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## Legislation

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EUROPEAN ECONOMIC AREA

The EEA Joint Committee

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 2216/95**  
**of 19 September 1995**  
**establishing unit values for the determination of the customs value of certain**  
**perishable goods**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 22 September 1995.

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

Done at Brussels, 19 September 1995.

*For the Commission*

Mario MONTI

*Member of the Commission*

<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(3)</sup> OJ No L 171, 21. 7. 1995, p. 8.

## ANNEX

| Code  | Description                                                                                                                                         | Amount of unit values per 100 kg |                                |                                  |                            |                        |                     |                        |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------|----------------------------------|----------------------------|------------------------|---------------------|------------------------|
|       | Species, varieties, CN code                                                                                                                         | a)<br>b)<br>c)                   | ECU<br>Fmk<br>SKr              | öS<br>FF<br>Bfrs/Lfrs            | DM<br>£ Irl<br>£           | Dkr<br>Lit             | Dr<br>Fl            | Pta<br>Esc             |
| 1.10  | New potatoes<br>0701 90 51<br>0701 90 59                                                                                                            | a)<br>b)<br>c)                   | 24,79<br>139,59<br>224,57      | 329,89<br>161,44<br>964,90       | 46,90<br>19,91<br>20,31    | 181,60<br>50 599,12    | 7 534,60<br>52,55   | 3 998,87<br>4 873,07   |
| 1.30  | Onions (other than seed)<br>0703 10 19                                                                                                              | a)<br>b)<br>c)                   | 11,91<br>67,08<br>107,92       | 158,54<br>77,59<br>463,72        | 22,54<br>9,57<br>9,76      | 87,27<br>24 317,58     | 3 621,08<br>25,26   | 1 921,83<br>2 341,96   |
| 1.40  | Garlic<br>0703 20 00                                                                                                                                | a)<br>b)<br>c)                   | 69,68<br>392,35<br>631,21      | 927,26<br>453,77<br>2 712,13     | 131,83<br>55,96<br>57,10   | 510,43<br>142 223,93   | 21 178,24<br>147,71 | 11 240,03<br>13 697,22 |
| 1.50  | Leeks<br>ex 0703 90 00                                                                                                                              | a)<br>b)<br>c)                   | 42,20<br>237,62<br>382,28      | 561,57<br>274,82<br>1 642,54     | 79,84<br>33,89<br>34,58    | 309,13<br>86 134,84    | 12 826,14<br>89,46  | 6 807,28<br>8 295,42   |
| 1.60  | Cauliflowers<br>ex 0704 10 10<br>ex 0704 10 90                                                                                                      | a)<br>b)<br>c)                   | 129,66<br>730,08<br>1 174,55   | 1 725,44<br>844,38<br>5 046,73   | 245,31<br>104,13<br>106,25 | 949,81<br>264 650,32   | 39 408,47<br>274,86 | 20 915,45<br>25 487,78 |
| 1.70  | Brussels sprouts<br>0704 20 00                                                                                                                      | a)<br>b)<br>c)                   | 53,71<br>302,43<br>486,54      | 714,74<br>349,78<br>2 090,54     | 101,61<br>43,14<br>44,01   | 393,45<br>109 628,02   | 16 324,46<br>113,86 | 8 663,96<br>10 557,99  |
| 1.80  | White cabbages and red cabbages<br>0704 90 10                                                                                                       | a)<br>b)<br>c)                   | 33,87<br>190,71<br>306,82      | 450,72<br>220,57<br>1 318,32     | 64,08<br>27,20<br>27,75    | 248,11<br>69 132,40    | 10 294,35<br>71,80  | 5 463,57<br>6 657,96   |
| 1.90  | Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck)<br>ex 0704 90 90 | a)<br>b)<br>c)                   | 79,26<br>446,29<br>717,99      | 1 054,74<br>516,16<br>3 085,02   | 149,95<br>63,66<br>64,95   | 580,61<br>161 778,38   | 24 090,05<br>168,02 | 12 785,43<br>15 580,46 |
| 1.100 | Chinese cabbage<br>ex 0704 90 90                                                                                                                    | a)<br>b)<br>c)                   | 81,30<br>457,78<br>736,47      | 1 081,89<br>529,45<br>3 164,42   | 153,81<br>65,29<br>66,62   | 595,55<br>165 942,24   | 24 710,08<br>172,34 | 13 114,50<br>15 981,47 |
| 1.110 | Cabbage lettuce (head lettuce)<br>0705 11 10<br>0705 11 90                                                                                          | a)<br>b)<br>c)                   | 156,73<br>882,50<br>1 419,77   | 2 085,67<br>1 020,67<br>6 100,37 | 296,52<br>125,87<br>128,43 | 1 148,11<br>319 903,17 | 47 636,05<br>332,25 | 25 282,12<br>30 809,04 |
| 1.120 | Endives<br>ex 0705 29 00                                                                                                                            | a)<br>b)<br>c)                   | 21,82<br>122,86<br>197,66      | 290,37<br>142,10<br>849,30       | 41,28<br>17,52<br>17,88    | 159,84<br>44 537,02    | 6 631,91<br>46,26   | 3 519,78<br>4 289,24   |
| 1.130 | Carrots<br>ex 0706 10 00                                                                                                                            | a)<br>b)<br>c)                   | 28,30<br>159,35<br>256,36      | 376,60<br>184,30<br>1 101,52     | 53,54<br>22,73<br>23,19    | 207,31<br>57 763,41    | 8 601,42<br>59,99   | 4 565,07<br>5 563,04   |
| 1.140 | Radishes<br>ex 0706 90 90                                                                                                                           | a)<br>b)<br>c)                   | 39,42<br>221,96<br>357,10      | 524,58<br>256,71<br>1 534,34     | 74,58<br>31,66<br>32,30    | 288,77<br>80 460,56    | 11 981,20<br>83,56  | 6 358,84<br>7 748,95   |
| 1.160 | Peas ( <i>Pisum sativum</i> )<br>0708 10 10<br>0708 10 90                                                                                           | a)<br>b)<br>c)                   | 251,85<br>1 418,09<br>2 281,43 | 3 351,45<br>1 640,11<br>9 802,65 | 476,47<br>202,27<br>206,37 | 1 844,89<br>514 050,70 | 76 546,11<br>533,88 | 40 625,70<br>49 506,89 |

| Code    | Description                                                                                                   | Amount of unit values per 100 kg |                                |                                   |                            |                        |                     |                        |
|---------|---------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------|-----------------------------------|----------------------------|------------------------|---------------------|------------------------|
|         | Species, varieties, CN code                                                                                   | a)<br>b)<br>c)                   | ECU<br>Fmk<br>SKr              | öS<br>FF<br>Bfrs/Lfrs             | DM<br>£ Irl<br>£           | Dkr<br>Lit             | Dr<br>Fl            | Pta<br>Esc             |
| 1.170   | Beans :                                                                                                       |                                  |                                |                                   |                            |                        |                     |                        |
| 1.170.1 | Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.)<br>ex 0708 20 10<br>ex 0708 20 90                           | a)<br>b)<br>c)                   | 219,25<br>1 234,56<br>1 986,17 | 2 917,71<br>1 427,85<br>8 534,02  | 414,81<br>176,09<br>179,66 | 1 606,13<br>447 523,57 | 66 639,71<br>464,79 | 35 368,02<br>43 099,83 |
| 1.170.2 | Beans ( <i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi)<br>ex 0708 20 10<br>ex 0708 20 90 | a)<br>b)<br>c)                   | 108,70<br>612,06<br>984,68     | 1 446,51<br>707,89<br>4 230,91    | 205,65<br>87,30<br>89,07   | 796,27<br>221 868,66   | 33 037,95<br>230,43 | 17 534,40<br>21 367,59 |
| 1.180   | Broad beans<br>ex 0708 90 00                                                                                  | a)<br>b)<br>c)                   | 92,83<br>522,70<br>840,92      | 1 235,33<br>604,54<br>3 613,20    | 175,63<br>74,55<br>76,07   | 680,02<br>189 476,24   | 28 214,47<br>196,79 | 14 974,41<br>18 247,96 |
| 1.190   | Globe artichokes<br>0709 10 10<br>0709 10 20<br>0709 10 30                                                    | a)<br>b)<br>c)                   | 115,68<br>651,36<br>1 047,91   | 1 539,40<br>753,34<br>4 502,59    | 218,86<br>92,91<br>94,79   | 847,40<br>236 115,60   | 35 159,43<br>245,23 | 18 660,34<br>22 739,68 |
| 1.200   | Asparagus :                                                                                                   |                                  |                                |                                   |                            |                        |                     |                        |
| 1.200.1 | — green<br>ex 0709 20 00                                                                                      | a)<br>b)<br>c)                   | 319,47<br>1 798,84<br>2 893,99 | 4 251,31<br>2 080,48<br>12 434,65 | 604,41<br>256,58<br>261,78 | 2 340,24<br>652 072,39 | 97 098,60<br>677,23 | 51 533,63<br>62 799,40 |
| 1.200.2 | — other<br>ex 0709 20 00                                                                                      | a)<br>b)<br>c)                   | 114,14<br>642,69<br>1 033,96   | 1 518,91<br>743,31<br>4 442,65    | 215,94<br>91,67<br>93,53   | 836,12<br>232 972,30   | 34 691,37<br>241,96 | 18 411,92<br>22 436,96 |
| 1.210   | Aubergines (eggplants)<br>0709 30 00                                                                          | a)<br>b)<br>c)                   | 233,29<br>1 313,60<br>2 113,33 | 3 104,51<br>1 519,27<br>9 080,39  | 441,37<br>187,36<br>191,16 | 1 708,95<br>476 175,25 | 70 906,16<br>494,55 | 37 632,38<br>45 859,20 |
| 1.220   | Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.)<br>ex 0709 40 00                 | a)<br>b)<br>c)                   | 59,79<br>336,66<br>541,62      | 795,65<br>389,37<br>2 327,19      | 113,12<br>48,02<br>48,99   | 437,98<br>122 037,97   | 18 172,39<br>126,75 | 9 644,72<br>11 753,16  |
| 1.230   | Chantarelles<br>0709 51 30                                                                                    | a)<br>b)<br>c)                   | 258,88<br>1 457,68<br>2 345,12 | 3 445,02<br>1 685,90<br>10 076,33 | 489,78<br>207,91<br>212,13 | 1 896,39<br>528 402,56 | 78 683,21<br>548,79 | 41 759,93<br>50 889,08 |
| 1.240   | Sweet peppers<br>0709 60 10                                                                                   | a)<br>b)<br>c)                   | 76,31<br>429,67<br>691,26      | 1 015,47<br>496,94<br>2 970,14    | 144,37<br>61,29<br>62,53   | 558,99<br>155 753,84   | 23 192,95<br>161,76 | 12 309,31<br>15 000,25 |
| 1.250   | Fennel<br>0709 90 50                                                                                          | a)<br>b)<br>c)                   | 73,55<br>414,14<br>666,27      | 978,76<br>478,98<br>2 862,77      | 139,15<br>59,07<br>60,27   | 538,78<br>150 123,64   | 22 354,57<br>155,92 | 11 864,35<br>14 458,02 |
| 1.270   | Sweet potatoes, whole, fresh (intended for human consumption)<br>0714 20 10                                   | a)<br>b)<br>c)                   | 65,13<br>366,74<br>590,02      | 866,74<br>424,16<br>2 535,13      | 123,22<br>52,31<br>53,37   | 477,12<br>132 941,98   | 19 796,09<br>138,07 | 10 506,48<br>12 803,30 |
| 2.10    | Chestnuts ( <i>Castanea</i> spp.), fresh<br>ex 0802 40 00                                                     | a)<br>b)<br>c)                   | 83,78<br>471,74<br>758,94      | 1 114,89<br>545,60<br>3 260,95    | 158,50<br>67,29<br>68,65   | 613,72<br>171 004,20   | 25 463,84<br>177,60 | 13 514,55<br>16 468,97 |
| 2.30    | Pineapples, fresh<br>ex 0804 30 00                                                                            | a)<br>b)<br>c)                   | 44,49<br>250,50<br>403,01      | 592,02<br>289,72<br>1 731,61      | 84,17<br>35,73<br>36,45    | 325,89<br>90 805,51    | 13 521,64<br>94,31  | 7 176,41<br>8 745,24   |

| Code   | Description                                                                                                                                                                                                    | Amount of unit values per 100 kg |                              |                                |                            |                      |                     |                        |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------|--------------------------------|----------------------------|----------------------|---------------------|------------------------|
|        | Species, varieties, CN code                                                                                                                                                                                    | a)<br>b)<br>c)                   | ECU<br>Fmk<br>SKr            | öS<br>FF<br>Bfrs/Lfrs          | DM<br>£ Irl<br>£           | Dkr<br>Lit           | Dr<br>Fl            | Pta<br>Esc             |
| 2.40   | Avocados, fresh<br>ex 0804 40 10<br>ex 0804 40 90                                                                                                                                                              | a)<br>b)<br>c)                   | 128,21<br>721,94<br>1 161,46 | 1 706,21<br>834,97<br>4 990,48 | 242,57<br>102,97<br>105,06 | 939,22<br>261 700,51 | 38 969,22<br>271,80 | 20 682,33<br>25 203,70 |
| 2.50   | Guavas and mangoes, fresh<br>ex 0804 50 00                                                                                                                                                                     | a)<br>b)<br>c)                   | 109,96<br>619,17<br>996,12   | 1 463,31<br>716,11<br>4 280,04 | 208,04<br>88,31<br>90,11   | 805,51<br>224 444,95 | 33 421,58<br>233,10 | 17 738,00<br>21 615,71 |
| 2.60   | Sweet oranges, fresh :                                                                                                                                                                                         |                                  |                              |                                |                            |                      |                     |                        |
| 2.60.1 | — Sanguines and semi-sanguines<br>0805 10 01<br>0805 10 11<br>0805 10 21<br>0805 10 32<br>0805 10 42<br>0805 10 51                                                                                             | a)<br>b)<br>c)                   | 26,95<br>151,75<br>244,13    | 358,63<br>175,51<br>1 048,97   | 50,99<br>21,64<br>22,08    | 197,42<br>55 007,91  | 8 191,10<br>57,13   | 4 347,30<br>5 297,67   |
| 2.60.2 | — Navels, Navelines, Navelates, Salustianas,<br>Vernas, Valencia lates, Maltese,<br>Shamoutis, Oualis, Trovita and Hamlins<br>0805 10 05<br>0805 10 15<br>0805 10 25<br>0805 10 34<br>0805 10 44<br>0805 10 55 | a)<br>b)<br>c)                   | 41,86<br>235,72<br>379,22    | 557,08<br>272,62<br>1 629,41   | 79,20<br>33,62<br>34,30    | 306,66<br>85 446,38  | 12 723,62<br>88,74  | 6 752,87<br>8 229,12   |
| 2.60.3 | — Others<br>0805 10 09<br>0805 10 19<br>0805 10 29<br>0805 10 36<br>0805 10 46<br>0805 10 59                                                                                                                   | a)<br>b)<br>c)                   | 45,30<br>255,05<br>410,32    | 602,76<br>294,98<br>1 763,02   | 85,69<br>36,38<br>37,12    | 331,81<br>92 452,89  | 13 766,95<br>96,02  | 7 306,60<br>8 903,90   |
| 2.70   | Mandarins (including tangerines and satsu-<br>mas), fresh; clementines, wilkings and<br>similar citrus hybrids, fresh :                                                                                        |                                  |                              |                                |                            |                      |                     |                        |
| 2.70.1 | — Clementines<br>ex 0805 20 11<br>ex 0805 20 21                                                                                                                                                                | a)<br>b)<br>c)                   | 53,21<br>299,61<br>482,02    | 708,09<br>346,52<br>2 071,08   | 100,67<br>42,73<br>43,60   | 389,78<br>108 607,46 | 16 172,49<br>112,80 | 8 583,31<br>10 459,70  |
| 2.70.2 | — Monreales and Satsumas<br>ex 0805 20 13<br>ex 0805 20 23                                                                                                                                                     | a)<br>b)<br>c)                   | 49,38<br>278,04<br>447,32    | 657,12<br>321,58<br>1 922,01   | 93,42<br>39,66<br>40,46    | 361,73<br>100 790,01 | 15 008,41<br>104,68 | 7 965,49<br>9 706,82   |
| 2.70.3 | — Mandarines and wilkings<br>ex 0805 20 15<br>ex 0805 20 25                                                                                                                                                    | a)<br>b)<br>c)                   | 82,37<br>463,80<br>746,17    | 1 096,13<br>536,42<br>3 206,07 | 155,84<br>66,15<br>67,50   | 603,39<br>168 126,23 | 25 035,29<br>174,61 | 13 287,10<br>16 191,80 |
| 2.70.4 | — Tangerines and others<br>ex 0805 20 17<br>ex 0805 20 19<br>ex 0805 20 27<br>ex 0805 20 29                                                                                                                    | a)<br>b)<br>c)                   | 59,11<br>332,81<br>535,43    | 786,55<br>384,92<br>2 300,57   | 111,82<br>47,47<br>48,43   | 432,97<br>120 642,05 | 17 964,53<br>125,30 | 9 534,40<br>11 618,72  |
| 2.85   | Limes ( <i>Citrus aurantifolia</i> ), fresh<br>ex 0805 30 90                                                                                                                                                   | a)<br>b)<br>c)                   | 103,24<br>581,34<br>935,27   | 1 373,92<br>672,36<br>4 018,58 | 195,33<br>82,92<br>84,60   | 756,31<br>210 734,20 | 31 379,95<br>218,86 | 16 654,43<br>20 295,26 |

| Code    | Description                                                                                                                  |                | Amount of unit values per 100 kg |                       |                  |            |           |            |
|---------|------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------|-----------------------|------------------|------------|-----------|------------|
|         | Species, varieties, CN code                                                                                                  | a)<br>b)<br>c) | ECU<br>Fmk<br>SKr                | δS<br>FF<br>Bfrs/Lfrs | DM<br>£ Irl<br>£ | Dkr<br>Lit | Dr<br>Fl  | Pta<br>Esc |
| 2.90    | Grapefruit, fresh :                                                                                                          |                |                                  |                       |                  |            |           |            |
| 2.90.1  | — white                                                                                                                      | a)             | 47,51                            | 632,26                | 89,89            | 348,04     | 14 440,69 | 7 664,18   |
|         | ex 0805 40 10                                                                                                                | b)             | 267,53                           | 309,41                | 38,16            | 96 977,42  | 100,72    | 9 339,64   |
|         | ex 0805 40 90                                                                                                                | c)             | 430,40                           | 1 849,30              | 38,93            |            |           |            |
| 2.90.2  | — pink                                                                                                                       | a)             | 53,51                            | 712,09                | 101,24           | 391,99     | 16 263,91 | 8 631,83   |
|         | ex 0805 40 10                                                                                                                | b)             | 301,30                           | 348,48                | 42,98            | 109 221,43 | 113,44    | 10 518,83  |
|         | ex 0805 40 90                                                                                                                | c)             | 484,74                           | 2 082,79              | 43,85            |            |           |            |
| 2.100   | Table grapes                                                                                                                 | a)             | —                                | —                     | —                | —          | —         | —          |
|         | 0806 10 21                                                                                                                   | b)             | —                                | —                     | —                | —          | —         | —          |
|         | 0806 10 29                                                                                                                   | c)             | —                                | —                     | —                | —          | —         | —          |
|         | 0806 10 30                                                                                                                   |                |                                  |                       |                  |            |           |            |
|         | 0806 10 61                                                                                                                   |                |                                  |                       |                  |            |           |            |
|         | 0806 10 69                                                                                                                   |                |                                  |                       |                  |            |           |            |
| 2.110   | Water melons                                                                                                                 | a)             | 15,76                            | 209,68                | 29,81            | 115,42     | 4 789,01  | 2 541,70   |
|         | 0807 10 10                                                                                                                   | b)             | 88,72                            | 102,61                | 12,65            | 32 160,95  | 33,40     | 3 097,34   |
|         |                                                                                                                              | c)             | 142,73                           | 613,29                | 12,91            |            |           |            |
| 2.120   | Melons (other than water melons):                                                                                            |                |                                  |                       |                  |            |           |            |
| 2.120.1 | — Amarillo, Cuper, Honey Dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro | a)             | 39,10                            | 520,31                | 73,97            | 286,42     | 11 883,78 | 6 307,14   |
|         | ex 0807 10 90                                                                                                                | b)             | 220,16                           | 254,63                | 31,40            | 79 806,38  | 82,89     | 7 685,95   |
|         |                                                                                                                              | c)             | 354,19                           | 1 521,86              | 32,04            |            |           |            |
| 2.120.2 | — other                                                                                                                      | a)             | 88,48                            | 1 177,51              | 167,41           | 648,19     | 26 893,87 | 14 273,52  |
|         | ex 0807 10 90                                                                                                                | b)             | 498,23                           | 576,24                | 71,06            | 180 607,62 | 187,58    | 17 393,85  |
|         |                                                                                                                              | c)             | 801,56                           | 3 444,08              | 72,51            |            |           |            |
| 2.140   | Pears                                                                                                                        |                |                                  |                       |                  |            |           |            |
| 2.140.1 | Pears — Nashi ( <i>Pyrus pyrifolia</i> )                                                                                     | a)             | —                                | —                     | —                | —          | —         | —          |
|         | ex 0808 20 31                                                                                                                | b)             | —                                | —                     | —                | —          | —         | —          |
|         | ex 0808 20 37                                                                                                                | c)             | —                                | —                     | —                | —          | —         | —          |
|         | ex 0808 20 41                                                                                                                |                |                                  |                       |                  |            |           |            |
| 2.140.2 | Other                                                                                                                        | a)             | —                                | —                     | —                | —          | —         | —          |
|         | ex 0808 20 10                                                                                                                | b)             | —                                | —                     | —                | —          | —         | —          |
|         | ex 0808 20 31                                                                                                                | c)             | —                                | —                     | —                | —          | —         | —          |
|         | ex 0808 20 37                                                                                                                |                |                                  |                       |                  |            |           |            |
|         | 0808 20 41                                                                                                                   |                |                                  |                       |                  |            |           |            |
| 2.150   | Apricots                                                                                                                     | a)             | 77,42                            | 1 030,26              | 146,47           | 567,13     | 23 530,80 | 12 488,62  |
|         | 0809 10 10                                                                                                                   | b)             | 435,93                           | 504,18                | 62,18            | 158 022,74 | 164,12    | 15 218,76  |
|         | 0809 10 50                                                                                                                   | c)             | 701,33                           | 3 013,40              | 63,44            |            |           |            |
| 2.160   | Cherries                                                                                                                     | a)             | 87,78                            | 1 168,12              | 166,07           | 643,02     | 26 679,59 | 14 159,79  |
|         | 0809 20 11                                                                                                                   | b)             | 494,26                           | 571,65                | 70,50            | 179 168,64 | 186,08    | 17 255,27  |
|         | 0809 20 19                                                                                                                   | c)             | 795,18                           | 3 416,64              | 71,93            |            |           |            |
|         | 0809 20 21                                                                                                                   |                |                                  |                       |                  |            |           |            |
|         | 0809 20 29                                                                                                                   |                |                                  |                       |                  |            |           |            |
|         | 0809 20 71                                                                                                                   |                |                                  |                       |                  |            |           |            |
|         | 0809 20 79                                                                                                                   |                |                                  |                       |                  |            |           |            |
| 2.170   | Peaches                                                                                                                      | a)             | 56,79                            | 755,73                | 107,44           | 416,01     | 17 260,58 | 9 160,79   |
|         | 0809 30 19                                                                                                                   | b)             | 319,77                           | 369,83                | 45,61            | 115 914,64 | 120,39    | 11 163,44  |
|         | 0809 30 59                                                                                                                   | c)             | 514,45                           | 2 210,43              | 46,53            |            |           |            |
| 2.180   | Nectarines                                                                                                                   | a)             | 194,87                           | 2 593,21              | 368,68           | 1 427,50   | 59 228,20 | 31 434,48  |
|         | ex 0809 30 11                                                                                                                | b)             | 1 097,26                         | 1 269,05              | 156,51           | 397 751,11 | 413,10    | 38 306,38  |
|         | ex 0809 30 51                                                                                                                | c)             | 1 765,27                         | 7 584,89              | 159,68           |            |           |            |

| Code  | Description                                      | Amount of unit values per 100 kg |                   |                       |                  |              |            |            |
|-------|--------------------------------------------------|----------------------------------|-------------------|-----------------------|------------------|--------------|------------|------------|
|       | Species, varieties, CN code                      | a)<br>b)<br>c)                   | ECU<br>Fmk<br>SKr | 8S<br>FF<br>Bfrs/Lfrs | DM<br>£ Irl<br>£ | Dkr<br>Lit   | Dr<br>Fl   | Pta<br>Esc |
| 2.190 | Plums                                            | a)                               | 82,26             | 1 094,67              | 155,63           | 602,59       | 25 001,86  | 13 269,36  |
|       | 0809 40 10                                       | b)                               | 463,18            | 535,70                | 66,07            | 167 901,71   | 174,38     | 16 170,18  |
|       | 0809 40 40                                       | c)                               | 745,17            | 3 201,79              | 67,41            |              |            |            |
| 2.200 | Strawberries                                     | a)                               | 362,04            | 4 817,81              | 684,95           | 2 652,08     | 110 037,35 | 58 400,67  |
|       | 0810 10 10                                       | b)                               | 2 038,54          | 2 357,71              | 290,77           | 738 963,46   | 767,47     | 71 167,65  |
|       | 0810 10 90                                       | c)                               | 3 279,62          | 14 091,61             | 296,66           |              |            |            |
| 2.205 | Raspberries                                      | a)                               | 762,88            | 10 151,95             | 1 443,30         | 5 588,39     | 231 867,46 | 123 060,17 |
|       | 0810 20 10                                       | b)                               | 4 295,56          | 4 968,10              | 612,69           | 1 557 122,00 | 1 617,20   | 149 962,37 |
|       |                                                  | c)                               | 6 910,72          | 29 693,43             | 625,12           |              |            |            |
| 2.210 | Fruit of the species <i>Vaccinium myrtillus</i>  | a)                               | 145,17            | 1 931,84              | 274,65           | 1 063,43     | 44 122,53  | 23 417,37  |
|       | 0810 40 30                                       | b)                               | 817,41            | 945,39                | 116,59           | 296 307,94   | 307,74     | 28 536,65  |
|       |                                                  | c)                               | 1 315,06          | 5 650,42              | 118,96           |              |            |            |
| 2.220 | Kiwi fruit ( <i>Actinidia chinensis</i> Planch.) | a)                               | 111,71            | 1 486,61              | 211,35           | 818,34       | 33 953,81  | 18 020,47  |
|       | 0810 90 10                                       | b)                               | 629,03            | 727,51                | 89,72            | 228 019,13   | 236,82     | 21 959,93  |
|       |                                                  | c)                               | 1 011,98          | 4 348,19              | 91,54            |              |            |            |
| 2.230 | Pomegranates                                     | a)                               | 137,08            | 1 824,16              | 259,34           | 1 004,15     | 41 663,20  | 22 112,12  |
|       | ex 0810 90 85                                    | b)                               | 771,85            | 892,69                | 110,09           | 279 792,09   | 290,59     | 26 946,05  |
|       |                                                  | c)                               | 1 241,76          | 5 335,48              | 112,32           |              |            |            |
| 2.240 | Khakis (including Sharon fruit)                  | a)                               | 222,59            | 2 962,10              | 421,12           | 1 630,56     | 67 653,40  | 35 906,03  |
|       | ex 0810 90 85                                    | b)                               | 1 253,34          | 1 449,57              | 178,77           | 454 331,08   | 471,86     | 43 755,45  |
|       |                                                  | c)                               | 2 016,38          | 8 663,83              | 182,40           |              |            |            |
| 2.250 | Lychees                                          | a)                               | 420,10            | 5 590,48              | 794,80           | 3 077,42     | 127 684,91 | 67 766,85  |
|       | ex 0810 90 30                                    | b)                               | 2 365,48          | 2 735,83              | 337,40           | 857 476,84   | 890,56     | 82 581,37  |
|       |                                                  | c)                               | 3 805,60          | 16 351,59             | 344,24           |              |            |            |

**COMMISSION REGULATION (EC) No 2217/95****of 20 September 1995****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95<sup>(2)</sup>,

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

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

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

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

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or

if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 21 September 1995.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110, 17. 5. 1995, p. 1.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**ANNEX**

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

| CN code                   | Amount of the representative price in ECU per 100 kg net of the product in question | Amount of the additional duty in ECU per 100 kg net of the product in question | Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question in the event of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup> |
|---------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1703 10 00 <sup>(1)</sup> | 8,97                                                                                | —                                                                              | 0,00                                                                                                                                                                                             |
| 1703 90 00 <sup>(1)</sup> | 9,60                                                                                | —                                                                              | 0,00                                                                                                                                                                                             |

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

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

## COMMISSION REGULATION (EC) No 2218/95

of 20 September 1995

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95<sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

## Article 1

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

## Article 2

This Regulation shall enter into force on 21 September 1995.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110, 17. 5. 1995, p. 1.

<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(4)</sup> OJ No L 167, 26. 6. 1976, p. 13.

<sup>(5)</sup> OJ No L 89, 10. 4. 1968, p. 3.

<sup>(6)</sup> OJ No L 50, 4. 3. 1970, p. 1.

<sup>(7)</sup> OJ No L 269, 20. 10. 1994, p. 14.

<sup>(8)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(9)</sup> OJ No L 138, 21. 6. 1995, p. 1.

<sup>(10)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(11)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(12)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(13)</sup> OJ No L 107, 12. 5. 1995, p. 4.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

# ANNEX

to the Commission Regulation of 20 September 1995 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

| Product code   | Amount of refund <sup>(1)</sup> |
|----------------|---------------------------------|
|                | — ECU/100 kg —                  |
| 1701 11 90 100 | 39,89 <sup>(1)</sup>            |
| 1701 11 90 910 | 39,16 <sup>(1)</sup>            |
| 1701 11 90 950 | <sup>(2)</sup>                  |
| 1701 12 90 100 | 39,89 <sup>(1)</sup>            |
| 1701 12 90 910 | 39,16 <sup>(1)</sup>            |
| 1701 12 90 950 | <sup>(2)</sup>                  |
|                | — ECU/1 % of sucrose × 100 kg — |
| 1701 91 00 000 | 0,4336                          |
|                | — ECU/100 kg —                  |
| 1701 99 10 100 | 43,36                           |
| 1701 99 10 910 | 42,61                           |
| 1701 99 10 950 | 42,61                           |
|                | — ECU/1 % of sucrose × 100 kg — |
| 1701 99 90 100 | 0,4336                          |

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

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

<sup>(3)</sup> Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 are observed.

## COMMISSION REGULATION (EC) No 2219/95

of 20 September 1995

**fixing the maximum export refund for white sugar for the eighth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1813/95**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95<sup>(2)</sup>, and in particular the second subparagraph of Article 17 (5) (b) thereof,

Whereas Commission Regulation (EC) No 1813/95 of 26 July 1995 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1813/95 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

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

Whereas Council Regulation (EEC) No 990/93<sup>(4)</sup>, as amended by Regulation (EC) No 1380/95<sup>(5)</sup>, prohibits trade between the European Community and the Federal

Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the eighth partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1813/95 the maximum amount of the export refund is fixed at ECU 46,684 per 100 kilograms.

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

*Article 2*

This Regulation shall enter into force on 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110, 17. 5. 1995, p. 1.

<sup>(3)</sup> OJ No L 175, 27. 7. 1995, p. 12.

<sup>(4)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(5)</sup> OJ No L 138, 21. 6. 1995, p. 1.

**COMMISSION REGULATION (EC) No 2220/95**  
**of 19 September 1995**  
**repealing Regulation (EC) No 1304/95 concerning the stopping of fishing for**  
**mackerel by vessels flying the flag of Denmark**

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(1)</sup>, and in particular Article 21 (3) thereof,

Whereas Commission Regulation (EC) No 1304/95<sup>(2)</sup> stopped fishing for mackerel in the Faroese waters by vessels flying the flag of Denmark or registered in Denmark as from 23 March 1995;

Whereas Denmark corrected the catch figures and the corrected figures show that the quota has not in fact been exhausted; whereas fishing for mackerel in the Faroese waters by vessels flying the flag of Denmark or registered

in Denmark should therefore be permitted; whereas consequently it is necessary to repeal Regulation (EC) No 1304/95,

HAS ADOPTED THIS REGULATION:

*Article 1*

Commission Regulation (EC) No 1304/95 is hereby repealed.

*Article 2*

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

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

Done at Brussels, 19 September 1995.

*For the Commission*

Emma BONINO

*Member of the Commission*

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<sup>(1)</sup> OJ No L 261, 20. 10. 1993, p. 1.  
<sup>(2)</sup> OJ No L 126, 9. 6. 1995, p. 10.

**COMMISSION REGULATION (EC) No 2221/95  
of 20 September 1995**

**laying down detailed rules for the application of Council Regulation (EEC) No 386/90 as regards physical checks carried out at the time of export of agricultural products qualifying for refunds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 386/90 of 12 February 1990 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts<sup>(1)</sup>, as amended by Regulation (EC) No 163/94<sup>(2)</sup>, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 2030/90<sup>(3)</sup> lays down rules for the application of Regulation (EEC) No 386/90; whereas it lays down detailed rules confined to the specifications strictly necessary for the Community system to be applied rapidly, subject to subsequent additions in the light of experience gained, in particular as regards the quality aspects of the physical checks in question;

Whereas account should be taken of existing measures on checking, and in particular those contained in the following instruments:

- Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(4)</sup>, as amended by Regulation (EEC) No 790/91<sup>(5)</sup>,
- Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(6)</sup>, as last amended by Regulation (EC) No 1384/95<sup>(7)</sup>;

Whereas in its supplementary report to the Council of the application of Regulation (EEC) No 386/90<sup>(8)</sup>, the Commission stated its intention to define precisely the term 'physical check' as used in Article 2 (a) of Regulation (EEC) No 386/90, in order to achieve uniform application of the Community rules in the Member States;

Whereas measures should be taken allowing verification at any time of whether the check rate of 5 % has been reached;

Whereas a measure should be introduced to take account of cases where the number of exports dealt with by a customs office is minimal;

Whereas to tackle the risk of substitution in the case of export declarations accepted by an internal customs office within a Member State, a minimum number of 'substitution checks' to be carried out by the customs office of exit from the Community should be laid down; whereas having regard to the place where such 'substitution checks' are carried out, they must take the form of simplified checks;

Whereas, in order to reduce the risk of substitution, all means of transport or packages should be sealed, save in exceptional cases where the products may be identified by some other means;

Whereas, Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community customs code<sup>(9)</sup>, as amended by the Act of Accession of Austria, Finland and Sweden, and the rules for the application thereof laid down by Commission Regulation (EEC) No 2454/93<sup>(10)</sup>, as last amended by Regulation (EC) No 1762/95<sup>(11)</sup>, apply to exports of all industrial or agricultural products; whereas special provisions may have to be adopted in the case of agricultural products qualifying for export refunds;

Whereas, in order to facilitate the practical implementation of the new provisions and for the sake of clarity and administrative efficiency, Regulation (EEC) No 2030/90 should be replaced;

Whereas, in the light of experience gained, appropriate, commensurate measures are required, which must be uniformly applied;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant Management Committees,

**HAS ADOPTED THIS REGULATION:**

*Article 1*

This Regulation lays down detailed rules for the application of the physical checks referred to in Article 2 (a) of Regulation (EEC) No 386/90 and the substitution checks referred to in Article 3 (a) of that Regulation.

<sup>(1)</sup> OJ No L 42, 16. 2. 1990, p. 6.

<sup>(2)</sup> OJ No L 24, 29. 1. 1994, p. 2.

<sup>(3)</sup> OJ No L 186, 18. 7. 1990, p. 6.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 81, 28. 3. 1991, p. 108.

<sup>(6)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(7)</sup> OJ No L 134, 20. 6. 1995, p. 14.

<sup>(8)</sup> OJ No C 218, 12. 8. 1993, p. 14.

<sup>(9)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(10)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(11)</sup> OJ No L 171, 21. 7. 1995, p. 8.

### Article 2

#### 1. This Regulation :

- (a) shall apply to exports to third countries of agricultural goods and to similar operations as referred to in Articles 34 and 42 of Regulation (EEC) No 3665/87 on which refunds are applied for, save in cases where paragraph 2 is applied ;
- (b) shall not apply to exports involving Community food aid as referred to in Regulation (EEC) No 2200/87, for which a special control system exists.

2. Without prejudice to the control measures referred to in Articles 35 (4) and 42 (4) of Regulation (EEC) No 3665/87, Member States may opt to waive the physical checks and the substitution checks on the deliveries referred to in Articles 34 and 42 of Regulation (EEC) No 3665/87 in the case of exporters qualifying for the procedure referred to in Article 35 of Regulation (EEC) No 3665/87 and, where applicable, that referred to in Articles 488 to 494 of Regulation (EEC) No 2454/93.

3. When calculating the minimum rate of checks to be carried out in accordance with Article 3 of Regulation (EEC) No 386/90, Member States may opt to disregard export operations involving quantities not exceeding :

- 5 000 kg in the case of cereals and rice,
- 500 kg in the case of other products.

4. Member States which take up the options provided for in paragraph 2 and 3 shall adopt appropriate provisions to prevent deflections and abuses.

### Article 3

With a view to determining the basis for calculating the percentage for the physical checks under Article 2 (a) of Regulation (EEC) No 386/90, for the purposes of the first indent of the first subparagraph of Article 3 (2) of the said Regulation 'customs office' shall mean all offices competent to complete the export formalities for the products in question.

### Article 4

For the purposes of the third indent of the first subparagraph of Article 3 (2) of Regulation (EEC) No 386/90, products covered by the same agricultural market organization shall be regarded as coming under one product sector.

However, products falling within the cereals and rice sectors, and goods falling outside Annex II to the Treaty, shall be deemed to constitute a single product sector.

### Article 5

1. For the purposes of Article 2 (a) of Regulation (EEC) No 386/90 'physical check' shall mean verification that

the export declaration, including documents submitted in support thereof, and the goods correspond as regards quantity, nature and characteristics.

Where the situation described in the Annex arises, the methods indicated therein shall be applied.

The customs office of export must be mindful of the provisions of Article 13 of Regulation (EEC) No 3665/87.

2. Physical checks of which the exporter has received express or tacit prior warning shall not count as physical checks.

The first subparagraph shall not apply to cases where the accounts of an undertaking are checked in accordance with point 3 (a) of the Annex.

3. If a customs office of export accepts fewer than 20 export declarations per sector per year, at least one export declaration per sector per year must be subjected to a physical check.

4. If the rate of refund depends on a particular content, the customs office of export shall take, as part of the physical check, representative samples for analysis of the ingredients by a competent laboratory.

### Article 6

In order to ensure the identity of the goods for export between the customs office of export and the customs office of exit from the customs territory of the Community, the means of transport or packages shall be sealed in accordance with Article 349 of Regulation (EEC) No 2454/93.

### Article 7

1. Each customs office of export shall apply measures to ensure that achievement of the check rate of 5 % can be verified at any time.

The measures must show, per sector :

- the number of export declarations which are taken into account for the physical checks,
- and
- the number of physical checks carried out.

2. The competent customs officer must produce a detailed examination account on each physical check carried out.

The examination account shall bear the date and the name of the competent officer. It must be kept at the customs office of export or at another office for three years from the year of export in such a way that it can be readily consulted.

3. On the control copy T 5 which accompanies the goods, the following shall be noted in box D:

- (a) '386/90', if the customs office of export has carried out a physical check;
- (b) '2200/87', in the case of Community food aid exports.

Where the customs office of exit is situated in the same Member State as the customs office of export, the notation shall be on the national document accompanying the goods.

#### Article 8

1. In the case of payment of advances on refunds in accordance with Articles 25 to 29 of Regulation (EEC) No 3665/87, the physical checks carried out by the competent authorities:

- on entry into or during storage in the case referred to in Article 28 of that Regulation,
- from the time processing begins in the case referred to in Article 27 of that Regulation,

may be taken into account for calculating the minimum rate of checks referred to in Article 3 Regulation (EEC) No 386/90, provided that the following conditions are fulfilled:

- (a) the physical checks carried out prior to the completion of the customs export formalities meet the same strict criteria as those to be carried out pursuant to Article 5 of this Regulation;
- and
- (b) the products and goods which have been the subject of previous physical checks are identical to those which are the subject of the export declaration.

2. In the case of analyses and other physical checks carried out prior to the completion of the customs export formalities under Community or national provisions governing either the customs arrangements in question or the manufacturing processes which the products and goods have undergone, paragraph 1 shall apply *mutatis mutandis*.

#### Article 9

1. Where the export declaration has been accepted at a customs office of export which is not the customs office of exit, the customs office of exit from the customs territory of the Community shall perform a substitution check in accordance with the conditions laid down in this Article.

2. Without prejudice to control measures based on other provisions, substitution checks shall be carried out,

as far as possible, in the light of a risk analysis, at least once a day, if the customs office of export has not sealed the means of transport or the package.

3. Where, in accordance with the requirements of the third country of destination, a veterinary seal has been applied as well as a customs seal the substitution check shall be carried out only in the event of suspected fraud.

4. The substitution check shall be carried out by checking, visually, whether the goods tally with the document which has accompanied them from the customs office of export to the customs office of exit.

A sample for analysis shall be taken only in cases where the customs office of exit cannot check visually and by means of the information on the packaging and the documentation, whether the goods tally with the document. In these circumstances, Article 5 (4) of this Regulation shall not apply.

5. Each customs office of exit shall apply measures to ensure that:

- the number of export declarations which are taken into account for the substitution checks,
  - and
  - the number of substitution checks carried out,
- can be identified at any time.

If the customs office of exit has taken a sample, 'sample taken' shall be noted on the control copy T5, or — where appropriate — on the national document to be returned to the competent authorities.

A duplicate or a copy of the document shall remain at the customs office of exit.

6. The customs office of exit shall inform in writing the competent authorities referred to in paragraph 5 of the result of the analysis, reporting:

- either 'results of analysis conform',
- or the results of the analysis if there is a discrepancy between the result and the product declared.

#### Article 10

Regulation (EEC) No 2030/90 is hereby repealed.

#### Article 11

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

It shall apply from 1 January 1996 for export declarations accepted on or after that date.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## ANNEX

## Methods to be followed for physical checks

1. (a) If the exporter uses closed-circuit automatic loading and calibrated automatic weighing facilities for the loading of bulk goods, the verification that the export declaration and the goods tally is to be carried out in such a way that the quantity is determined by the calibrated automatic weighing and the nature and characteristics are checked at random.

The customs office of export has also to check at random :

- that the weighing and loading system does not permit re-routing of the goods in these closed circuits or other manipulations,
- that the time limits specified for the calibration of weighing equipment have not expired and that the seals are intact where closed-circuit weighing systems are used,
- that the consignments weighed are actually loaded on the means of transport specified,
- that the data entered in the weighing records or weighing certificates correspond to the data contained in the loading documents.

- (b) In exceptional cases where the quantity of bulk goods is not recorded by a calibrated automatic weighing system, the customs office has to use any other means of checking which is satisfactory from the commercial point of view.

2. (a) If the exporter has declared goods using automatic bagging, canning, bottling etc. systems and calibrated automatic weighing/measuring equipment or packaging or bottling in compliance with the provisions of Council Directive 75/106/EEC<sup>(1)</sup> and Council Directive 75/107/EEC<sup>(2)</sup>, the number of bags, cans, bottles, etc. must in principle be counted in total and the nature and characteristics of the goods must be checked on the basis of a representative selection by the customs office of export. The weight or volume is determined by calibrated automatic weighing/measuring or by the packaging or the bottles within the meaning of the two Directives. The customs office of export can weigh or measure a bag, a can or a bottle.

If the equipment has a calibrated automatic counter, the records of the automatic counter may be taken into account for the physical check with respect to quantity.

The second subparagraph of point 1 (a) applies *mutatis mutandis*.

If the exporter uses pallets which are loaded with boxes, cans, etc., the customs office of export selects representative pallets and checks whether the number of boxes, cans, etc. declared are really present. It selects from these pallets a number of representative boxes/cans and checks whether the number of bottles, units, etc. is present.

- (b) If the exporter does not use the facilities referred to in the first and second subparagraphs, the customs office of export must count the number of bags and cans, etc. The nature, characteristics, weight or volume are checked on the basis of a representative selection. The preceding subparagraph applies *mutatis mutandis*.

3. (a) As regards non-Annex II goods :

- which are either packaged for retail sale or appropriately marked with details concerning content and weight on the immediate packaging, and
- which either meet the requirements of the third subparagraph of Article 3 (2) of Commission Regulation (EC) No 1222/94<sup>(3)</sup>, or for which the quantities of product used are those set out in Annex C to that Regulation,

the customs office of export may proceed as follows :

- (aa) To begin with, it checks the weight and content of the non-Annex II good put up in immediate packaging against the details on the immediate packaging. It may weigh a piece without packaging.

- (bb) Then it counts and/or weighs — in principle — the total quantity of non-Annex II goods in immediate packaging.

Points 2 (a) and (b) apply *mutatis mutandis*.

It may take a sample to verify that no substitution has taken place. Article 5 (4) of this Regulation does not apply.

<sup>(1)</sup> OJ No L 42, 15. 2. 1975, p. 1.

<sup>(2)</sup> OJ No L 42, 15. 2. 1975, p. 14.

<sup>(3)</sup> OJ No L 136, 31. 5. 1994, p. 5.

- (cc) (aaa) The composition of such a non-Annex II good may be assumed by the customs office of export to be correct if the description and the content indicated on the immediate packaging are consistent with the export declaration and the registration identification code of the manufacturing formula, which has already been checked within a year preceeding the export by the competent authorities.
- In this case the customs office of export must have the auditor of the competent authorities verify *a posteriori* as quickly as possible if the produced goods and the exported goods are identical. Having verified this, he must inform the customs office of export of the result.
- If the manufacturing formula has not yet been checked by the competent authorities, the customs office of export must have the auditor of the competent authorities verify it and the identity as quickly as possible *a posteriori*.
- (bbb) For the application of this method for verifying composition, Member States must introduce in advance a procedure whereby :
- the composition of the non-Annex II goods can be checked by virtue of the accounts and the specific documents relating to production,
  - the non-Annex II goods manufactured, the export declaration, the manufacturing formula and the goods to be exported can be identified by means of the production documentation of the undertaking,
  - the identity of the goods exported, the export declaration in question, the manufacturing formula and the goods manufactured can be verified by the auditor of the competent authority *a posteriori*.
- (b) The specific documents relating to the manufacture of a non-Annex II good must be kept by the undertakings concerned for three years from the year of export.
- (c) In cases where point 3 (a) is not applied, the customs office of export has to take representative samples without prejudice to Article 7 (1) of Regulation (EC) No 1222/94.
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## COMMISSION REGULATION (EC) No 2222/95

of 20 September 1995

determining the extent to which applications lodged in August 1995 for the issue of import licences in respect of frozen beef intended for processing may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1977/95 of 11 August 1995 opening and administering an import tariff quota for frozen beef intended for processing for the period 1 July 1995 to 30 June 1996<sup>(1)</sup>, and in particular the second subparagraph of Article 3 (3) thereof,

Whereas Article 1 (2) of Regulation (EC) No 1977/95 fixes the quantities of frozen beef intended for processing which may be imported under special terms in 1995/96 ;

Whereas Article 3 (3) of Regulation (EC) No 1977/95 lays down that the quantities applied for may be reduced ; whereas the applications lodged relate to total quantities which exceed the quantities available ; whereas, under these circumstances and taking care to ensure an equit-

able distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION :

*Article 1*

Every application for an import licence lodged in accordance with Regulation (EC) No 1977/95 for the period from 1 July 1995 to 30 June 1996 shall be granted to the following extent, expressed as bone-in beef :

- (a) 0,504 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 1 (2) (a) of Regulation (EC) No 1977/95 ;
- (b) 49,213 % of the quantity requested for beef imports intended for the manufacture of products as defined by Article 1 (2) (b) of Regulation (EC) No 1977/95.

*Article 2*

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

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 191, 12. 8. 1995, p. 8.

**COMMISSION REGULATION (EC) No 2223/95**  
**of 20 September 1995**  
**altering the export refunds on beef**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No 424/95<sup>(2)</sup>, and in particular Article 13 thereof,

Whereas the export refunds on beef were fixed by Commission Regulation (EC) No 2130/95<sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2130/95 to the information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

*Article 1*

The export refunds referred to in Article 13 of Regulation (EEC) No 805/68, as fixed in the Annex to Regulation (EC) No 2130/95 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

*Article 2*

This Regulation shall enter into force on 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 45, 1. 3. 1995, p. 2.

<sup>(3)</sup> OJ No L 214, 8. 9. 1995, p. 1.

## ANNEX

to the Council Regulation of 20 September 1995 altering export refunds on beef

| (ECU/100 kg)       |                 |                 | (ECU/100 kg)       |                 |                |
|--------------------|-----------------|-----------------|--------------------|-----------------|----------------|
| Product code       | Destination (?) | Refund (?) (°)  | Product code       | Destination (?) | Refund (?) (°) |
|                    |                 | — Live weight — |                    |                 | — Net weight — |
| 0102 10 10 120     | 01              | 95,00           | 0201 20 20 120     | 02              | 120,00         |
| 0102 10 10 130     | 02              | 69,50           |                    | 03              | 83,50          |
|                    | 03              | 49,00           |                    | 04              | 41,50          |
|                    | 04              | 24,50           | 0201 20 30 110 (°) | 02              | 118,50         |
| 0102 10 30 120     | 01              | 95,00           |                    | 03              | 81,00          |
| 0102 10 30 130     | 02              | 69,50           |                    | 04              | 40,00          |
|                    | 03              | 49,00           | 0201 20 30 120     | 02              | 87,50          |
|                    | 04              | 24,50           |                    | 03              | 61,50          |
| 0102 10 90 120     | 01              | 95,00           |                    | 04              | 30,50          |
| 0102 90 41 100     | 02              | 85,50           | 0201 20 50 110 (°) | 02              | 207,00         |
| 0102 90 51 000     | 02              | 63,00           |                    | 03              | 138,00         |
|                    | 03              | 44,00           |                    | 04              | 68,50          |
|                    | 04              | 22,00           | 0201 20 50 120     | 02              | 152,50         |
| 0102 90 59 000     | 02              | 63,00           |                    | 03              | 105,50         |
|                    | 03              | 44,00           |                    | 04              | 52,50          |
|                    | 04              | 22,00           | 0201 20 50 130 (°) | 02              | 118,50         |
| 0102 90 61 000     | 02              | 63,00           |                    | 03              | 81,00          |
|                    | 03              | 44,00           |                    | 04              | 40,00          |
|                    | 04              | 22,00           | 0201 20 50 140     | 02              | 87,50          |
| 0102 90 69 000     | 02              | 63,00           |                    | 03              | 61,50          |
|                    | 03              | 44,00           |                    | 04              | 30,50          |
|                    | 04              | 22,00           | 0201 20 90 700     | 02              | 87,50          |
| 0102 90 71 000     | 02              | 85,50           |                    | 03              | 61,50          |
|                    | 03              | 57,00           |                    | 04              | 30,50          |
|                    | 04              | 28,50           | 0201 30 00 050 (°) | 05              | 106,00         |
| 0102 90 79 000     | 02              | 85,50           | 0201 30 00 100 (°) | 02              | 296,00         |
|                    | 03              | 57,00           |                    | 03              | 197,50         |
|                    | 04              | 28,50           |                    | 04              | 99,00          |
|                    |                 | — Net weight —  |                    | 06              | 253,00         |
| 0201 10 00 110 (°) | 02              | 118,50          | 0201 30 00 150 (°) | 09              | 157,00         |
|                    | 03              | 81,00           |                    | 10              | 132,00         |
|                    | 04              | 40,00           |                    | 03              | 118,50         |
| 0201 10 00 120     | 02              | 87,50           |                    | 04              | 59,50          |
|                    | 03              | 61,50           | 0201 30 00 190 (°) | 06              | 137,50         |
|                    | 04              | 30,50           |                    | 07              | 85,00          |
| 0201 10 00 130 (°) | 02              | 163,00          |                    | 02              | 121,00         |
|                    | 03              | 109,50          |                    | 03              | 79,50          |
|                    | 04              | 55,00           |                    | 04              | 39,50          |
| 0201 10 00 140     | 02              | 120,00          |                    | 06              | 97,50          |
|                    | 03              | 83,50           |                    | 07              | 85,00          |
|                    | 04              | 41,50           |                    |                 |                |
| 0201 20 20 110 (°) | 02              | 163,00          |                    |                 |                |
|                    | 03              | 109,50          |                    |                 |                |
|                    | 04              | 55,00           |                    |                 |                |

| (ECU/100 kg)       |                 |                            | (ECU/100 kg)   |                 |                            |
|--------------------|-----------------|----------------------------|----------------|-----------------|----------------------------|
| Product code       | Destination (?) | Refund (?) <sup>(10)</sup> | Product code   | Destination (?) | Refund (?) <sup>(10)</sup> |
|                    |                 | — Net weight —             |                |                 | — Net weight —             |
| 0202 10 00 100     | 02              | 87,50                      | 1602 50 10 120 | 02              | 139,50 (?)                 |
|                    | 03              | 61,50                      |                | 03              | 111,50 (?)                 |
|                    | 04              | 30,50                      |                | 04              | 111,50 (?)                 |
| 0202 10 00 900     | 02              | 120,00                     | 1602 50 10 140 | 02              | 123,00 (?)                 |
|                    | 03              | 83,50                      |                | 03              | 99,00 (?)                  |
|                    | 04              | 41,50                      |                | 04              | 99,00 (?)                  |
| 0202 20 10 000     | 02              | 120,00                     | 1602 50 10 160 | 02              | 99,00 (?)                  |
|                    | 03              | 83,50                      |                | 03              | 79,50 (?)                  |
|                    | 04              | 41,50                      |                | 04              | 79,50 (?)                  |
| 0202 20 30 000     | 02              | 87,50                      | 1602 50 10 170 | 02              | 66,00 (?)                  |
|                    | 03              | 61,50                      |                | 03              | 52,50 (?)                  |
|                    | 04              | 30,50                      |                | 04              | 52,50 (?)                  |
| 0202 20 50 100     | 02              | 152,50                     | 1602 50 10 190 | 02              | 66,00                      |
|                    | 03              | 105,50                     |                | 03              | 52,50                      |
|                    | 04              | 52,50                      |                | 04              | 52,50                      |
| 0202 20 50 900     | 02              | 87,50                      | 1602 50 10 240 | 02              | 20,50                      |
|                    | 03              | 61,50                      |                | 03              | 20,50                      |
|                    | 04              | 30,50                      |                | 04              | 20,50                      |
| 0202 20 90 100     | 02              | 87,50                      | 1602 50 10 260 | 02              | 15,50                      |
|                    | 03              | 61,50                      |                | 03              | 15,50                      |
|                    | 04              | 30,50                      |                | 04              | 15,50                      |
| 0202 30 90 100 (*) | 05              | 106,00                     | 1602 50 10 280 | 02              | 8,50                       |
| 0202 30 90 400 (*) | 09              | 157,00                     |                | 03              | 8,50                       |
|                    | 10              | 132,00                     |                | 04              | 8,50                       |
|                    | 03              | 118,50                     | 1602 50 31 125 | 01              | 126,00 (?)                 |
|                    | 04              | 59,50                      | 1602 50 31 135 | 01              | 79,50 (?)                  |
|                    | 06              | 137,50                     | 1602 50 31 195 | 01              | 39,00                      |
|                    | 07              | 85,00                      | 1602 50 31 325 | 01              | 112,50 (?)                 |
| 0202 30 90 500 (*) | 02              | 121,00                     | 1602 50 31 335 | 01              | 71,00 (?)                  |
|                    | 03              | 79,50                      | 1602 50 31 395 | 01              | 39,00                      |
|                    | 04              | 39,50                      | 1602 50 39 125 | 01              | 126,00 (?)                 |
|                    | 06              | 97,50                      | 1602 50 39 135 | 01              | 79,50 (?)                  |
|                    | 07              | 85,00                      | 1602 50 39 195 | 01              | 39,00                      |
| 0202 30 90 900     | 07              | 85,00                      | 1602 50 39 325 | 01              | 112,50 (?)                 |
| 0206 10 95 000     | 02              | 121,00                     | 1602 50 39 335 | 01              | 71,00 (?)                  |
|                    | 03              | 79,50                      | 1602 50 39 395 | 01              | 39,00                      |
|                    | 04              | 39,50                      | 1602 50 39 425 | 01              | 84,00 (?)                  |
|                    | 06              | 97,50                      | 1602 50 39 435 | 01              | 52,50 (?)                  |
| 0206 29 91 000     | 02              | 121,00                     | 1602 50 39 495 | 01              | 39,00                      |
|                    | 03              | 79,50                      | 1602 50 39 505 | 01              | 39,00                      |
|                    | 04              | 39,50                      | 1602 50 39 525 | 01              | 84,00 (?)                  |
|                    | 06              | 97,50                      | 1602 50 39 535 | 01              | 52,50 (?)                  |
| 0210 20 90 100     | 08              | 101,00                     | 1602 50 39 595 | 01              | 39,00                      |
|                    | 04              | 60,00                      |                |                 |                            |
| 0210 20 90 300     | 02              | 125,50                     |                |                 |                            |
| 0210 20 90 500 (*) | 02              | 125,50                     |                |                 |                            |

| (ECU/100 kg)   |                 |                | (ECU/100 kg)   |                 |                |
|----------------|-----------------|----------------|----------------|-----------------|----------------|
| Product code   | Destination (7) | Refund (8) (9) | Product code   | Destination (7) | Refund (8) (9) |
|                |                 | — Net weight — |                |                 | — Net weight — |
| 1602 50 39 615 | 01              | 39,00          | 1602 50 80 495 | 01              | 39,00          |
| 1602 50 39 625 | 01              | 17,50          | 1602 50 80 505 | 01              | 39,00          |
| 1602 50 39 705 | 01              | 20,50          | 1602 50 80 515 | 01              | 17,50          |
| 1602 50 39 805 | 01              | 15,50          | 1602 50 80 535 | 01              | 52,50 (9)      |
| 1602 50 39 905 | 01              | 8,50           | 1602 50 80 595 | 01              | 39,00          |
| 1602 50 80 135 | 01              | 79,50 (9)      | 1602 50 80 615 | 01              | 39,00          |
| 1602 50 80 195 | 01              | 39,00          | 1602 50 80 625 | 01              | 17,50          |
| 1602 50 80 335 | 01              | 71,00 (9)      | 1602 50 80 705 | 01              | 20,50          |
| 1602 50 80 395 | 01              | 39,00          | 1602 50 80 805 | 01              | 15,50          |
| 1602 50 80 435 | 01              | 52,50 (9)      | 1602 50 80 905 | 01              | 8,50           |

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210 of 1. 8. 1986, p. 39).

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, west, central, eastern and southern African third countries, Gaza and Jericho, Malta, Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kirghistan, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 Iceland, Norway, the island of Heligoland, Faeroe Islands, Andorra, Gibraltar, Vatican City, Estonia, Latvia, Lithuania, Poland Czech Republic, Slovak Republic, Hungary, Romania, Bulgaria, Albania, Slovenia, Croatia, Bosnia-Herzegovina, Serbia and Montenegro, Territory of the Former of Macedonia, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Viet Nam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87.

04 Switzerland.

05 The United States of America, carried out in accordance with amended Commission Regulation (EEC) No 2973/79.

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 North African third countries, Near and Middle East, central, eastern and southern African third countries, Gaza and Jericho, Malta, Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kirghistan, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

10 West African third countries.

(8) Article 7 of amended Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(9) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

(10) 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 countries are as defined in Commission Regulation (EC) No 3478/93 (OJ No L 317 of 18. 12. 1993, p. 32).

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

## COMMISSION REGULATION (EC) No 2224/95

of 20 September 1995

**fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat<sup>(3)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin<sup>(4)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1484/95<sup>(5)</sup>, as amended by Regulation (EC) No 1724/95<sup>(6)</sup>, fixes detailed rules for implementing the system of additional import duties and fixes additional import duties in the poultrymeat and egg sectors and for egg albumin;

Whereas it results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices and additional duties for imports of certain products should be amended taking into account variations of prices according to origin; whereas, therefore, representative prices and corresponding additional duties should be published;

Whereas it is necessary to apply this amendment as soon as possible, given the situation on the market;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 49.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 282, 1. 11. 1975, p. 77.

<sup>(4)</sup> OJ No L 282, 1. 11. 1975, p. 104.

<sup>(5)</sup> OJ No L 145, 29. 6. 1995, p. 47.

<sup>(6)</sup> OJ No L 163, 14. 7. 1995, p. 23.

## ANNEX

## ANNEX I

| CN code    | Description                                                    | Representative price<br>ECU/100 kg | Additional duty<br>ECU/100 kg | Origin<br>( <sup>1</sup> ) |
|------------|----------------------------------------------------------------|------------------------------------|-------------------------------|----------------------------|
| 0207 41 10 | Boneless cuts of fowls of the species <i>gallus domesticus</i> | 172,5                              | 44                            | 01                         |
|            |                                                                | 206,5                              | 28                            | 02                         |
|            |                                                                | 225,5                              | 22                            | 03                         |
| 1602 39 11 | Preparations uncooked, other than turkeys                      | 172,5                              | 38                            | 01                         |
|            |                                                                | 206,5                              | 24                            | 02                         |
|            |                                                                | 225,5                              | 18                            | 03                         |
| 0408 11 80 | Dried egg yolk                                                 | 272,1                              | 11                            | 04                         |

(<sup>1</sup>) Origin of imports :

01 China

02 Brazil

03 Thailand

04 Canada, United States of America'

**COMMISSION REGULATION (EC) No 2225/95****of 20 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<sup>(1)</sup>, as last amended by Regulation (EC) No 1740/95<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the 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 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ No L 167, 18. 7. 1995, p. 10.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 20 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 (*) | Standard import value | CN code                               | Third country code (*) | Standard import value |
| 0702 00 35    | 052                    | 52,7                  | 0808 10 92, 0808 10 94,<br>0808 10 98 | 412                    | 132,4                 |
|               | 060                    | 80,2                  |                                       | 512                    | 186,0                 |
|               | 064                    | 59,6                  |                                       | 600                    | 64,5                  |
|               | 066                    | 41,7                  |                                       | 624                    | 123,2                 |
|               | 068                    | 62,3                  |                                       | 999                    | 104,8                 |
|               | 204                    | 50,9                  |                                       | 039                    | 79,3                  |
|               | 212                    | 117,9                 |                                       | 064                    | 77,0                  |
|               | 624                    | 75,0                  |                                       | 388                    | 57,7                  |
|               | 999                    | 67,5                  |                                       | 400                    | 66,2                  |
|               |                        |                       |                                       | 404                    | 61,5                  |
| ex 0707 00 25 | 052                    | 70,1                  | 0808 20 57                            | 508                    | 68,4                  |
|               | 053                    | 166,9                 |                                       | 512                    | 68,7                  |
|               | 060                    | 61,0                  |                                       | 524                    | 57,4                  |
|               | 066                    | 53,8                  |                                       | 528                    | 48,0                  |
|               | 068                    | 60,4                  |                                       | 800                    | 70,2                  |
|               | 204                    | 49,1                  |                                       | 804                    | 46,4                  |
|               | 624                    | 207,3                 |                                       | 999                    | 63,7                  |
|               | 999                    | 95,5                  |                                       | 052                    | 49,4                  |
|               |                        |                       |                                       | 388                    | 79,6                  |
|               |                        |                       |                                       | 512                    | 89,7                  |
| 0709 90 79    | 052                    | 55,6                  | 0809 30 41, 0809 30 49                | 528                    | 84,1                  |
|               | 204                    | 77,5                  |                                       | 800                    | 55,8                  |
|               | 624                    | 196,3                 |                                       | 804                    | 112,9                 |
|               | 999                    | 109,8                 |                                       | 999                    | 78,6                  |
| 0805 30 30    | 052                    | 66,5                  | 0809 40 30                            | 052                    | 63,1                  |
|               | 388                    | 63,0                  |                                       | 220                    | 121,8                 |
|               | 400                    | 72,1                  |                                       | 624                    | 106,8                 |
|               | 512                    | 65,9                  |                                       | 999                    | 97,2                  |
|               | 520                    | 66,5                  |                                       | 052                    | 73,2                  |
|               | 524                    | 62,9                  |                                       | 064                    | 43,3                  |
|               | 528                    | 63,2                  |                                       | 066                    | 71,8                  |
|               | 600                    | 54,7                  |                                       | 068                    | 61,2                  |
|               | 624                    | 78,0                  |                                       | 624                    | 106,0                 |
|               | 999                    | 65,9                  |                                       | 676                    | 68,6                  |
| 0806 10 40    | 052                    | 89,3                  |                                       | 999                    | 70,7                  |
|               | 064                    | 51,1                  |                                       |                        |                       |
|               | 066                    | 49,4                  |                                       |                        |                       |
|               | 220                    | 110,8                 |                                       |                        |                       |
|               | 400                    | 136,3                 |                                       |                        |                       |

(\*) 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 2226/95  
of 20 September 1995**

**amending representative prices and additional duties for the import of certain  
products in the sugar sector**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95 <sup>(2)</sup>,

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 <sup>(4)</sup>, as last amended by Regulation (EC) No 2204/95 <sup>(5)</sup>;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to

the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110, 17. 5. 1995, p. 1.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 16.

<sup>(4)</sup> OJ No L 150, 1. 7. 1995, p. 36.

<sup>(5)</sup> OJ No L 221, 19. 9. 1995, p. 29.

## ANNEX

to the Commission Regulation of 20 September 1995 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

| CN code                   | Amount of representative prices per 100 kg net of product concerned | Amount of additional duty per 100 kg net of product concerned |
|---------------------------|---------------------------------------------------------------------|---------------------------------------------------------------|
| 1701 11 10 <sup>(1)</sup> | 22,80                                                               | 4,90                                                          |
| 1701 11 90 <sup>(1)</sup> | 22,80                                                               | 10,13                                                         |
| 1701 12 10 <sup>(1)</sup> | 22,80                                                               | 4,71                                                          |
| 1701 12 90 <sup>(1)</sup> | 22,80                                                               | 9,70                                                          |
| 1701 91 00 <sup>(2)</sup> | 27,34                                                               | 11,56                                                         |
| 1701 99 10 <sup>(2)</sup> | 27,34                                                               | 7,04                                                          |
| 1701 99 90 <sup>(2)</sup> | 27,34                                                               | 7,04                                                          |
| 1702 90 99 <sup>(3)</sup> | 0,27                                                                | 0,38                                                          |

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

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

<sup>(3)</sup> By 1 % sucrose content.

**COMMISSION REGULATION (EC) No 2227/95**  
**of 20 September 1995**  
**setting the world market price for unginned 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<sup>(1)</sup>,

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<sup>(2)</sup>, and in particular Articles 3 and 4 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned 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 unginned 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<sup>(3)</sup>, as last amended by Regulation (EC) No 2064/95<sup>(4)</sup>; 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 unginned cotton specified hereunder,

HAS ADOPTED THIS REGULATION:

*Article 1*

The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 38,893 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 30. 6. 1995, p. 45.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 48.

<sup>(3)</sup> OJ No L 123, 4. 5. 1989, p. 23.

<sup>(4)</sup> OJ No L 204, 30. 8. 1995, p. 8.

**COMMISSION REGULATION (EC) No 2228/95**  
**of 20 September 1995**  
**amending the import duties in the cereals sector**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1863/95 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1502/95 of 29 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 for the 1995/96 marketing year as regards import duties in the cereals sector <sup>(3)</sup>, as amended by Regulation (EC) No 1817/95 <sup>(4)</sup>, and in particular Article 2 (1) thereof,

Wheres the import duties in the cereals sector are fixed by Commission Regulation (EC) No 2174/95 <sup>(5)</sup>;

Whereas Article 2 (1) of Regulation (EC) No 2174/95 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2174/95,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EC) No 2174/95 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 21 September 1995.

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

Done at Brussels, 20 September 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 179, 29. 7. 1995, p. 1.

<sup>(3)</sup> OJ No L 147, 30. 6. 1995, p. 13.

<sup>(4)</sup> OJ No L 175, 27. 7. 1995, p. 23.

<sup>(5)</sup> OJ No L 218, 14. 9. 1995, p. 11.

## ANNEX I

## Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

| CN code    | Description                                                    | Import duty<br>by land inland waterway<br>or sea from<br>Mediterranean,<br>the Black Sea or<br>Baltic Sea ports (ECU/tonne) <sup>(1)</sup> | Import duty by<br>sea from other<br>ports <sup>(2)</sup><br>(ECU/tonne) <sup>(1)</sup> |
|------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1001 10 00 | Durum wheat <sup>(3)</sup>                                     | 10,00                                                                                                                                      | 0                                                                                      |
| 1001 90 91 | Common wheat seed                                              | 14,48                                                                                                                                      | 4,48                                                                                   |
| 1001 90 99 | Common high quality wheat other than for sowing <sup>(4)</sup> | 14,48                                                                                                                                      | 4,48                                                                                   |
|            | medium quality                                                 | 31,78                                                                                                                                      | 21,78                                                                                  |
|            | low quality                                                    | 33,60                                                                                                                                      | 23,60                                                                                  |
| 1002 00 00 | Rye                                                            | 84,53                                                                                                                                      | 74,53                                                                                  |
| 1003 00 10 | Barley, seed                                                   | 84,53                                                                                                                                      | 74,53                                                                                  |
| 1003 00 90 | Barley, other <sup>(4)</sup>                                   | 84,53                                                                                                                                      | 74,53                                                                                  |
| 1005 10 90 | Maize seed other than hybrid                                   | 108,79                                                                                                                                     | 98,79                                                                                  |
| 1005 90 00 | Maize other than seed <sup>(4)</sup>                           | 108,79                                                                                                                                     | 98,79                                                                                  |
| 1007 00 90 | Grain sorghum other than hybrids for sowing                    | 115,02                                                                                                                                     | 105,02                                                                                 |

<sup>(1)</sup> Where import takes place in the month following the month of fixing, these import duty amounts are to be adjusted in accordance with the third subparagraph of Article 2 (1) of Regulation (EC) No 1502/95.

<sup>(2)</sup> In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1502/95, the duty applicable is that fixed for low-quality common wheat.

<sup>(3)</sup> For goods arriving in the Community via the Atlantic Ocean (Article 2 (4) of Regulation (EC) No 1502/95), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

<sup>(4)</sup> The importer may benefit from a flat-rate reduction of ECU 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1502/95 are met.

## ANNEX II

Factors for calculating duties (period from 13. 9. to 26. 9. 1995):

1. Averages over the two-week period preceding the day of fixing:

| Exchange quotations                   | Minneapolis | Kansas-City | Chicago | Chicago | Mid-America | Mid-America |
|---------------------------------------|-------------|-------------|---------|---------|-------------|-------------|
| Product (% proteins at 12 % humidity) | HRS2. 14 %  | HRW2. 11 %  | SRW2    | YC3     | HAD2        | US barley 2 |
| Quotation (ECU/tonne)                 | 134,41      | 135,63      | 138,57  | 90,37   | 181,36 (1)  | 83,66 (1)   |
| Gulf premium (ECU/tonne)              | —           | 13,46       | 8,67    | 12,20   | —           | —           |
| Great lake premium (ECU/tonne)        | 19,30       | —           | —       | —       | —           | —           |

(1) Fob Duluth.

2. Freight/cost : Gulf of Mexico — Rotterdam : ECU 13,89 per tonne ; Great Lakes/St Lawrence — Rotterdam : ECU 26,54 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1502/95 : ECU 0,00 per tonne).

## II

*(Acts whose publication is not obligatory)*

## EUROPEAN ECONOMIC AREA

## THE EEA JOINT COMMITTEE

## DECISION OF THE EEA JOINT COMMITTEE

No 24/95

of 19 May 1995

amending Annex IX (Financial Services) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as the Agreement, and in particular Article 98 thereof,

Whereas Annex IX to the Agreement was last amended by Decision of the EEA Joint Committee No 19/94<sup>(1)</sup>;

Whereas Commission Decision 93/43/EEC of 21 December 1992 relating to the application of Council Directive 72/166/EEC on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability<sup>(2)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following indent shall be added in point 8 (Council Directive 72/166/EEC) in Annex IX to the Agreement:

‘— 393 L 0043 : Commission Decision 93/43/EEC of 21 December 1992 (OJ No L 16, 25. 1. 1993, p. 51).’

*Article 2*

The texts of Decision 93/43/EEC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

<sup>(1)</sup> OJ No L 325, 17. 12. 1994, p. 71.

<sup>(2)</sup> OJ No L 16, 25. 1. 1993, p. 51.

*Article 3*

This Decision shall enter into force on 1 June 1995, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

*Article 4*

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 19 May 1995.

*For the EEA Joint Committee*

*The President*

P. BENAVIDES

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