039	—		+	—
	400	49,34	0406 90 87 200	028	11,87
	404	—		037	—
	...	100,83		039	—
0406 90 81 900	028	—		400	78,67
	037	—		404	—
	039	—		...	78,67
	400	114,29	0406 90 87 300	028	17,59
	404	—		037	—
	...	114,29		039	—
0406 90 85 910	028	—		400	84,55
	037	37,51		404	—
	039	37,51	0406 90 87 400	...	86,26
	400	139,38		028	21,10
	404	79,13		037	—
	...	139,38		039	—
0406 90 85 991	028	—		400	96,10
	037	—		404	—
	039	—		...	97,40
	400	114,29			
	404	—			
	...	114,29			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 87 951	028	—	2309 10 15 500	+	—
	037	37,51	2309 10 15 700	+	—
	039	37,51	2309 10 19 010	+	—
	400	132,76	2309 10 19 100	+	—
	404	79,13	2309 10 19 200	+	—
	...	132,76	2309 10 19 300	+	—
0406 90 87 971	028	24,18	2309 10 19 400	+	—
	037	—	2309 10 19 500	+	—
	039	—	2309 10 19 600	+	—
	400	65,06	2309 10 19 700	+	—
	404	—	2309 10 19 800	+	—
	...	118,98	2309 10 70 010	+	—
0406 90 87 972	028	—	2309 10 70 100	+	19,03
	400	34,33	2309 10 70 200	+	25,37
	404	—	2309 10 70 300	+	31,72
	...	42,17	2309 10 70 500	+	38,05
0406 90 87 979	028	24,18	2309 10 70 600	+	44,39
	037	—	2309 10 70 700	+	50,74
	039	—	2309 10 70 800	+	55,82
	400	65,06	2309 90 35 010	+	—
	404	—	2309 90 35 100	+	—
	...	118,98	2309 90 35 200	+	—
0406 90 88 100	+	—	2309 90 35 300	+	—
0406 90 88 200	028	11,87	2309 90 35 400	+	—
	037	—	2309 90 35 500	+	—
	039	—	2309 90 35 700	+	—
	400	78,67	2309 90 39 010	+	—
	404	—	2309 90 39 100	+	—
	...	78,67	2309 90 39 200	+	—
0406 90 88 300	028	17,59	2309 90 39 300	+	—
	037	—	2309 90 39 400	+	—
	039	—	2309 90 39 500	+	—
	400	84,55	2309 90 39 600	+	—
	404	—	2309 90 39 700	+	—
	...	86,26	2309 90 39 800	+	—
2309 10 15 010	+	—	2309 90 70 010	+	—
2309 10 15 100	+	—	2309 90 70 100	+	19,03
2309 10 15 200	+	—	2309 90 70 200	+	25,37
2309 10 15 300	+	—	2309 90 70 300	+	31,72
2309 10 15 400	+	—	2309 90 70 500	+	38,05
			2309 90 70 600	+	44,39
			2309 90 70 700	+	50,74
			2309 90 70 800	+	55,82

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination (+) is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (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 Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 2182/95
of 14 September 1995

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

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 3 (4) thereof,

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

Whereas Commission Regulation (EC) No 2993/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2050/95 ⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 2181/95 of 14 September 1995 fixing the export refunds on milk and

milk products ⁽⁷⁾, adjusts the refunds on certain milk products; whereas the aid for certain products listed in the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 15 September 1995.

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

Done at Brussels, 14 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.
⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ No L 296, 17. 11. 1994, p. 23.
⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.
⁽⁵⁾ OJ No L 316, 9. 12. 1994, p. 11.
⁽⁶⁾ OJ No L 201, 25. 8. 1995, p. 23.

⁽⁷⁾ See page 3 of this Official Journal.

ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	⁽¹⁾	5,586
0401 10 90	— — Other	0401 10 90 000	⁽¹⁾	5,586
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	⁽¹⁾	5,586
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	⁽¹⁾	8,635
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	⁽¹⁾	5,586
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	⁽¹⁾	8,635
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	⁽¹⁾	11,50
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 500	⁽¹⁾	13,40
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	⁽¹⁾	11,50
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 500	⁽¹⁾	13,40
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 100	⁽¹⁾	17,20
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 400	⁽¹⁾	26,53
	— — — Exceeding 17 %	0401 30 11 700	⁽¹⁾	39,85
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 100	⁽¹⁾	17,20
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 400	⁽¹⁾	26,53
	— — — Exceeding 17 %	0401 30 19 700	⁽¹⁾	39,85
	— — Exceeding 21 % but not exceeding 45 %:			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 35 %	0401 30 31 100	⁽¹⁾	47,46
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 31 400	⁽¹⁾	74,12
	— — — Exceeding 39 %	0401 30 31 700	⁽¹⁾	81,73

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	— — — Other : — Of a fat content, by weight : — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 % :	0401 30 39 100 0401 30 39 400 0401 30 39 700	(¹) (¹) (¹)	47,46 74,12 81,73
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres : — Of a fat content, by weight : — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 100 0401 30 91 400 0401 30 91 700	(¹) (¹) (¹)	93,15 136,90 159,76
0401 30 99	— — — Other : — Of a fat content, by weight : — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 100 0401 30 99 400 0401 30 99 700	(¹) (¹) (¹)	93,15 136,90 159,76
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter :			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (⁷) : — — Not containing added sugar or other sweetening matter (²) :			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 000	(²)	60,00
0402 10 19	— — — Other — — Other (³) :	0402 10 19 000	(²)	60,00
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 000	(³)	0,6000
0402 10 99	— — — Other — In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (⁷) :	0402 10 99 000	(³)	0,6000
0402 21	— — Not containing added sugar or other sweetening matter (²) : — — — Of a fat content, by weight, not exceeding 27 % :			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — Other :	0402 21 11 200 0402 21 11 300 0402 21 11 500 0402 21 11 900	(²) (²) (²) (²)	60,00 91,08 95,96 103,21
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 000	(²)	60,00
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 % : — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 % :	0402 21 19 300 0402 21 19 500 0402 21 19 900	(²) (²) (²)	91,08 95,96 103,21

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 21 91	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 7 %	0402 21 91 100 0402 21 91 200 0402 21 91 300 0402 21 91 400 0402 21 91 500 0402 21 91 600 0402 21 91 700 0402 21 91 900	(2) (2) (2) (2) (2) (2) (2) (2)	103,97 104,68 105,97 113,27 115,79 125,48 131,17 137,59
0402 21 99	— — — — Other : — Of a fat content, by weight : — Not exceeding 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 99 100 0402 21 99 200 0402 21 99 300 0402 21 99 400 0402 21 99 500 0402 21 99 600 0402 21 99 700 0402 21 99 900	(2) (2) (2) (2) (2) (2) (2) (2)	103,97 104,68 105,97 113,27 115,79 125,48 131,17 137,59
ex 0402 29	— — Other ⁽³⁾ : — — — Of a fat content, by weight, not exceeding 27 % : — — — — Other :			
0402 29 15	— — — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 15 200 0402 29 15 300 0402 29 15 500 0402 29 15 900	(3) (3) (3) (3)	0,6000 0,9108 0,9596 1,0321
0402 29 19	— — — — — Other : — Of a fat content, by weight : — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 % :	0402 29 19 200 0402 29 19 300 0402 29 19 500 0402 29 19 900	(3) (3) (3) (3)	0,6000 0,9108 0,9596 1,0321

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 29 91	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a fat content, by weight : — Not exceeding 41 % — Exceeding 41 %	0402 29 91 100 0402 29 91 500	(3) (3)	1,0397 1,1327
0402 29 99	— — — — Other : — Of a fat content, by weight : — Not exceeding 41 % — Exceeding 41 %	0402 29 99 100 0402 29 99 500	(3) (3)	1,0397 1,1327
0402 91	— — Not containing added sugar or other sweetening matter ⁽²⁾ :			
0402 91 11	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a non-fat lactic dry matter content : — Of less than 15 % and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 %	0402 91 11 110 0402 91 11 120 0402 91 11 310 0402 91 11 350 0402 91 11 370	(2) (2) (2) (2) (2)	5,586 11,50 18,18 22,29 27,10
0402 91 19	— — — — Other : — Of a non-fat lactic dry matter content : — Of less than 15 % and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight : — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 %	0402 91 19 110 0402 91 19 120 0402 91 19 310 0402 91 19 350 0402 91 19 370	(2) (2) (2) (2) (2)	5,586 11,50 18,18 22,29 27,10
0402 91 31	— — — — In immediate packings of a net content not exceeding 2,5 kg : — Of a non-fat lactic dry matter content : — Of less than 15 % — Of 15 % or more	0402 91 31 100 0402 91 31 300	(2) (2)	22,72 32,03
0402 91 39	— — — — Other : — Of a non-fat lactic dry matter content : — Of less than 15 % — Of 15 % or more	0402 91 39 100 0402 91 39 300	(2) (2)	22,72 32,03
0402 91 51	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 000	(2)	26,53
0402 91 59	— — — — Other	0402 91 59 000	(2)	26,53
0402 91 91	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 000	(2)	93,15
0402 91 99	— — — — Other	0402 91 99 000	(2)	93,15

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 99	— — Other :			
	— — — Of a fat content, by weight, not exceeding 9,5 % :			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg :			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight ⁽³⁾ :			
	— Not exceeding 3 %	0402 99 11 110	⁽³⁾	0,0559
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 130	⁽³⁾	0,1150
	— Exceeding 6,9 %	0402 99 11 150	⁽³⁾	0,1735
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight ⁽⁴⁾ :			
	— Not exceeding 3 %	0402 99 11 310	⁽⁴⁾	20,98
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 330	⁽⁴⁾	25,17
	— Exceeding 6,9 %	0402 99 11 350	⁽⁴⁾	33,46
0402 99 19	— — — — Other :			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight ⁽³⁾ :			
	— Not exceeding 3 %	0402 99 19 110	⁽³⁾	0,0559
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 130	⁽³⁾	0,1150
	— Exceeding 6,9 %	0402 99 19 150	⁽³⁾	0,1735
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight ⁽⁴⁾ :			
	— Not exceeding 3 %	0402 99 19 310	⁽⁴⁾	20,98
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 330	⁽⁴⁾	25,17
	— Exceeding 6,9 %	0402 99 19 350	⁽⁴⁾	33,46
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 % :			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg :			
	— Of a fat content, by weight, not exceeding 21 % :			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾	0402 99 31 110	⁽³⁾	0,2463
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾	0402 99 31 150	⁽⁴⁾	34,83
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾	0402 99 31 300	⁽³⁾	0,4746
	— Of a fat content, by weight, exceeding 39 % ⁽³⁾	0402 99 31 500	⁽³⁾	0,8173
0402 99 39	— — — — Other :			
	— Of a fat content, by weight, not exceeding 21 % :			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾	0402 99 39 110	⁽³⁾	0,2463
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾	0402 99 39 150	⁽⁴⁾	37,68
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾	0402 99 39 300	⁽³⁾	0,4746
	— Of a fat content, by weight, exceeding 39 % ⁽³⁾	0402 99 39 500	⁽³⁾	0,8173
	— — — Of a fat content, by weight, exceeding 45 % :			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg ⁽³⁾	0402 99 91 000	⁽³⁾	0,9315
0402 99 99	— — — — Other ⁽³⁾	0402 99 99 000	⁽³⁾	0,9315

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0405 00	Butter and other fats and oils derived from milk :			
0405 00 11	– Of a fat content, by weight, not exceeding 85 % :			
	– – In immediate packings of a net content not exceeding 1 kg			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 11 000		—
	– Of 62 % or more but less than 78 %	0405 00 11 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 11 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 11 500		156,10
	– Of 82 % or more	0405 00 11 700		160,00
0405 00 19	– – Other :			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 19 100		—
	– Of 62 % or more but less than 78 %	0405 00 19 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 19 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 19 500		156,10
	– Of 82 % or more	0405 00 19 700		160,00
0405 00 90	– Other :			
	– Of a fat content, by weight :			
	– Not exceeding 99,5 %	0405 00 90 100		181,13
	– Exceeding 99,5 %	0405 00 90 900		233,21
0406	– Cheese :			
0406 30	– Processed, cheese, not grated or powdered (6) :			
0406 30 10	– – In the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger) ; put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 % :			
	– – – In the blending of which only Emmentaler and Gruyere have been used of a fat content by weight in the dry matter, not exceeding 56 % :			
	– – – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :			
	– – – – – Not exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 27 %	0406 30 10 100		—
	– Of 27 % or more but less than 33 %	0406 30 10 150		18,06
	– Of 33 % or more but less than 38 %	0406 30 10 200		38,52
	– Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 10 250		38,52
	– Of 20 % or more	0406 30 10 300		56,51
	– Of 43 % or more and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 10 350		38,52
	– Of 20 % or more but less than 40 %	0406 30 10 400		56,51
	– Of 40 % or more	0406 30 10 450		82,23
	– – – – – Exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 33 %	0406 30 10 500		—
	– Of 33 % or more but less than 38 %	0406 30 10 550		38,52
	– Of 38 % or more but less than 43 %	0406 30 10 600		56,51

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 30 10 (cont'd)	— Of 43 % or more but less than 46 % — Of 46 % or more and of a fat content, by weight, in the dry matter : — Of less than 55 % — Of 55 % or more — — — Of a fat content, by weight, exceeding 36 % — — — Other — — Other : — — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :	0406 30 10 650		82,23
		0406 30 10 700		82,23
		0406 30 10 750		97,53
		0406 30 10 800		97,53
		0406 30 10 900		—
0406 30 31	— — — Not exceeding 48 % : — Of a dry matter content, by weight : — Of less than 27 % — Of 27 % or more but less than 33 % — Of 33 % or more but less than 38 % — Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : — Of less than 20 % — Of 20 % or more — Of 43 % or more and of a fat content, by weight, in the dry matter : — Of less than 20 % — Of 20 % or more but less than 40 % — Of 40 % or more	0406 30 31 100		—
		0406 30 31 300	(¹)	18,06
		0406 30 31 500	(¹)	38,52
		0406 30 31 710	(¹)	38,52
		0406 30 31 730	(¹)	56,51
		0406 30 31 910	(¹)	38,52
		0406 30 31 930	(¹)	56,51
		0406 30 31 950	(¹)	82,23
0406 30 39	— — — Exceeding 48 % : — Of a dry matter content, by weight : — Of less than 33 % — Of 33 % or more but less than 38 % — Of 38 % or more but less than 43 % — Of 43 % or more but less than 46 % — Of 46 % or more and of a fat content, by weight, in the dry matter : — Of less than 55 % — Of 55 % or more	0406 30 39 100		—
		0406 30 39 300	(¹)	38,52
		0406 30 39 500	(¹)	56,51
		0406 30 39 700	(¹)	82,23
		0406 30 39 930	(¹)	82,23
		0406 30 39 950	(¹)	97,53
0406 30 90	— — — Of a fat content, by weight, exceeding 36 %	0406 30 90 000	(¹)	97,53
0406 90 23	— — — Edam : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 23 100		—
		0406 90 23 900	(¹)	118,98
0406 90 25	— — — Tilsit : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 25 100		—
		0406 90 25 900	(¹)	118,98

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 27	— — — Butterkäse : — Of a fat content, by weight, in the dry matter : — Of less than 39 % — Of 39 % or more	0406 90 27 100 0406 90 27 900	(3) (3)	— 100,83
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 76 100 0406 90 76 300 0406 90 76 500	(3) (3) (3)	97,40 118,98 118,98
0406 90 78	— — — — — Gouda : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — Of a fat content, by weight, in the dry matter of 55 % or more — — — — — Other cheeses, of a water content, calculated by weight, of the non-fatty matter	0406 90 78 100 0406 90 78 300 0406 90 78 500	(3) (3) (3)	97,40 118,98 118,98
0406 90 79	— — — — — Estrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin and Taleggio : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 79 100 0406 90 79 900	(3) (3)	— 100,83
0406 90 81	— — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby and Monterey : — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 81 100 0406 90 81 900	(3) (3)	— 114,29
0406 90 86	— — — — — Exceeding 47 % but not exceeding 52 % : — Cheeses produced from whey — Other : — Of a fat content, by weight, in the dry matter : — Of less than 5 % — Of 5 % or more but less than 19 % — Of 19 % or more but less than 39 % — Of more than 39 %	0406 90 86 100 0406 90 86 200 0406 90 86 300 0406 90 86 400 0406 90 86 900	(3) (3) (3) (3) (3)	— 78,67 86,26 97,40 114,29

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 87	— — — — — Exceeding 52 % but not exceeding 62 % : — Cheeses produced from whey — Other : — Of a fat content, by weight, in the dry matter : — Of less than 5 % — Of 5 % or more but less than 19 % — Of 19 % or more but less than 39 % — Of more than 39 % : — Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk — Maasdam — Manouri, of a fat content, by weight, of 30 % or more — Other	0406 90 87 100 0406 90 87 200 0406 90 87 300 0406 90 87 400 0406 90 87 951 0406 90 87 971 0406 90 87 972 0406 90 87 979	(¹) (¹) (¹) (¹) (¹) (¹) (¹) (¹)	— 78,67 86,26 97,40 132,76 118,98 42,17 118,98
0406 90 88	— — — — — Exceeding 62 % but not exceeding 72 % : — Cheeses produced from whey — Other : — Of a fat content, by weight, in the dry matter : — Of less than 5 % and of a dry matter content, by weight, of 32 % or more — Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more — Other	0406 90 88 100 0406 90 88 200 0406 90 88 300 0406 90 88 900	(¹) (¹) (¹)	— 78,67 86,26 —

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product ;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of amended Regulation (EEC) No 1098/68 (OJ No L 184, 29. 7. 1968, p. 10).
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
— the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
— the lactose content of the added whey.
- (⁴) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements :
- (a) the amount per 100 kilograms shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be :
— multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
— divided by the weight of the lactic part contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
— the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
— the lactose content of the added whey.
- (⁵) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (⁶) Where the product contains casein and/or caseinates, the part corresponding to the casein and/or the added caseinates will not be taken into account for the purpose of calculating the aid.
When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.
- (⁷) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.
-

COMMISSION REGULATION (EC) No 2183/95**of 14 September 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 multi-lateral trade negotiations, the criteria whereby the Commission 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 15 September 1995.

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

Done at Brussels, 14 September 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 14 September 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	44,7	0808 10 92, 0808 10 94, 0808 10 98	412	132,4
	060	80,2		512	186,0
	066	41,7		600	64,5
	068	62,3		624	123,2
	204	50,9		999	105,7
	212	117,9		039	79,3
	624	75,0		064	74,6
	999	67,5		388	63,7
ex 0707 00 25	052	70,1	0808 20 57	400	53,4
	053	166,9		508	68,4
	060	61,0		512	62,9
	066	53,8		524	57,4
	068	60,4		528	42,8
	204	49,1		800	95,1
	624	207,3		804	57,2
	999	95,5		999	65,5
0709 90 79	052	55,6	0809 30 41, 0809 30 49	052	75,6
	204	77,5		388	79,6
	624	196,3		512	89,7
	999	109,8		528	84,1
0805 30 30	052	80,0	0809 40 30	800	55,8
	388	63,2		804	112,9
	512	65,9		999	82,9
	520	86,0		052	56,5
	524	63,6		220	121,8
	528	63,3		624	106,8
	600	54,7		999	95,0
	624	78,0		052	73,4
0806 10 40	999	69,3		064	59,4
	052	85,4		066	66,4
	064	64,2		068	61,2
	066	49,4		624	174,3
	220	110,8		676	68,6
	400	135,8		999	83,9

⁽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 2184/95

of 14 September 1995

determining the extent to which applications lodged in August 1995 for import licences for fresh, chilled or frozen beef under the import arrangements provided for in the Europe Agreements between the Community and the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Bulgaria and Romania can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

second period running from 1 January to 30 June 1996 should accordingly be determined,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Commission Regulation (EC) No 1942/95 of 4 August 1995 setting for the period 1 July 1995 to 30 June 1996 rules of application for the tariff quotas for beef and veal provided for in the Europe Agreements concluded between the Community and its Member States on the one hand and the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Bulgaria and Romania on the other⁽¹⁾, as amended by Regulation (EC) No 1990/95⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Article 1 (1), (3) and (4) of Regulation (EC) No 1942/95 fixes the quantity of fresh, chilled and frozen beef originating in the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Bulgaria and Romania that may be imported under special conditions in respect of the period 1 July to 31 December 1995; whereas the quantities covered by import licence applications are such that import licences may be granted for the full quantities applied for;

1. Import licences shall be granted for the full quantities covered by applications submitted for the period 1 July to 31 December 1995 under the import quotas referred to in Article 1 (1) (a) of Regulation (EC) No 1942/95.

2. The quantities available for the period referred to in Article 1 (3) of Regulation (EC) No 1942/95 running from 1 January to 30 June 1996 shall amount to:

- 4 948,5 tonnes for meat originating in the Republic of Poland,
- 4 233,0 tonnes for meat originating in the Republic of Hungary,
- 2 465,0 tonnes for meat originating in the Czech Republic,
- 1 205,0 tonnes for meat originating in the Slovak Republic,
- 207,2 tonnes for meat originating in Bulgaria,
- 1 283,0 tonnes for meat originating in Romania.

Article 2

Whereas Article 1 (3) of Regulation (EC) No 1942/95 states that if for the year 5 (1 July 1995 to 30 June 1996) the quantities for which applications for import licences submitted under the Europe Agreements for the first period specified in that paragraph are less than the quantities available, the balances are to be added to the quantities available for the following period; whereas, in view of the quantities remaining in respect of the first period, the quantities available for the six countries concerned for the

Import licences shall be granted for the full quantities covered by applications submitted for the period 1 July to 31 December 1995 under the import quotas referred to in Article 1 (1) (b) of Regulation (EC) No 1942/95.

Article 3

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

⁽¹⁾ OJ No L 186, 5. 8. 1995, p. 30.

⁽²⁾ OJ No L 192, 15. 8. 1995, p. 37.

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

Done at Brussels, 14 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2185/95
of 14 September 1995
setting the world market price for unginne cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81⁽²⁾, and in particular Articles 3 and 4 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginne cotton to be determined periodically from the world market price recorded for ginned cotton, using the historical relationship between the ginned cotton and that calculated for unginne cotton; whereas this historical relationship was specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton⁽³⁾, as last amended by Regulation (EC) No 2064/95⁽⁴⁾; whereas in cases where the world market price cannot be thus determined it is to be based on the last price determined;

Whereas pursuant to Article 4 of Regulation (EC) No 1554/95 the world market price for ginned cotton is determined for a product meeting certain characteristics

and by using the most favourable offers and quotations of those considered representative of the real market trend; whereas for this purpose an average is to be established of the offers and quotations on one or more European exchanges for deliveries cif to north European ports of cotton from the various supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustment to reflect differences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginne cotton specified hereunder,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price for unginne cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 38,108 per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 September 1995.

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

Done at Brussels, 14 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁴⁾ OJ No L 204, 30. 8. 1995, p. 8.

COMMISSION REGULATION (EC) No 2186/95

of 14 September 1995

fixing 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 Regulation (EC) No 1863/95⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

Whereas export possibilities exist for a quantity of 500 000 tonnes of common wheat to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95⁽⁴⁾, as last amended by Regulation (EC) No 2147/95⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to

vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾, as amended by Regulation (EC) No 1380/95⁽⁷⁾, 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 Cereals,

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, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 September 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁵⁾ OJ No L 215, 9. 9. 1995, p. 4.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 14 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 14 September 1995 establishing 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	—	—	1008 20 00 000	—	—
0712 90 19 000	—	—	1101 00 11 000	—	—
1001 10 00 200	—	—	1101 00 15 100	01	0
1001 10 00 400	—	—	1101 00 15 130	01	0
1001 90 91 000	—	—	1101 00 15 150	—	—
1001 90 99 000	03	0 (4)	1101 00 15 170	—	—
	04	0 (5)	1101 00 15 180	—	—
	05	0 (6)	1101 00 15 190	—	—
	06	0 (7)	1101 00 90 000	—	—
	02	—	1102 10 00 500	01	25,00
1002 00 00 000	01	0	1102 10 00 700	—	—
1003 00 10 000	—	—	1102 10 00 900	—	—
1003 00 90 000	01	0	1103 11 10 200	—	— (3)
1004 00 00 200	—	—	1103 11 10 400	—	— (3)
1004 00 00 400	—	—	1103 11 10 900	—	—
1005 10 90 000	—	—	1103 11 90 200	—	— (3)
1005 90 00 000	—	—	1103 11 90 800	—	—
1007 00 90 000	—	—			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Morocco, Algeria and Tunisia,
- 04 Egypt,
- 05 Cuba,
- 06 Senegal, Côte-d'Ivoire, Gabon, Cameroon, Burkina Faso.

(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.

(4) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 250 000 tonnes of wheat destined for Morocco, Algeria and Tunisia.

(5) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 100 000 tonnes of soft wheat destined for Egypt.

(6) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 100 000 tonnes of wheat destined for Cuba.

(7) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 10 000 tonnes of soft wheat destined for Senegal, Côte-d'Ivoire, Gabon, Cameroon and Burkina Faso.

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 2187/95

of 14 September 1995

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1863/95⁽²⁾, and in particular Article 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

Whereas Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, allows for the fixing of a corrective amount for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁶⁾, as last amended by Regulation (EC) No 1053/95⁽⁷⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 September 1995.

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

Done at Brussels, 14 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 107, 12. 5. 1995, p. 4.

ANNEX

to the Commission Regulation of 14 September 1995 establishing the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	-1,30	-2,60	-3,90	-5,20	—	—
	02	—	—	—	—	—	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	01	0	0	0	0	0	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	01	0	-1,78	-3,56	-5,34	-7,12	—	—
1101 00 15 130	01	0	-1,78	-3,56	-5,34	-7,12	—	—
1101 00 15 150	—	—	—	—	—	—	—	—
1101 00 15 170	—	—	—	—	—	—	—	—
1101 00 15 180	—	—	—	—	—	—	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	—	—	—	—	—	—	—	—
1103 11 10 400	—	—	—	—	—	—	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	—	—	—	—	—	—	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries,

02 other third countries,

03 Morocco, Algeria, Tunisia, Egypt, Cuba, Senegal, Côte-d'Ivoire, Gabon, Cameroon, Burkina Faso.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 April 1995

amending the Decision of 27 July 1994 concerning the subscription by
CDC-Participations to bonds issued by Air France (93/C 334/04)

(Only the French text is authentic)

(Text with EEA relevance)

(95/367/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 93 (2) thereof,

Having regard to the Agreement establishing the European Economic Area, and in particular Article 62 (1) (a) thereof and Protocol 27 thereto,

Whereas :

I

On 27 July 1994, the Commission decided that the subscription by CDC-P, a subsidiary of the French public entity Caisse des Dépôts et des Consignations, to bonds issued by Air France constituted illegal aid incompatible with the common market and the EEA Agreement. The bonds at issue were bonds redeemable in shares (*Obligations remboursables en actions* or 'ORAs') and progressive interest subordinated notes with warrants (*Titre subordonnés à intérêt progressif assortis de bons de souscription d'actions* or 'TSIP-BSAs') with a total value of FF 1 497 415 290. Article 2 of the Decision requested France to ensure that the aid was reimbursed within two months of the date of publication of the Decision in the *Official Journal of the European Communities*, which took place on 6 October 1994. Article 2 also stipulated that the reim-

bursement had to include the interest legally applicable from the date of granting of the aid, less any interest already paid on the bonds by Air France to CDC-P.

On 26 October 1994, France appealed against the Decision to the Court of Justice of the European Communities and, in a parallel action, Air France appealed to the Court of First Instance of the European Communities with a view to obtaining its annulment.

On 14 December 1994, representatives from Air France and the French Government held a meeting in Brussels with representatives of the Commission. The French authorities informed the Commission that they were facing difficulties in implementing the Decision and that they intended to submit to the Commission an interim recovery scheme in the light of those difficulties.

On 21 December 1994, the French authorities sent a note to the Commission explaining the steps they intended to take to comply with the Decision.

II

The note sent to the Commission on 21 December 1994 proposes that, as the decision is being challenged before the Court of Justice, the recovery should be subject to an interim scheme whereby Air France deposits the amount to be repaid on a blocked bank account where it will

remain for the duration of the judicial proceedings. If the Decision is upheld, Air France will transfer to CDC-P the principal increased by interest accruing from 1 May 1993 until 27 July 1994. If the Decision is annulled, Air France will close the blocked account and have full access to the funds.

The note further stresses that the scheme should be implemented in January 1995 and specifies the nature of the account, being a special account entailing, by virtue of the account-opening agreement, obligations on Air France and the bank. Under this agreement Air France will not be allowed to withdraw the funds for the duration of the proceedings and the bank will ensure that the account is constantly credited with the amount deposited.

Moreover, the scheme provides that the interest earned will be added to the sum deposited and that the Commission will be informed at regular intervals of the movements recorded on the account.

The French Government justified the proposed scheme in the course of the abovementioned meeting of 14 December 1994 by technical difficulties Air France would encounter in the repayment of the aid to CDC-P. Those difficulties, arising from French law, can be summarized as follows:

- (a) repayment of the amount subscribed by CDC-P entails a breach of the subscription contract CDC-P has concluded with Air France. According to the contract, ORAs are exclusively reimbursable in shares and cannot be reimbursed in cash. In order to prevent Air France from breaching the subscription contract, the contract could be amended and adapted in order to comply with the repayment requirement. However, such a modification would prejudice CDC-P, and its agreement, which is indispensable, is unlikely to be obtained;
- (b) repayment of the amount subscribed by CDC-P obliges Air France to cancel the whole subscription and therefore to reimburse the amount subscribed by private investors whose participation in the operation is legitimate and does not constitute aid. Therefore, Air France would be obliged to breach the contract it has concluded with private investors or to amend it, thereby encountering the same problems as those faced with CDC-P;
- (c) repayment of the amount subscribed by CDC-P would prejudice the position of all third parties who have in the past subscribed to ORAs, TSIP-BSAs or similar bonds issued by Air France as they have not been offered the same possibility for the reimbursement of their bonds. They could initiate legal action against

Air France on the basis of the principle of equality of treatment and ask for reimbursement in cash. Alternatively, these shareholders could also consider that the early reimbursement of the price paid by CDC-P and the private investors, with interest, is contrary to their interests.

Moreover, the French Government asserts that the cancellation of the whole subscription which is necessary in order to permit the recovery of the amount subscribed by CDC-P and their subsequent repayment of the amounts subscribed by private investors would be definitive and irreversible. If the Decision is annulled, Air France would not legally be able to impose on the participants the obligation to reinvest the same amount under the same conditions. Therefore, the French authorities consider that, in the meantime, the proposed scheme offers the best solution and ensures the effectiveness of the Commission Decision as Air France will be deprived of access to the amount corresponding to the aid.

III

On 1 February 1995, the Commission sent a letter to the French Government, containing its comments on the neutrality of the scheme. The Commission stressed that its letter did not prejudice its position with regard to the compatibility of the scheme with its Decision of 27 July 1994. In this regard, by letters of 14 February 1995 and of 30 March 1995, the French authorities have agreed on some modifications to their initial proposal.

IV

France asserts that the difficulties encountered in the implementation of the Commission Decision and referred to above at (a), (b) and (c) stem from the French legal system. However, the Court of Justice considers that a Member State may not plead provisions, practices or circumstances existing in its internal legal system in order to justify a failure to comply with its obligations arising under Community law⁽¹⁾. Therefore, these legal difficulties as such do not justify the failure to ensure that the aid is repaid. Moreover, these difficulties are not encountered by France but by Air France alone. Provisions of French law render the repayment difficult only for Air France as they oblige it to amend or breach the contract concluded with CDC-P and with other investors, and to infringe the principle of equality of treatment. However, these provisions do not prevent France from taking any step whatsoever to ensure that Air France repays the aid to CDC-P.

⁽¹⁾ See Case 215/83, *Commission v. Kingdom of Belgium* (1985) ECR 1045.

Nevertheless, the Court of Justice considers that, if in giving effect to a Commission Decision ordering the recovery of aid, a Member State encounters unforeseen and unforeseeable difficulties or perceives consequences overlooked by the Commission, it must submit those problems for consideration to the Commission together with proposals for suitable amendments to the Decision in question. In such a case, the Commission and the Member State concerned must respect the principle underlying Article 5 of the Treaty, which imposes a duty of genuine cooperation on the Member States and the Community institutions and requires them to work together in good faith with a view to overcoming difficulties whilst fully observing the Treaty rules, and in particular those on aid⁽¹⁾.

The difficulties and consequences linked to the implementation of the Commission Decision led France to submit to the Commission an interim recovery scheme. By virtue of Article 5 of the Treaty, the Commission is obliged to examine this scheme in the light of the above-mentioned principles and to verify whether amendments to its Decision of 27 July 1994 are needed.

Taking into account the special features of the aid, which took the form of particularly complex financial instruments involving both public and private investors, it appears that the implementation of the contested decision before a final decision of the Court would bring about irreversible consequences overlooked by the Commission. If an immediate repayment of the aid to CDC-P is made, and the entire subscription operation is therefore cancelled, it will be impossible to reestablish the *status quo ante* if the decision is annulled by the Court of Justice. Taking into account the abovementioned consequences, the Commission considers that the arrangements for implementing its Decision of 27 July 1994 should be reexamined.

In this context, steps must be taken to ensure that the abovementioned decision is effective. Such effectiveness requires an evaluation of the recovery scheme from an economic standpoint, in the light of the final objective of the decision: reestablishing the *status quo ante*. In this regard, the aim of the recovery of aid is to deprive the recipient of the economic advantage stemming from the granting of the aid. Such an objective is usually attained by the repayment to the entity which has granted the aid. Such an objective is usually attained by the repayment to the entity which has granted the aid. By ensuring that Air France is deprived of access to the amount corresponding to the aid and that lack of access is mentioned in the

company's published accounts, the aim pursued by the repayment is attained: the competitive advantage enjoyed by Air France over its competitors is removed. The fact that CDC-P does not receive the amount immediately does not affect the effectiveness of the Commission Decision, and the scheme has the same economic effect for Air France as an immediate repayment to CDC-P.

The Commission therefore authorizes the interim recovery scheme proposed by the French authorities, thus amending its Decision of 27 July 1994, which contains the following elements:

- France will ensure that the funds remain blocked on the account for the duration of the proceedings initiated before the Court of Justice and that the funds are released directly to CDC-P by the bank if the Commission Decision is confirmed by the Court of Justice or if the proceedings are withdrawn,
- the amount credited to the account will always have to correspond to the amount of the aid to be recovered, increased by the corresponding interest. If, for any reason, the amount credited to the account is lower, Air France will be obliged to make up the difference without delay,
- in order to reflect the correct accounting treatment of the sums concerned, a clear statement indicating the particular circumstances linked to the blocked account must be included in Air France's published accounts for the duration of the judicial proceedings,
- following the adoption by the Commission on 1 February 1995 of a communication concerning the applicable interest for the recovery of illegal aid, the interest rate referred to in Article 2 of the Commission Decision of 27 July 1994, is the lower of either the legal rate fixed by the relevant French authorities for liabilities of the State or the average rate taken from the quarterly survey of the Banque de France for the cost of credit for undertakings in the long or medium term,
- the abovementioned interest will accrue from the date of granting of the aid until actual repayment to CDC-P is made.

The Commission will monitor the functioning of the account and will be provided with the account-opening agreement as well as a final statement on the closure of the account. The account-opening agreement will expressly provide that Air France cannot have access to the funds deposited for the duration of the proceedings before the Court of Justice and the Court of First Instance and that the bank will transfer the funds to CDC-P if the abovementioned courts finally uphold the Commission Decision or if the cases are withdrawn from the Court registers,

⁽¹⁾ See Case 94/87, *Commission v. Federal Republic of Germany* (1989) 175, point 8 at p. 191; see also Case 349/93, *Commission v. Italy*, not yet published in the ECR.

HAS ADOPTED THIS DECISION :

Article 1

The Commission Decision of 27 July 1994 (93/C 334/04) is amended as follows :

1. Article 2 is replaced by the following :

'Article 2

1. France shall ensure that the aid of FF 1 497 415 290 and interest on arrears running from the date the aid was granted until the date the aid is effectively recovered is deposited on a blocked bank account within one month of the transmission of this Decision to France. France shall ensure that the funds remain on the account until final judgment in Cases C 282/94 and T 358/94 is delivered or until deletion of those cases from the registers of the Court of Justice and the Court of First Instance.

2. France shall ensure that the aid and interest as arrears referred to in paragraph 1 are reimbursed, less any interest already paid by Air France to CDC-Participations, within one month of the date of final judgment upholding this Decision in cases C 282/94 and T 358/94 or within one month of deletion of those cases from the registers of the Court of Justice and the Court of First Instance. The recovery of the aid must take place in accordance with the relevant provisions of national law.

3. The rate applicable to the interest on arrears referred to in paragraphs 1 and 2 shall be the lower of either the legal rate fixed by the relevant French authorities in the case of liabilities to the State or the average rate taken from the quarterly survey of the Banque de France for the cost of credit for undertakings in the long or medium term.

4. Air France will have no access to the funds it deposits on the account. The bank will release the funds directly either to CDC-Participations if the

Commission's decision is finally upheld in the cases referred to in paragraph 1 or if those cases are deleted from the registers of the Court of Justice and the Court of First Instance, or to Air France if the Commission's Decision is finally annulled in the cases referred to in paragraph 1.

5. The funds to be deposited in the account comprise the principal referred to above and the interest due until the opening of the account. Interest accruing from the date the account is opened until the date the account is closed will be deposited on the account in due time in order to ensure that the account is permanently credited with the sums to be repaid by virtue of paragraph 1.

A clear statement, indicating that Air France has no access to the funds deposited on the blocked account and specifying the arrangements for the operation of that account, will be included in the accounts published by Air France for the duration of the proceedings for annulment in the cases referred to in paragraph 1.'

2. Article 3 is replaced by the following :

'Article 3

France will provide the Commission with the account-opening agreement within one month of the publication of this Decision and with a final statement on the closure of the account.'

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 4 April 1995.

For the Commission

Neil KINNOCK

Member of the Commission

COMMISSION DECISION
of 7 September 1995
amending Decision 84/128/EEC on establishing an Industrial Research and
Development Advisory Committee (IRDAC)

(95/368/EC)

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

Whereas by its Decision 84/128/EEC⁽¹⁾ the Commission has set up an Industrial Research and Development Advisory Committee (IRDAC); whereas this Decision has been amended by Decision 86/9/EEC of 7 January 1986⁽²⁾ and, in the latest instance, by Commission Decision 88/46/EEC⁽³⁾;

Whereas Article 130f (1) of the Treaty on European Union states that the Community shall have the objective of strengthening the scientific and technological bases of Community industry and encouraging it to become more competitive at international level, while promoting all the research activities deemed necessary by virtue of other Chapters of this Treaty;

Whereas it is appropriate to adjust the consultative system of the Industrial Research and Development Committee to the new guidelines and policy requirements in the field of science and technology;

Whereas action has been taken at European level to set up, alongside the Federation of European Industrial Cooperative Research Organizations (FEICRO), another association grouping together the various research centres: European Association of Contract Research Organizations (EACRO);

Whereas small and medium-sized enterprises (SMEs) make an important contribution to industrial competitiveness and innovation in Europe and that they have a representative organization, the European Union of Crafts and Small and Medium-sized Enterprises (UAEPME);

Whereas the number of seats on the Industrial Research and Development Advisory Committee should be changed in order to take into account the evolution of research and technological development policy within the European Union,

HAS DECIDED AS FOLLOWS:

Article 1

Article 3 (1) of Decision 84/128/EEC shall be replaced by the following:

'1. The Committee shall be composed of 19 members with substantial experience in strategy,

research and development work in industrial undertakings, research institutes or other organizations involved in work related to industrial RTD strategy, research and development who shall be appointed by the Commission in a personal capacity.'

Article 2

Article 3 (2) of Decision 84/128/EEC shall be replaced by the following:

'2. In order to facilitate the exchange of information, as well as adequately to take into account the interest of the European organization competent in the field of industrial research and development, namely:

- the Union of Industries of the European Community (UNICE),
- the European Centre for Public Enterprise (ECPE),
- the European Association of Contract Research Organizations (EACRO); the Federation of European Industrial Cooperative Research Organizations (FEICRO),
- the European Trade Union Confederation (ETUC),
- the European Union of Crafts and Small and Medium-Sized Enterprises (UAEPME).

The Committee shall include in addition five members appointed by the Commission after consultation with these organizations.'

Article 3

This Decision shall apply with effect from the day of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 7 September 1995.

For the Commission

Édith CRESSON

Member of the Commission

⁽¹⁾ OJ No L 66, 8. 3. 1984, p. 30.

⁽²⁾ OJ No L 25, 31. 1. 1986, p. 26.

⁽³⁾ OJ No L 24, 29. 1. 1988, p. 66.

CORRIGENDA

Corrigendum to Commission Decision 95/356/Euratom of 28 June 1995 concerning the conclusion of the Implementing Agreement between the European Atomic Community, represented by the Commission of the European Communities, and Atomic Energy of Canada Limited designated as implementing agents by the Government of Canada on the involvement of Canada in the European Atomic Energy Community contribution to the Engineering Design Activities (EDA) for the International Thermonuclear Experimental Reactor (ITER), by the Commission, on behalf of the Community

(Official Journal of the European Communities No L 211 of 6 September 1995)

On page 42 in the Implementing Agreement, the signature :

*for : For the European
 Atomic Energy Community
 represented by the Commission
 of the European Communities
 Jacques SANTER',*

*read : For the European Atomic
 Energy Community
 represented by the Commission
 of the European Communities
 Édith CRESSON'.*
