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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1866/94

of 27 July 1994

amending Regulation (EEC) No 1766/92 on the common organization of the market in cereals

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Council Regulation (EEC) No 1766/92 (4) provides for a system of compensatory payments for producers of potatoes intended for the manufacture of starch; whereas, with a view to controlling the production of starch, the granting of such compensatory payments should be conditional on the presentation of a cultivation contract;

Whereas Regulation (EEC) No 1766/92 also makes provision for adjusting measures, according to the world market situation, in respect of levies and refunds fixed in advance; whereas, to facilitate the administration of such measures and in the interests of sound management, the provisions governing the fixing of the premiums and corrective amounts arising from such measures should be relaxed;

Whereas, moreover, when Regulation (EEC) No 1766/92 was adopted, malt was transferred from the group of products referred to in Article 1 (1) (d) to the group of products referred to in (c) of that paragraph; whereas Annex A to the aforementioned Regulation should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1766/92 is hereby amended as follows:

1. In Article 8, the following subparagraph is added to paragraph 2:

‘Without prejudice to the provisions of the first subparagraph, the compensatory payment shall be paid only in respect of the quantity of potatoes covered by a contract between the potato producer and the starch manufacturer.’

2. In Article 12 (2), the final sentence is replaced by the following:

‘In this case, a premium shall be added to the levy.’

3. In Article 13 (4), the second subparagraph is replaced by the following:

‘A corrective amount may be fixed. It shall be applied to refunds fixed in advance. The corrective amount shall be fixed in accordance with the procedure laid down in Article 23. However, where necessary the Commission may alter the corrective amounts.’

4. In Annex A, CN code 1107 (Malt, whether or not roasted) is deleted.

Article 2

This Regulation shall enter into force on 1 August 1994.

It shall apply from 1 August 1994. However, Article 1, point 4, shall apply with effect from 1 July 1993.

(1) OJ No C 83, 19. 3. 1994, p. 1.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 181, 1. 7. 1992, p. 21. Regulation as amended by Commission Regulation (EEC) No 2193/93 (OJ No L 196, 5. 8. 1993, p. 22).

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1867/94

of 27 July 1994

fixing the monthly price increases for cereals for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 3 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽⁴⁾ fixes the monthly increases in the intervention and threshold prices;

Whereas, when the amounts and the number of the monthly increases are fixed and the first month in which they are to apply is determined, account should be taken of the storage costs and financing charges for storing cereals in the Community and of the need to ensure that the disposal of stocks of cereals is in line with market requirements;

Whereas, under the reform of the common agricultural policy, provision was made for the fixing of a single intervention price for all cereals; whereas this price has been fixed at a substantially reduced level applied in stages; whereas this fact should be taken into account in the fixing of the size of the monthly increases;

Whereas, as regards the threshold price for maize and sorghum, the monthly increases are, moreover, to be determined in accordance with the last subparagraph of Article 3 (2) of Regulation (EEC) No 1766/92,

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

Done at Brussels, 27 July 1994.

Article 1

For the 1994/95 marketing year, the monthly increases to be applied to the intervention price for common wheat, rye, barley, maize, sorghum and durum wheat, and to the threshold price for all cereals, applicable for the first month of the marketing year, shall be as follows:

(ECU/tonne)

		Monthly increase in the intervention price	Monthly increase in the threshold price
July	1994	—	—
August	1994	—	1,20
September	1994	—	2,40
October	1994	—	3,60
November	1994	1,20	4,80
December	1994	2,40	6,00
January	1995	3,60	7,20
February	1995	4,80	8,40
March	1995	6,00	9,60
April	1995	7,20	10,80
May	1995	8,40	12,00
June	1995	—	12,00

In the case of maize and sorghum, the monthly increases for August and September shall not apply to the threshold price.

Article 2

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

It shall apply with effect from the 1994/95 marketing year.

For the Council

The President

Th. WAIGEL

(1) OJ No C 83, 19. 3. 1994, p. 3.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EC) No 1866/94 (see page 1 of this Official Journal).

COUNCIL REGULATION (EC) No 1868/94

of 27 July 1994

establishing a quota system in relation to the production of potato starch

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Council Regulation (EEC) No 1543/93 of 14 June 1993 fixing the amount of the premium paid to producers of potato starch during the 1993/94, 1994/95 and 1995/96 marketing years (4) provided for the Council to decide what measures to take if the production of potato starch within the Community exceeded 1,5 million tonnes in the marketing year 1993/94 or 1994/95; whereas production in 1993/94 exceeded such figure;

Whereas the potato starch sector is not subject to the restrictions on production, and in particular to set-aside, applying in the cereals sector; whereas all provisions in favour of the potato starch sector must nevertheless be compatible with the control of production, which is as necessary in the potato starch sector as in other sectors;

Whereas the measure controlling production which fits best with the mechanism of premiums for the production of potato starch is that of the introduction of a system of quotas;

Whereas any Member State where potato starch has been produced should be allocated a quota based on the average amount of potato starch produced in that Member State in the marketing years 1990/91, 1991/92 and 1992/93 for which premium was received, proportionately adjusted having regard to a total Community quota of 1,5 million tonnes;

Whereas quotas should be allocated to Denmark, Germany, Spain, France and the Netherlands for use in the marketing years 1995/96, 1996/97 and 1997/98;

Whereas in the case of Germany, the change from the planned economy existing in the new *Länder* before reunification to a market economy with the consequent change in agricultural production structures and necessary investments justifies the use of a different reference year, namely 1992/93, and the increase of the amount produced in that year by 90 000 tonnes, together with the creation of a reserve for Germany to cover production resulting from investments irreversibly undertaken before 31 January 1994, if this cannot be met within the limit of the quota allocated to Germany; whereas these amounts cannot be accommodated within a Community quota of 1,5 million tonnes; whereas it is therefore necessary to add them to this figure;

Whereas producer Member States should allocate their quota for a period of three years between all undertakings producing potato starch, on the basis of the average starch produced by them during the marketing years 1990/91, 1991/92 and 1992/93 and for which premium was received, or the amount of starch produced in 1992/93 only on the same basis, at the choice of the Member State, and investments made by those undertakings prior to 31 January 1994 in relation to the production of potato starch;

Whereas in order to take account of possible restructuring of the market in potato starch production the Commission shall at the end of the three-year period and thereafter at three-yearly intervals make a report to the Council on quota allocations accompanied, if necessary, by appropriate proposals; whereas at that time the case of new potato-starch producers will be examined;

Whereas specific structural constraints on the starch production sector make it necessary to establish a premium for the production of potato starch up to the level of an undertaking's quota; whereas, in order to protect potato producers, payment of the premium shall be dependent upon payment of the minimum price of the quantity of potatoes needed to produce starch up to the level of the quota;

Whereas undertakings producing potato starch shall not conclude cultivation contracts with potato producers in relation to a quantity of potatoes which would produce

(1) OJ No C 83, 19. 3. 1994, p. 5.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 154, 25. 6. 1993, p. 4.

starch in excess of their quota; whereas any starch produced in excess of that quota shall be exported from the Community without benefiting from any export refund,

HAS ADOPTED THIS REGULATION

Article 1

A system of quotas for the production of potato starch which may benefit from Community aid is hereby introduced.

Article 2

1. The following producer Member States are hereby allocated quotas for the production of potato starch within the following limits for the marketing years 1995/96, 1996/97 and 1997/98:

Denmark:	178 460 tonnes,
Germany:	591 717 tonnes,
Spain:	2 000 tonnes,
France:	281 516 tonnes,
Netherlands:	538 307 tonnes,
Total:	<u>1 592 000 tonnes</u>

A reserve of a maximum of 110 000 tonnes shall be created to cover production realized in Germany in the marketing year 1996/97 provided that such production results from investments irreversibly undertaken before 31 January 1994. Germany may only utilize such reserve after exhaustion of any quota made available as a result of the cessation of trading of undertakings producing potato starch. Use of the reserve by Germany shall be subject to Commission acceptance that there has been compliance with the abovementioned conditions.

2. Each producer Member State shall allocate the quota referred to in paragraph 1 to undertakings producing potato starch for use in the marketing years 1995/96, 1996/97 and 1997/98, at the option of the Member State, on the basis of:

- either the average amount of starch produced by them in the marketing years 1990/91, 1991/92 and 1992/93 and for which they received the premium referred to in Article 1 of Regulation (EEC) No 1543/93,
- or the amount of starch produced by them in the marketing year 1992/93 and for which they received the premium referred to in Article 1 of Regulation (EEC) No 1543/93.

Where necessary, a producer Member State shall also, on the basis of objective criteria, take into account

investments made by undertakings producing potato starch before 31 January 1994 which did not give rise to production in the reference period chosen by that Member State.

Article 3

1. On or before 31 October 1997 and thereafter at three-yearly intervals, the Commission shall present to the Council a report on the allocation of quota within the Community, accompanied if necessary by appropriate proposals. This report will take account of the development of the potato-starch market as well as that of the cereal-starch market.

2. On or before 30 November 1997 and thereafter at three-yearly intervals, the Council, acting on the basis of Article 43 of the Treaty, shall allocate quota between Member States on the basis of the report referred to in paragraph 1, for use in the following three marketing years.

3. On or before 31 December 1997 and thereafter at three-yearly intervals, Member States shall notify those concerned of the details of quota allocations for the following three marketing years.

Article 4

An undertaking producing potato starch shall not conclude cultivation contracts with potato producers for a quantity of potatoes which would produce a quantity of starch in excess of its quota, referred to in Article 2 (2).

Article 5

A premium of ECU 18,43 per tonne of starch produced shall be paid to undertakings producing potato starch for the quantity of potato starch up the quota limit referred to in Article 2 (2), provided that they have paid to potato producers the minimum price, referred to in Article 8 (1) of Regulation (EEC) No 1766/92 (1), for all the potatoes necessary to produce starch up to that quota limit.

Article 6

1. Without prejudice to Article 5, any potato starch produced in excess of the quota referred to in Article 2 (2) shall be exported, as such, from the Community before 1 January following the end of the marketing year in question.

No export refund shall be paid in respect of it.

(1) OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EC) No 1866/94 (see page 1 of this Official Journal).

2. Without prejudice to paragraph 1, an undertaking producing potato starch may, in any marketing year, in addition to its quota for that year, utilize no more than 5 % of its quota relating to the following marketing year. In such case, the quota for the following marketing year shall be reduced accordingly.

Article 7

The provisions of this Regulation shall not cover production of potato starch by undertakings which neither purchase potatoes which have benefited from the compensatory aid referred to in Article 8 of Regulation (EEC) No 1766/92 nor benefit from the refund referred to in Article 7 of that Regulation.

Article 8

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92. They

shall include, in particular, rules applicable in the case of mergers, changes of ownership and the commencement or cessation of trading of undertakings, and any specific measures necessary to facilitate the transition from the system in force to that established by this Regulation.

Article 9

Regulation (EEC) No 1543/93 is repealed with effect from 1 July 1995. All references to Regulation (EEC) No 1543/93 shall be construed as being references to this Regulation.

Article 10

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

It shall apply from 1 July 1995.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1869/94

of 27 July 1994

amending Regulation (EEC) No 1418/76 on the common organization of the market in rice

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Regulation (EEC) No 1418/76 (4) makes provision for adjusting measures, according to the world market situation, in respect of levies and refunds fixed in advance; whereas, to facilitate the administration of such measures and in the interests of sound management, the provisions governing the fixing of the premiums and corrective amounts arising from such measures should be relaxed;

Whereas the threshold price for maize has been reduced within the framework of reform of the common agricultural policy; whereas, because of that, the relationship between the price of maize and that of broken rice must be revised in order to maintain an equivalent relationship for the different threshold prices within the rice sector,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1418/76 is hereby amended as follows:

1. in Article 13 (2), the last sentence is replaced by the following:

'In this case, a premium shall be added to the levy.'

2. Article 15 (1) shall be replaced by the following:

'1. For the 1994/95 marketing year, the threshold price for broken rice shall be fixed between 160 and 170 % of the threshold price of maize valid for the said marketing year, unaffected by monthly increases.'

3. in Article 17 (4), the second subparagraph is replaced by the following:

'A corrective amount may be fixed. It shall be applied to the refund where this is fixed in advance. The corrective amount shall be fixed according to the procedure laid down in Article 27. However, when necessary, the Commission may modify the corrective amounts.'

Article 2

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

It shall apply from the 1994/95 marketing year.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

(1) OJ No C 83, 19. 3. 1994, p. 8.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 166, 25. 6. 1976, p. 1. Regulation as last amended by Regulation (EEC) No 1544/93 (OJ No L 154, 25. 6. 1993, p. 5).

COUNCIL REGULATION (EC) No 1870/94
of 27 July 1994
fixing prices for rice for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the markets and prices policy continues to be the main instrument of the incomes policy in the rice sector;

Whereas the intervention price for paddy rice must be fixed at a rate which takes account, on the one hand, of the policy in respect of rice production with a view to the uses to which it is put and, on the other, of the budgetary and market constraints;

Whereas the target price of husked rice must be derived from the intervention price for paddy rice in accordance with the criteria set out in Article 4 (3) of Council

Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽⁴⁾;

Whereas, for the products referred to in this Regulation, the application of the aforementioned criteria entails fixing those prices at the levels indicated below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, prices for rice shall be as follows:

- (a) intervention price, paddy rice: ECU 309,60 per tonne;
- (b) target price, husked rice: ECU 530,60 per tonne.

Article 2

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

It shall apply from 1 September 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

⁽¹⁾ OJ No C 83, 19. 3. 1994, p. 11.

⁽²⁾ OJ No C 128, 9. 5. 1994.

⁽³⁾ OJ No C 148, 30. 5. 1994, p. 49.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1. Regulation as last amended by Regulation (EC) No 1869/94 (see page 7 of this Official Journal).

COUNCIL REGULATION (EC) No 1871/94

of 27 July 1994

fixing the monthly price increases for paddy rice and husked rice for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

— ECU 1,94 per tonne for the intervention price and for the buying-in price,

Having regard to the Treaty establishing the European Community,

— ECU 2,42 per tonne for the target price.

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, and in particular Article 7 (2) thereof,

2. The monthly increases shall apply to the intervention price and the buying-in price from 1 January 1995 to 1 July 1995, the prices thus obtained for July 1995 remaining valid until 31 August 1995.

Having regard to the proposal from the Commission⁽²⁾,

Whereas, when the number and amount of the monthly increases and the first month during which these increases are to apply are fixed, account should be taken of the storage costs and financing charges for storing rice in the Community and of the need to ensure that the disposal of stocks of rice conforms to market requirements,

The monthly increases shall apply to the target price from 1 October 1994 to 1 July 1995, the price thus obtained for the month of July 1995 remaining valid until 31 August 1995.

HAS ADOPTED THIS REGULATION:

*Article 2**Article 1*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

1. For the 1994/95 marketing year, the amount of each of the monthly increases provided for in Article 7 (1) of Regulation (EEC) No 1418/76 shall be:

It shall apply from 1 September 1994.

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

Done at Brussels, 27 July 1994.

*For the Council**The President*

Th. WAIGEL

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1. Regulation as last amended by Regulation (EC) No 1869/94 (see page 7 of this Official Journal).⁽²⁾ OJ No C 83, 19. 3. 1994, p. 12.

COUNCIL REGULATION (EC) No 1872/94

of 27 July 1994

setting the compensatory payment for linseed for the 1994/95 and subsequent marketing years

THE COUNCIL OF THE EUROPEAN UNION,

characteristics of the product and of the aid granted to similar products,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission ⁽¹⁾,*Article 1*Having regard to the opinion of the European Parliament ⁽²⁾,

For the 1994/95 and subsequent marketing years, the amount of the compensatory payment per hectare for linseed referred to in Article 6a (3) of Regulation (EEC) No 1765/92 shall be ECU 87 multiplied by the regional yield for cereals, excluding maize yields in those regions where a separate yield is applied for maize.

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,*Article 2*

Whereas Article 6a (3) of Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽⁴⁾ provides that a compensatory payment for linseed is to be set for the marketing years subsequent to the 1993/94 marketing year; whereas that compensatory amount must be set at a level which takes account of both the specific

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, 27 July 1994.

*For the Council**The President*

Th. WAIGEL

(1) OJ No C 83, 19. 3. 1994, p. 26.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 181, 1. 7. 1992, p. 12. Regulation as last amended by Regulation (EEC) No 1552/93 (OJ No L 154, 25. 6. 1993, p. 19).

COUNCIL REGULATION (EC) No 1873/94

of 27 July 1994

fixing, for the 1994/95 marketing year, certain sugar prices and the standard quality of beet

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector (1), and in particular Articles 2 (3), 3 (4) and 4 (3) thereof,

Having regard to the opinion of the Commission (2),

Having regard to the opinion of the European Parliament (3),

Having regard to the opinion of the Economic and Social Committee (4),

Whereas, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and ensure that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

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

Done at Brussels, 27 July 1994.

Whereas the basic price for beet must take account of the intervention price and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilograms of white sugar per tonne of beet at 16 % sugar content,

HAS ADOPTED THIS REGULATION:

Article 1

1. The target price for white sugar shall be ECU 55,07 per 100 kilograms.
2. The intervention price for white sugar shall be ECU 52,33 per 100 kilograms for the non-deficit areas of the Community.

Article 2

The basic price for beet shall be ECU 39,48 per tonne delivered at the collection centre.

Article 3

Standard quality beet shall:

- (a) be of sound, genuine and merchantable quality;
- (b) have a sugar content of 16 % at the reception point.

Article 4

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

It shall apply from 1 August 1994.

For the Council
The President
 Th. WAIGEL

(1) OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EC) No 133/94 (OJ No L 22, 27. 1. 1994, p. 7).

(2) OJ No C 83, 19. 3. 1994, p. 13.

(3) OJ No C 128, 9. 5. 1994.

(4) OJ No C 148, 30. 5. 1994, p. 49.

COUNCIL REGULATION (EC) No 1874/94

of 27 July 1994

fixing, for the 1994/95 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices and the amount of compensation for storage costs

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, and in particular Article 3 (5), Article 5 (5), Article 8 (4) and Article 14 (5) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Whereas Council Regulation (EC) No 1873/94 of 27 July 1994 fixing, for the 1994/95 marketing year, certain sugar prices and the standard quality of beet ⁽³⁾, fixed the intervention price for white sugar at ECU 52,33 per 100 kilograms applicable for the non-deficit areas;

Whereas Article 3 (1) of Regulation (EEC) No 1785/81 provides that derived intervention prices for white sugar are to be fixed for each of the deficit areas; whereas, for such fixing, it is appropriate that account be taken of the regional variations in the price of sugar, which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation on the market;

Whereas a deficit supply situation is to be foreseen in the areas of production in Italy, Ireland, the United Kingdom, Spain and Portugal;

Whereas Article 3 (5) of Regulation (EEC) No 1785/81 provides that an intervention price for raw sugar shall be fixed; whereas such price should be established on the basis of the intervention price for white sugar;

Whereas Regulation (EEC) No 1873/94 fixed the basic price for beet at ECU 39,48 per tonne; whereas Article 5 (2) of Regulation (EEC) No 1785/81 provides that the minimum price to be fixed for A beet shall be 98 % of the basic price of the beet and the minimum price to be fixed for B beet shall in principle be 68 % of the said

basic price, without prejudice to Article 28 (5) of that Regulation;

Whereas Article 14 (2) of Regulation (EEC) No 1785/81 provides that the threshold price for white sugar shall be equal to the target price, plus costs, calculated at a flat rate, of transport from the Community area having the largest surplus to the most distant deficit consumption area in the Community, plus a flat-rate amount which takes into account the storage levy; whereas, given the state of supplies within the Community, account should be taken of transport charges between the departments of northern France and Palermo;

Whereas the threshold price for raw sugar is to be derived from the threshold price for white sugar by reference to a processing margin and a standard yield;

Whereas the threshold price for molasses should be fixed in such a way that the receipts from sales of molasses may reach the level of receipts of undertakings taken into account in the fixing of basic prices for beet;

Whereas Article 5 of Council Regulation (EEC) No 1358/77 of 20 June 1977 laying down general rules for offsetting storage costs for sugar and repealing Regulation (EEC) No 750/68 ⁽⁴⁾ provides that the amount of repayment in the context of the compensation for storage costs shall be fixed per month and per unit of weight, taking account of financing costs, insurance costs and specific storage costs,

HAS ADOPTED THIS REGULATION:

Article 1

For the deficit areas of the Community, the derived intervention price for white sugar shall be fixed, per 100 kilograms, at:

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EC) No 133/94 (OJ No L 22, 27. 1. 1994, p. 7).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 15.

⁽³⁾ See page 11 of this Official Journal.

⁽⁴⁾ OJ No L 156, 25. 6. 1977, p. 4. Regulation as last amended by Regulation (EEC) No 3042/78 (OJ No L 361, 23. 12. 1978, p. 8).

- (a) ECU 53,54 for all the areas in the United Kingdom;
- (b) ECU 53,54 for all the areas in Ireland;
- (c) ECU 53,54 for all the areas in Portugal;
- (d) ECU 53,73 for all the areas in Spain;
- (e) ECU 53,27 for all the areas in the Italy.

Article 2

The intervention price of raw sugar shall be ECU 43,37 for 100 kilograms.

Article 3

1. The minimum price for A beet applicable in the Community shall be ECU 38,69 per tonne.
2. Subject to Article 28 (5) of Regulation (EEC) No 1785/81, the minimum price for B beet applicable in the Community shall be ECU 26,85 per tonne.

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

Done at Brussels, 27 July 1994.

Article 4

The threshold price shall be:

- (a) ECU 63,18 per 100 kilograms of white sugar;
- (b) ECU 53,99 per 100 kilograms of raw sugar;
- (c) ECU 6,80 per 100 kilograms of molasses.

Article 5

The amount of the reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81 shall be ECU 0,40 per month per 100 kilograms of white sugar.

Article 6

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

It shall apply from 1 August 1994. However, Article 5 shall apply with effect from 1 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1875/94

of 27 July 1994

fixing, for the 1994/95 marketing year, the prices, aids and percentages of aid to be retained in the olive oil sector and the maximum guaranteed quantity

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) and (2) and Article 234 (2) and (3) thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, and in particular Article 4 (4), Article 5 (1), and Article 11 (6) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas the target price for olive oil production must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas the representative market price must be fixed according to the criteria laid down in Article 7 of Regulation No 136/66/EEC;

Whereas the threshold price must be fixed in such a way that the selling price for the imported product at the frontier crossing point determined in accordance with Article 9 of Regulation No 136/66/EEC is the same as the representative market price, account being taken of the effect of the measures referred to in Article 11 (6) of the said Regulation;

Whereas, if producers are to receive a fair income, production aid must be fixed in the light of the impact

which the consumption aid has on part only of production;

Whereas the situation on the olive oil market makes it possible to continue the readjustment of consumption aid and production aid began during the 1991/92 marketing year; whereas the significant reduction of consumption aid or the intervention price could bring about a temporary disturbance of the market, particularly in the passage from one marketing year to another; whereas, in order to redress these difficulties, provision should be made for the possibility of adopting interim measures;

Whereas Articles 95 and 293 of the Act of Accession make provision for Community aid for the production of olive oil in Spain and Portugal; whereas Articles 79 and 246 of that Act provide for the progressive alignment of the Community aid in Spain and Portugal on the common aid at the beginning of each marketing year; whereas, in the light of the increase in production aid following the decrement in consumption aid, application of the rules on that alignment would have the effect of increasing the difference between the level of aid in Spain and Portugal and the level applicable in the Community as constituted at 31 December 1985; whereas, to avoid this inequitable effect, the rules should be amended so as to maintain the rate of alignment provided for in the Act of Accession;

Whereas, in accordance with Article 5 (4) and Article 20d (1) of Regulation No 136/66/EEC, the percentages of production aid to be allocated to finance measures to improve the quality of olive oil production and to finance expenditure incurred in the work done by recognized producer organizations or associations thereof in administering and controlling olive oil production aid should be determined;

Whereas, pursuant to Article 11 (5) and (6) of Regulation No 136/66/EEC, a certain percentage of the consumption aid during each olive oil marketing year is to be used, on the one hand, to finance measures by the recognized trade organizations referred to in paragraph 3 of the abovementioned Article and, on the other hand, to finance measures to promote olive oil consumption in the Community; whereas the said percentages for the 1994/95 marketing year should be fixed; whereas having regard to the financing already laid down for the promotion actions referred to in the abovementioned Article 11 (6), the percentage relating thereto is set at zero for the marketing 1994/95;

(1) OJ No 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 3179/93 (OJ No L 285, 20. 11. 1993, p. 9).

(2) OJ No C 83, 19. 3. 1994, p. 19.

(3) OJ No C 128, 9. 5. 1994.

(4) OJ No C 148, 30. 5. 1994, p. 49.

Whereas Article 5 (1) of Regulation No 136/66/EEC fixes, for a specified period, the maximum quantity in respect of which the unit amount of production aid fixed for each of the marketing years in question is to be payable; whereas, in compliance with the terms laid down therein, the maximum quantity applicable for each of those marketing years should be maintained, in respect of the 1994/95, 1995/96 and 1996/97 marketing years, at the level specified,

— for Portugal: ECU 114,11/100 kg,
— for the Community of Ten: ECU 125,45/100 kg.

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1994/95 marketing year, the production target price and the intervention price for olive oil shall be as follows:

(a) production target price: ECU 317,82/100 kg;
(b) intervention price: ECU 162,40/100 kg.

2. The prices fixed in paragraph 1 shall be for ordinary virgin olive oil with a free fatty-acid content, expressed as oleic acid, of 3,3 g/100 g.

Article 2

For the 1994/95 marketing year, the representative market price and the threshold price for olive oil shall be as follows:

(a) representative market price: ECU 190,06/100 kg;
(b) threshold price: ECU 186,44/100 kg.

Article 3

For the 1994/95 marketing year, the production aid shall be as follows:

(a) production aid:
— for Spain: ECU 106,84/100 kg,
— for Portugal: ECU 106,84/100 kg,
— for the Community of Ten: ECU 117,76/100 kg;
(b) production aid for growers whose average production is less than 500 kg of olive oil per marketing year:
— for Spain: ECU 114,11/100 kg,

Article 4

1. For the 1994/95 marketing year, 1,4 % of the production aid earmarked for olive oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil production in each producer Member State.

2. For the 1994/95 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20d (1) of Regulation No 136/66/EEC for organizations of olive oil producers or associations thereof recognized under the said Regulation shall be 0,8 %.

Article 5

1. For the 1994/95 marketing year, the percentage of consumption aid referred to in Article 11 (5) of Regulation No 136/66/EEC shall be 5,5 %.

2. For the 1994/95 marketing year, the percentage of consumption aid to be allocated to the measures referred to in Article 11 (6) of Regulation No 136/66/EEC shall be zero.

Article 6

For the 1994/95, 1995/96 and 1996/97 marketing years, the maximum production of olive oil referred to in Article 5 (1) of Regulation No 136/66/EEC shall be 1 350 000 tonnes for each of those marketing years.

Article 7

If specific measures are necessary to resolve temporary problems arising from the reduction in consumption aid or the intervention price for olive oil, such measures should be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 8

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

It shall apply from 1 November 1994, with the exception of Article 7, which shall apply as from the date of entry into force of this Regulation.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1876/94

of 27 July 1994

fixing the guide price for unginnged cotton for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraph 8 of Protocol 4 on cotton, as last amended by Regulation (EEC) No 1553/93 (1),

Having regard to the proposal from the Commission (2),

Having regard to the opinion of the European Parliament (3),

Having regard to the opinion of the Economic and Social Committee (4),

Whereas paragraph 8 of Protocol 4 states that the guide price for cotton that has not been ginned is to be fixed annually by reference to the criteria laid down in paragraph 2 of that Protocol;

Whereas application of the aforementioned criteria leads to the fixing of the guide price as indicated below,

Article 1

1. For the 1994/95 marketing year, the guide price for unginnged cotton shall be ECU 101,46 per 100 kg.
2. The price referred to in paragraph 1 shall be for cotton:
 - of sound, genuine and merchantable quality,
 - containing 10 % moisture and 3 % impurities,
 - with the characteristics required to yield, after ginning, 54 % of seed and 32 % of fibres of grade No 5 (white middling), with a length of 28 mm (1 $\frac{3}{32}$ ").

Article 2

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

It shall apply from 1 September 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

(1) OJ No L 154, 25. 6. 1993, p. 21.

(2) OJ No C 83, 19. 3. 1994, p. 22.

(3) OJ No C 128, 9. 5. 1994.

(4) OJ No C 148, 30. 5. 1994. p. 49.

COUNCIL REGULATION (EC) No 1877/94

of 27 July 1994

fixing the minimum price of unginning cotton for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Regulation (EEC) No 1553/93 ⁽¹⁾,Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, and in particular Article 9 (1) thereof,Having regard to the proposal from the Commission ⁽³⁾,

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 2169/81, the Council is to fix a minimum price for unginning cotton each year at a level enabling producers to sell at a price as close as possible to the guide price; whereas that price must take account of market fluctuations and the cost of transporting the unginning cotton from the production areas to the ginning areas; whereas that price must be fixed for the quality to which the guide price relates and must apply at the farm gate;

Whereas application of the abovementioned criteria results in the fixing of the minimum price at the level given below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the minimum price for unginning cotton provided for in Article 9 (1) of Regulation (EEC) No 2169/81 shall be ECU 96,39 per 100 kg. That price shall apply to goods at the farm gate.

Article 2

The price set in Article 1 shall be for unginning cotton meeting the quality indicated in Article 1 (2) of Regulation (EC) No 1876/94 of 27 July 1994 fixing the guide price for unginning cotton for the 1994/95 marketing year ⁽¹⁾.

Article 3

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

It shall apply from 1 September 1994.

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

Done at Brussels, 27 July 1994.

*For the Council**The President*

Th. WAIGEL

⁽¹⁾ OJ No L 154, 25. 6. 1994, p. 21.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2. Regulation as last amended by Regulation (EC) No 1554/93 (OJ No L 154, 25. 6. 1993, p. 23).

⁽³⁾ OJ No C 83, 19. 3. 1994, p. 23.

⁽¹⁾ See page 17 of this Official Journal.

COUNCIL REGULATION (EC) No 1878/94

of 27 July 1994

fixing the amounts of aid for flax fibre and hemp and the amount withheld to finance measures to promote the use of flax fibre for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp ⁽¹⁾, and in particular Articles 2 (3) and 4 (3) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas Article 4 of Regulation (EEC) No 1308/70 provides that the amounts of aid for flax grown mainly for fibre and for hemp grown in the Community are to be fixed each year;

Whereas, in accordance with Article 4 (2) of that Regulation, this amount shall be fixed per hectare of area sown and harvested so as to ensure an even balance between the volume of production required in the Community and the amount that can be marketed; whereas it must be fixed, taking into account the price for fibres and flax and hemp seed on the world market;

Whereas Article 2 (3) of Regulation (EEC) No 1308/70 provides that the portion of aid for financing Community measures to encourage the use of flax fibre is to be fixed when aid is fixed for the marketing year in question in accordance with the criteria referred to in Article 2 (3);

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

Done at Brussels, 27 July 1994.

whereas it is to be fixed in the light of trends on the market in flax, the amount of the aid for flax and the cost of the measures to be introduced;

Whereas application of the abovementioned criteria entails fixing the amounts of aid and the portions of the aid to be used for financing measures to promote the use of flax fibre at the level set out below,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1994/95 marketing year, the amounts of aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

- (a) ECU 774,86 per hectare as regards flax;
- (b) ECU 641,60 per hectare as regards hemp.

Article 2

For the 1994/95 marketing year, the amount of the aid for flax to be used to finance the measures to promote the use of flax fibre referred to in Article 2 of Regulation (EEC) No 1308/70 shall be ECU 44,42 per hectare.

Article 3

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

It shall apply from 1 August 1994.

For the Council
The President
 Th. WAIGEL

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1. Regulation as last amended by Regulation (EEC) No 1557/93 (OJ No L 154, 25. 6. 1993, p. 26).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 24.

⁽³⁾ OJ No C 128, 9. 5. 1994.

⁽⁴⁾ OJ No C 148, 30. 5. 1994, p. 49.

COUNCIL REGULATION (EC) No 1879/94

of 27 July 1994

fixing the amount of aid in respect of silkworms for the 1994/95 rearing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 845/72 of 24 April 1972 laying down special measures to encourage silkworm rearing ⁽¹⁾, and in particular Article 2 (3) thereof,Having regard to the proposal from the Commission ⁽²⁾,Having regard to the opinion of the European Parliament ⁽³⁾,Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas Article 2 of Regulation (EEC) No 845/72 provides that the amount of aid for silkworms reared within the Community must be fixed each year in such a way as to help ensure a fair income for silkworm rearers, taking into account the state of the market in cocoons

and raw silk, of foreseeable trends on that market and of import policy;

Whereas application of the abovementioned criteria entails fixing the amount of aid at the level mentioned below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 rearing year, the amount of aid in respect of silkworms as referred to in Article 2 of Regulation (EEC) No 845/72 shall be fixed at ECU 110,41 per box of silkworm eggs used.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 April 1994.

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

Done at Brussels, 27 July 1994.

*For the Council**The President*

Th. WAIGEL

(1) OJ No L 100, 27. 4. 1972, p. 1. Regulation as last amended by Regulation (EEC) No 2059/92 (OJ No L 215, 30. 7. 1992, p. 19).

(2) OJ No C 83, 19. 3. 1994, p. 25.

(3) OJ No C 128, 9. 5. 1994.

(4) OJ No C 148, 30. 5. 1994, p. 49.

COUNCIL REGULATION (EC) No 1880/94

of 27 July 1994

amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 8 of Regulation (EEC) No 804/68 ⁽³⁾ provides for an intervention system for certain types of cheeses; whereas experience has shown that the buying in of such cheeses is not an appropriate means of stabilizing the market, given their limited preservation time and the absence of disposal opportunities; whereas, however, market stabilization may be achieved through private storage aid for such cheeses;

Whereas account should be taken also of trends in the milk products market and of changes in the intervention systems in force for several years for butter and skimmed-milk powder; whereas the system of buying in in respect of Grana Padano and Parmigiano Reggiano cheeses should therefore be abolished; whereas general rules concerning the granting of private storage aid should, moreover, be incorporated in Article 8 of Regulation (EEC) No 804/68;

Whereas it is therefore necessary to amend Article 5 of Regulation (EEC) No 804/68 and to repeal Council Regulation (EEC) No 971/68 of 15 July 1968 laying down general rules for intervention on the market in Grana Padano and Parmigiano Reggiano cheeses ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 804/68 is hereby amended as follows:

1. Article 5 is replaced by the following:

'Article 5

Each year at the same time as the target price for milk, and in accordance with the same procedure, an intervention price for butter and for skimmed-milk powder shall be fixed.'

2. Article 8 is replaced by the following:

'Article 8

1. Under conditions to be determined, aid shall be granted for the private storage of:

- (a) Grana Padano cheese at least nine months old;
 - (b) Parmigiano Reggiano cheese at least 15 months old;
 - (c) Provolone cheese at least three months old;
- if these cheeses reach certain standards.

2. The amount of private storage aid shall be fixed taking account of storage costs and the likely trend of market prices.

3. The intervention agency designated by the Member State in which the said cheeses are produced and qualify to bear the designation of origin shall implement the measures taken pursuant to paragraph 1.

The granting of private storage aid shall be subject to the conclusion of a storage contract with the intervention agency. The contract shall be drawn up under conditions to be determined.

Where the market situation so requires, the Commission may decide, in accordance with the procedure laid down in Article 30, that the intervention agency will remarket some or all of the cheese stored.

4. Detailed rules for the application of this Article, and in particular the amount of aid and the provisions concerning the storage contract and inspection of storage operations, shall be adopted in accordance with the procedure laid down in Article 30.'

Article 2

Regulation (EEC) No 971/68 is hereby repealed. However, it shall continue to apply in respect of the marketing of quantities purchased prior to the entry into force of this Regulation.

Article 3

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

⁽¹⁾ OJ No C 83, 19. 3. 1994, p. 30.

⁽²⁾ OJ No C 128, 9. 5. 1994.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EC) No 230/94 (OJ No L 30, 3. 2. 1994, p. 1).

⁽⁴⁾ OJ No L 166, 17. 7. 1968, p. 8. Regulation as last amended by Regulation (EEC) No 473/75 (OJ No L 52, 28. 2. 1975, p. 23).

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1881/94

of 24 July 1994

amending Regulation (EEC) No 2072/92 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for two annual periods from 1 July 1993 to 30 June 1995

THE COUNCIL OF THE EUROPEAN UNION,

intervention prices for those cheeses should accordingly be rescinded,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission ⁽¹⁾,

Article 1

Having regard to the opinion of the European Parliament ⁽²⁾,

In Article 2 of Regulation (EEC) No 2072/92, point 2 is replaced by the following:

Whereas the market situation for milk and milk products continues to be precarious; whereas the persistent decline in butter consumption in the Community causes continuing problems on the butter market; whereas the constant rise in the fat content of milk further aggravates the situation; whereas the reduction in the intervention price for butter should be marked by an additional 1 % reduction in order to improve the competitive position of butter and milk fats, encourage their consumption and alter the upward trend in the fat content of milk; whereas it is necessary to fix accordingly the target price for milk and amend Regulation (EEC) No 2072/92 ⁽³⁾;

2. For the period from 1 July 1994 to 30 June 1995:

	(ECU/100 kg)
(a) Target price for milk	25,66
(b) Intervention price for:	
— butter	271,80
— skimmed-milk powder	170,20'

Article 2

Whereas Council Regulation (EC) No 1880/94 of 27 July 1994 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products ⁽⁴⁾ abolishes buying in in respect of Grana Padano and Parmigiano Reggiano cheeses; whereas the

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

It shall apply from 1 August 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

⁽¹⁾ OJ No C 83, 19. 3. 1994, p. 33.

⁽²⁾ OJ No C 128, 9. 5. 1994.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 65. Regulation as amended by Regulation (EEC) No 1561/93 (OJ No L 154, 25. 6. 1993, p. 33).

⁽⁴⁾ See page 21 of this Official Journal.

COUNCIL REGULATION (EC) No 1882/94

of 27 July 1994

fixing the threshold prices for certain milk products for the 1994/95 milk year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Whereas threshold prices should be fixed so that, taking account of the protection required for the Community processing industry, the prices of imported milk products correspond to the level of the target price for milk; whereas, consequently the threshold price should be fixed on the basis of the target price for milk, taking into account the relationship which should be established between the value of milkfat and that of skimmed milk, as well as the standardized costs and yields for each of the milk products in question; whereas a fixed amount should be included to ensure adequate protection of the Community processing industry,

HAS ADOPTED THIS REGULATION:

Article 1

1. The threshold prices for the 1994/95 milk year shall, from 1 August 1994, be as follows:

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

Pilot product of the group of products	ECU/100 kg
1	55,41
2	191,25
3	258,87
4	97,18
5	127,87
6	304,85
7	365,56
8	307,03
9	580,44
10	331,01
11	305,57
12	92,06

2. The pilot products referred to in paragraph 1 are those specified in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾.

Article 2

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

It shall apply from 1 August 1994.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EC) No 1880/94 (see page 21 of this Official Journal).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 34.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1. Regulation as last amended by Regulation (EC) No 3423/93 (OJ No L 312, 15. 1. 1993, p. 8).

COUNCIL REGULATION (EC) No 1883/94

of 27 July 1994

amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas the situation in Italy, Greece and Spain respectively has been the subject of special examination; whereas as regards those three Member States the conclusions from the examination permit extending the increase in the guaranteed total quantity laid down in Article 3 of Regulation (EEC) No 3950/92 (3), but solely for the period 1994/95 in the case of Italy and Greece, and to consolidate it for Spain; whereas there will be a re-examination before the beginning of the period 1995/96 as to whether all the conditions to which the definitive increase in the total quantity for Italy and Greece is subject have been fully satisfied;

Whereas the checks carried out in Italy, covered all milk producers and thus permit, in the light of full knowledge, extending, for the period 1994/95, the increase in the guaranteed total quantity granted for the period 1993/94; whereas, however, part of that increase should be reserved, namely 347 701 tonnes, for allocating, as need arises, reference quantities to producers when certain conditions are satisfied;

Whereas, as far as required, the components upon which the 'deliveries' part of the guaranteed total quantity for Greece, Spain and Italy is calculated for the period 1994/95 should be specified; whereas, for each of these three Member States, to the amounts specified hereafter must be added the quantities from the former Community reserve; whereas, in the case of Greece, the total quantity fixed for the period 1992/93 is increased by 100 000 tonnes; whereas, in the case of Spain, the figure of 4 550 000 tonnes represents the basic total quantity increased, on the one hand, by 500 000 tonnes and, on the other, by 150 000 tonnes following a transfer from direct sales to deliveries; whereas, in the case of

Italy, the total quantity fixed for the period 1992/93 is increased by 900 000 tonnes;

Whereas it has been agreed that application of the arrangements to control milk production must not jeopardize the restructuring of agricultural holdings in the territory of the former German Democratic Republic; whereas, therefore, following reunification the arrangements have to that end been relaxed for a single period; whereas in spite of successive extensions of this flexibility up to the period 1993/94, it appears that the restructuring in question has not so far been completed; whereas an extension of the derogating measures should be accepted for a limited period of time in order to achieve restructuring of the said holdings,

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (2) of Regulation (EEC) No 3950/92 is hereby replaced by the following:

'2. The following total quantities shall be fixed without prejudice to possible review in the light of the general market situation and particular conditions existing in certain Member States:

Member State	Deliveries	Direct sales
Belgium	3 066 337	244 094
Denmark	4 454 459	889
Germany (1)	27 764 778	100 038
Greece	625 985	4 528
Spain	5 200 000	366 950
France	23 637 283	598 515
Ireland	5 233 805	11 959
Italy	9 212 190	717 870
Luxembourg	268 098	951
Netherlands	10 983 195	91 497
Portugal	1 804 881	67 580
United Kingdom	14 247 283	342 764

(1) Of which 6 244 566 tonnes covers deliveries to purchasers established in the territory of the new *Länder* and 8 801 tonnes covers direct sales in the new *Länder*.

The increase in the total quantities for Belgium, Denmark, Germany, France, Ireland, Luxembourg, the Netherlands and the United Kingdom shall be granted in order to permit the allocation of additional reference quantities to:

(1) OJ No C 108, 16. 4. 1994, p. 9.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No L 405, 31. 12. 1992, p. 1. Regulation as last amended by Commission Regulation (EC) No 647/94 (OJ No L 80, 24. 3. 1994, p. 16).

- producers who, by virtue of the second indent of Article 3a (1) of Regulation (EEC) No 857/84 (*), had been excluded from allocation of a special reference quantity,
- producers situated in the mountain areas as defined in Article 3 (3) of Directive 75/268/EEC (**) or to the producers referred to in Article 5 of this Regulation or to all producers.

The increase in the total quantity for Portugal shall be granted as a matter of priority to contribute towards satisfying the requests for additional reference quantities from producers whose production during the 1990 reference year was substantially affected by exceptional events which took place during the period 1988 to 1990 or to the producers referred to in Article 5.

The increase in total quantities of deliveries granted for the period 1993/94 for Greece, Spain and Italy shall be established for Spain and shall be extended for the period 1994/95 for Greece and Italy. The total quantity of deliveries for Italy includes a reserve of 347 701 tonnes for allocation, in so far as necessary and in agreement with the Commission, of reference quantities to producers who have brought legal proceedings against a national administration following withdrawal of their reference quantities and obtained judgment in their favour. Before the period

1995/96 the Commission will submit to the Council a report accompanied by proposals on whether the increase for Greece and the amount of the increase for Italy must be maintained in 1995/96 and for the subsequent years.

(*) OJ No L 90, 1. 4. 1984, p. 13.

(**) OJ No L 128, 19. 5. 1975, p. 1.

Article 2

The following subparagraph shall be added to Article 4 (4) of Regulation (EEC) No 3950/92:

'However, in order to complete the restructuring of the said holdings, the first subparagraph shall continue to apply until the end of the period 1997/98.'

Article 3

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

It shall apply with effect from 1 April 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1884/94
of 24 July 1994
amending Regulation (EEC) No 805/68 on the common organization of the market in
beef and veal

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas reform of the common agricultural policy has, *inter alia*, included a restructuring of the system of special premium for male bovine animals, laid down in Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾;

Whereas the determination, on the basis of the best year from among the years 1990, 1991 and 1992, of the regional ceilings referred to in Article 4b (3) of Regulation (EEC) No 805/68 has led in certain parts of the Community to figures which are very much higher than the situation in existence at the time of reform; whereas the application, in the coming years, of excessively high regional ceilings risks jeopardizing achieving control of the production which was one of the main objectives of reform; whereas it is accordingly necessary to limit the regional ceilings, in particular on the basis of the situation regarding production of beef and veal and the way in which they have evolved in recent years;

Whereas the particular regional ceiling laid down for the territory of the new German *Länder* should also be adjusted in line with the change in the total ceiling allocated to Germany; whereas, as at present, the application of that particular ceiling will remain restricted to the new *Länder*,

Article 1

Regulation (EEC) No 805/68 is hereby amended as follows:

1. In Article 4b (3), point (b) of that third subparagraph shall be replaced by the following:

(b) "regional ceiling": the number of animals entitled to benefit, in a region and per calendar year, from the special premium; the total number of animals included in the regional ceilings of each of the Member States is limited to:

Belgium	293 211
Denmark	324 652
Germany	3 092 667
(including the particular regional ceiling relating to the special premium referred to in Article 4k (1), point (a) applicable for the new <i>Länder</i>)	
Greece	140 130
Spain	551 552
(including the Canary Islands)	
France	1 908 922
Ireland	1 286 521
Italy	824 885
Luxembourg	19 300
Netherlands	264 000
Portugal	154 897
United Kingdom	1 419 811*

2. In Article 4k (1), point (a), '780 000' is replaced by '660 323'.

Article 2

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

It shall apply from 1 January 1995.

⁽¹⁾ OJ No C 83, 19. 3. 1994, p. 36.

⁽²⁾ OJ No C 128, 9. 5. 1994.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Commission Regulation (EC) No 1096/94 (OJ No L 121, 12. 5. 1994, p. 9).

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1885/94

of 27 July 1994

fixing the guide price for adult bovine animals for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission ⁽²⁾,

Whereas, when the guide price for adult bovine animals is fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims *inter alia* at guaranteeing a fair standard of living for the farming community, at ensuring that supplies are available and that they reach consumers at reasonable prices;

Whereas the guide price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 805/68,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the guide price for adult bovine animals shall be, from 1 August 1994, ECU 197,42 for 100 kg live weight.

Article 2

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

It shall apply from 1 August 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 1884/94 (see page 27 of this Official Journal).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 38.

COUNCIL REGULATION (EC) No 1886/94

of 27 July 1994

amending Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Article 7 (2) and (3) of Regulation (EEC) No 3013/89 (4) stipulates certain conditions to be fulfilled prior to the opening of private storage within the framework of a tendering procedure; whereas experience has shown that the price condition established in Article 7 (2) is inappropriate; whereas it is therefore necessary to reduce the price ratio at which the condition for the opening of a private storage tendering procedure is fulfilled; whereas the activation of private storage

measures provided for in Article 7 (3) should be deleted,

HAS ADOPTED THIS REGULATION:

Article 1

Article 7 of Regulation (EEC) No 3013/89 is hereby amended as follows:

1. in paragraph 2, '85 %' is replaced by '70 %';
2. paragraph 3 is deleted.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 August 1994.

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

Done at Brussels, 27 July 1994.

*For the Council**The President*

Th. WAIGEL

(1) OJ No C 83, 19. 3. 1994, p. 39.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EEC) No 363/93 (OJ No L 42, 19. 2. 1993, p. 1).

COUNCIL REGULATION (EC) No 1887/94

of 27 July 1994

fixing the basic price, and the seasonal adjustments to the basic price, for sheepmeat for the 1995 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 3 (1) and (2) thereof,Having regard to the proposal from the Commission⁽²⁾,Having regard to the opinion of the European Parliament⁽³⁾,Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 3013/89;

Whereas, when the basic price for sheep carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the main objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas these factors result in the price for the 1995 marketing year being fixed at the level laid down in this Regulation;

Whereas the weekly seasonally adjusted amounts applicable to the basic price should be fixed in the light of experience gained during the 1991, 1992 and 1993 marketing years concerning private storage,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1995 marketing year, the basic price for sheepmeat is hereby fixed at ECU 417,45 for 100 kg carcass weight.

Article 2

The basic price referred to in Article 1 is hereby seasonally adjusted in accordance with the table set out in the Annex to this Regulation.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from the beginning of the 1995 marketing year.

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

Done at Brussels, 27 July 1994.

*For the Council**The President*

Th. WAIGEL

(1) OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EC) No 1886/94 (see page 30 of this Official Journal).

(2) OJ No C 83, 19. 3. 1994, p. 40.

(3) OJ No C 128, 9. 5. 1994.

(4) OJ No C 148, 30. 5. 1994, p. 49.

ANNEX

1995 MARKETING YEAR

(ECU/100 kg carcase weight)

Week beginning	Week	Basic price
2 January 1995	1	426,55
9 January 1995	2	429,46
16 January 1995	3	432,85
23 January 1995	4	435,27
30 January 1995	5	437,69
6 February 1995	6	440,10
13 February 1995	7	442,52
20 February 1995	8	444,94
27 February 1995	9	446,88
6 March 1995	10	448,81
13 March 1995	11	449,78
20 March 1995	12	449,78
27 March 1995	13	448,81
3 April 1995	14	447,45
10 April 1995	15	445,62
17 April 1995	16	443,01
24 April 1995	17	441,07
1 May 1995	18	438,17
8 May 1995	19	435,27
15 May 1995	20	431,40
22 May 1995	21	426,56
29 May 1995	22	421,72
5 June 1995	23	415,93
12 June 1995	24	411,09
19 June 1995	25	407,22
26 June 1995	26	403,35
3 July 1995	27	400,45
10 July 1995	28	398,51
17 July 1995	29	397,54
24 July 1995	30	397,06
31 July 1995	31	396,55
7 August 1995	32	396,55
14 August 1995	33	396,55
21 August 1995	34	396,55
28 August 1995	35	396,55
4 September 1995	36	396,55
11 September 1995	37	396,55
18 September 1995	38	396,55
25 September 1995	39	396,58
2 October 1995	40	396,68
9 October 1995	41	396,77
16 October 1995	42	396,86
23 October 1995	43	396,96
30 October 1995	44	397,54
6 November 1995	45	398,32
13 November 1995	46	399,19
20 November 1995	47	400,16
27 November 1995	48	402,57
4 December 1995	49	406,44
11 December 1995	50	411,28
18 December 1995	51	417,28
25 December 1995	52	423,63

COUNCIL REGULATION (EC) No 1888/94

of 27 July 1994

fixing the basic price and the standard quality for pig carcasses for the period 1 July 1994 to 30 June 1995

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, and in particular Article 4 (4) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas, when the basic price for slaughtered pigs is fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 4 (1) of Regulation (EEC) No 2759/75 for a standard quality defined by reference to Council Regulation (EEC) No 3220/94 of

13 November 1984 determining the Community scale for grading pig carcasses ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July 1994 to 30 June 1995, the basic price for slaughtered pigs of the standard quality shall be ECU 1 300 per tonne.

Article 2

The standard quality shall be defined in terms of carcass weight and lean meat content, determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 3220/84, as follows:

- (a) carcasses weighing 60 to less than 120 kg: grade U;
- (b) carcasses weighing 120 to 180 kg: grade R.

Article 3

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

It shall apply with effect from 1 July 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1. Regulation as last amended by Regulation (EEC) No 1249/89 (OJ No L 129, 11. 5. 1989, p. 12).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 42.

⁽³⁾ OJ No C 128, 9. 5. 1994.

⁽⁴⁾ OJ No C 148, 30. 5. 1994, p. 49.

⁽⁵⁾ OJ No L 301, 20. 11. 1984, p. 1. Regulation as last amended by Regulation (EC) No 3513/93 (OJ No L 320, 22. 12. 1993, p. 5).

COUNCIL REGULATION (EC) No 1889/94

of 27 July 1994

fixing the basic price and buying-in price applicable in the fruit and vegetables sector for the 1994/95 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Article 16 (1) thereof,

Having regard to Regulations (EC) No 969/94⁽²⁾, (EC) No 1234/94⁽³⁾ and (EC) No 1487/94⁽⁴⁾ fixing the basic price and the buying-in price for certain fruits and vegetables for the months of May, June and July 1994,

Having regard to the proposal from the Commission⁽⁵⁾,

Having regard to the opinion of the European Parliament⁽⁶⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁷⁾,

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas, in accordance with Article 1 (3) of the above Regulation, the marketing years for the products in question are as follows:

- for tomatoes and aubergines, from 1 January to 31 December,
- for apricots, from 1 May to 31 August,
- for peaches and nectarines, from 1 May to 31 October,
- for cauliflowers and table grapes, from 1 May to 30 April,
- for lemons and pears, from 1 June to 31 May,

— for apples, from 1 July to 30 June,

— for mandarins, satsumas and clementines, from 1 October to 15 May,

— for oranges, from 1 October to 15 July;

Whereas, however, pursuant to the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price need be fixed for the slack marketing periods at the beginning and at the end of the marketing year;

Whereas, when the basic and buying-in prices for fruit and vegetables are fixed, account has to be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the basic prices must be fixed by reference to the trend in the average prices recorded during the three previous years on the most representative producer markets within the Community for a product of defined commercial characteristics, such as variety or type, quality class, size and packaging; whereas the buying-in prices must be fixed by reference to the basic price in accordance with Article 16 (3) of Regulation (EEC) No 1035/72,

HAS ADOPTED THIS REGULATION:

Article 1

The basic and buying-in prices for fruit and vegetables for the 1994/95 marketing year, the periods during which they apply and the standard qualities to which they refer shall be as set out in the Annex.

Article 2

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

(1) OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EC) No 3669/93 (OJ No L 338, 31. 12. 1993, p. 26).

(2) OJ No L 111, 30. 4. 1994, p. 1.

(3) OJ No L 136, 31. 5. 1994, p. 73.

(4) OJ No L 161, 29. 6. 1994, p. 1.

(5) OJ No C 83, 19. 3. 1994, p. 43.

(6) OJ No C 128, 9. 5. 1994.

(7) OJ No C 148, 30. 5. 1994, p. 49.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

ANNEX

BASIC PRICES AND BUYING-IN PRICES

CAULIFLOWERS

For the period 1 August 1994 to 30 April 1995

(ECU/100 kg net)

	Basic price	Buying-in price
August	21,79	9,38
September	23,56	10,02
October	24,45	10,39
November	29,48	12,75
December	29,48	12,75
January	29,48	12,75
February	27,48	11,85
March	28,92	12,39
April	29,28	12,75

These prices refer to packed 'trimmed' cauliflowers of Quality Class I.

TOMATOES

For the period 1 August to 30 November 1994

(ECU/100 kg net)

	Basic price	Buying-in price
August	20,67	7,67
September	21,94	8,17
October	23,27	8,57
November	28,02	11,22

These prices refer to packed 'round' and 'ribbed' tomatoes of Quality Class I, size 57/67 mm.

AUBERGINES

For the period 1 August to 31 October 1994

(ECU/100 kg net)

	Basic price	Buying-in price
August to October	17,55	7,04

These prices refer to the following packed products:

- elongated aubergines of Quality Class I, size over 40 mm,
- globus aubergines of Quality Class I, size over 70 mm.

PEACHES

For the period 1 August to 30 September 1994

(ECU/100 kg net)

	Basic price	Buying-in price
August to September	42,38	23,74

These prices refer to packed peaches of the Amsden, Cardinal, Charles Ingouf, Dixired, Jeronimo, J.H. Hale, Merril Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of Quality Class I, size 61 to 67 mm.

NECTARINES

For the period 1 to 31 August 1994

(ECU/100 kg net)

	Basic price	Buying-in price
August	53,99	25,91

These prices refer to packed nectarines of the Armking, Crimsongold, Early sun grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark red gold varieties of Quality Class I, size 61 to 67 mm.

LEMONS

For the period 1 August 1994 to 31 May 1995

(ECU/100 kg net)

	Basic price	Buying-in price
August	42,56	25,16
September	38,18	23,76
October	36,01	23,41
November	35,00	20,46
December	34,37	20,21
January	35,38	20,72
February	34,12	20,09
March	36,00	20,72
April	37,16	21,73
May	38,04	22,24

These prices refer to packed lemons of Quality Class I, size 53 to 62 mm.

PEARS

(other than perry pears)

For the period 1 August 1994 to 30 April 1995

(ECU/100 kg net)

	Basic price	Buying-in price
August	26,37	14,15
September	25,22	13,53
October	26,24	13,53
November	26,63	13,78
December	27,00	14,15
January to April	27,25	14,41

These prices refer to the following packed products:

- pears of the Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis (Beurré Napoléon, Blanquilla, Tsakonika), Dr Jules Guyot (Limonera) and Rocha varieties, Quality Class I, size 60 mm or more,
- pears of the Empereur Alexandre (Kaiser Alexandre Bosc) variety, Quality Class I, size 70 mm or more.

TABLE GRAPES

For the period 1 August to 20 November 1994

(ECU/100 kg net)

	Basic price	Buying-in price
August	35,83	23,05
September, October and November (from 1 to 20)	32,03	19,62

These prices refer to packed table grapes of the Regina dei Vigneti, Sultanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo, Ohanes (Almeria) and D. Maria varieties, Quality Class I.

APPLES

(other than cider apples)

For the period 1 August 1994 to 31 May 1995

(ECU/100 kg net)

	Basic price	Buying-in price
August	26,08	13,29
September	26,08	13,29
October	26,08	13,41
November	26,79	13,84
December	29,18	14,95
January to May	31,58	16,05

These prices refer to the following packed products:

- apples of the Reine des reinettes and Verde Doncella varieties, Quality Class I, size 65 mm or more.
- apples of the Delicious Pilafa, Golden Delicious, James Grieve, Red Delicious, Reinette grise du Canada and Starking Delicious varieties, Quality Class I, size 70 mm or more.

MANDARINS

For the period from 16 November 1994 to 28 February 1995

(ECU/100 kg net)

	Basic price	Buying-in price
November (from 16 to 30)	36,48	23,24
December	36,10	22,83
January	35,60	22,07
February	33,94	21,56

These prices refer to packed mandarins of Quality Class I, size 54 to 69 mm.

SATSUMAS

For the period 16 October 1994 to 15 January 1995

(ECU/100 kg net)

	Basic price	Buying-in price
October (from 16 to 31)	28,37	13,55
November	25,13	11,31
December	27,29	12,28
January (from 1 to 15)	26,21	11,92

These prices refer to packed satsumas Unshiu (owari) of Quality Class I, size 54 to 69 mm.

CLEMENTINES

For the period 1 December 1994 to 15 February 1995

(ECU/100 kg net)

	Basic price	Buying-in price
December	33,41	18,40
January	31,22	17,19
February (from 1 to 15)	35,98	17,94

These prices refer to packed clementines (citrus reticulata, Blanco) of Quality Class I, size 43 to 60 mm.

SWEET ORANGES

For the period 1 December 1994 to 31 May 1995

(ECU/100 kg net)

	Basic price	Buying-in price
December	34,02	21,50
January	30,47	19,73
February	31,09	20,21
March	33,00	20,49
April and May	33,63	20,74

These prices refer to packed oranges of the Moro, Navel, Navellina, Salustiana, Sanguinello and Valencia late varieties, Quality Class I, size 67 to 80 mm.

Note:

The prices given in this Annex do not include the cost of the packaging in which the product is presented.

COUNCIL REGULATION (EC) No 1890/94

of 27 July 1994

amending Regulation (EEC) No 1200/90 on the improvement of the Community production of apples

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas a measure to stabilize Community apple production was introduced in the 1990/91 to 1992/93 marketing years by Council Regulation (EEC) No 1200/90 (1);

Whereas, although this measure enabled 25 569,4 hectares to be grubbed, including 19 368,7 hectares in the new German *Länder*, the area under apple trees in the Community nevertheless increased by 8 700 hectares between 1987 and 1992 (not taking the new German *Länder* into account);

Whereas this increase could lead to a big surplus on the market in 1994/95; whereas the grubbing measure provided for in Regulation (EEC) No 1200/90 should therefore be reactivated for this marketing year, with the conditions for the granting of this measure being adjusted in order to increase its effectiveness,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1200/90 is hereby amended as follows:

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

Done at Brussels, 27 July 1994.

1. in Article 1:

— 'During the 1990/91, 1991/92 and 1992/93 marketing years' shall be replaced by 'During the 1990/91, 1991/92, 1992/93 and 1994/95 marketing years',

— the existing indent becomes paragraph 1,

— the following paragraph shall be added:

'The Member States may, for objective reasons, in particular the special situation on the local market, protection of the environment or the necessity of avoiding a disproportionate reduction in employment, disapply this Regulation from part or all of their territory.'

2. the following shall be added to Article 2 (1) (a):

'However, for the 1994/95 marketing year, this grubbing may relate to part of the orchard.'

Article 2

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

For the Council

The President

Th. WAIGEL

(1) OJ No C 206, 26. 7. 1994, p. 17.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No L 119, 11. 5. 1990, p. 63. Regulation as amended by Regulation (EEC) No 3577/90 (OJ No L 353, 17. 12. 1990, p. 23).

COUNCIL REGULATION (EC) No 1891/94

of 27 July 1994

amending Regulation (EEC) No 822/87 on the common organization of the market in wine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 17 (3) of Council Regulation (EEC) No 822/87 ⁽⁴⁾ provides that one particular form of deacidification is permitted on transitional basis only; whereas so that a final decision can be taken regarding that technique, current practice should be continued at least until the end of the 1994/95 wine year;

Whereas Article 46 (4) of Regulation (EEC) No 822/87 provides that campaigns to promote the consumption of grape juice may only be conducted until the 1993/94 wine year; whereas they should be continued for one wine year so that their effectiveness may be assessed;

Whereas the current situation as regards availability of wine for the 1993/94 wine year permits the partial placing on the market of products that are subject to long-term storage contracts; whereas a date should be fixed for wines that are to be delivered for compulsory distillation;

Whereas Articles 18 (3), 20 (2), 39 (12) and 65 (5) of Regulation (EEC) No 822/87 provide that, during the 1993/94 wine year, the Commission is to submit to the Council reports on wine-growing zones, enrichment, the effects of the structural measures and their link with compulsory distillation, maximum sulphur dioxide levels in wine and any proposals arising therefrom; whereas the drafting of some of those reports has required the

organization of studies entailing the participation of independent experts which have not yet been completed;

Whereas the significance for the sector of the abovementioned problems calls for the highest degree of consistency between the solutions to be proposed; whereas, when achieving such consistency, the requisite proposals must be drawn up when all data are available and accordingly certain time limits must be deferred by one wine year,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 822/87 is hereby amended as follows:

1. in Article 17 (3), '31 August 1994' is replaced by '31 August 1995';
2. the second subparagraph of Article 18 (3) is replaced by the following:
'Before the end of the 1994/95 wine year, the Commission shall submit to the European Parliament and to the Council a report on the demarcation of wine-growing zones in the Community. The Council, acting in accordance with the procedure laid down in Article 43 (2) of the Treaty, shall decide on the demarcation of the wine-growing zones for the Community as a whole, such provisions applying from the 1995/96 wine year.'
3. Article 20 (2) is replaced by the following:
'2. Before 1 September 1994, the Commission shall submit to the European Parliament and to the Council a report on the conclusions of the study provided for in paragraph 1, together with any suitable proposals. During 1995, the Council, acting in accordance with the procedure laid down in Article 43 (2) of the Treaty, shall decide on the measures to be taken with regard to the increase of the natural alcoholic strength by volume of the products referred to in Article 18 (1).'
4. the final subparagraph of Article 32 (3) shall be replaced by the following:

'By way of derogation from the first and second subparagraphs, producers who have concluded long-term storage contracts for the 1993/94 wine year may request termination of such contracts (up to a

(1) OJ No C 83, 19. 3. 1994, p. 50.

(2) OJ No C 128, 9. 5. 1994.

(3) OJ No C 148, 30. 5. 1994, p. 49.

(4) OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 1566/93 (OJ No L 154, 25. 6. 1993, p. 39).

maximum limit of 90 % of the volume under contract). In such cases aid shall be paid for such period of storage that has actually elapsed.

However for wines to be delivered for compulsory distillation referred to in Article 39, the abovementioned request shall take effect as from 1 July 1994.'

5. in Article 39:

— the third and fourth subparagraphs of paragraph 3 are replaced by the following:

'Until the end of the 1994/95 wine year:

- the uniform percentage shall be 85,
- the consecutive reference years shall be 1981/82, 1982/83 and 1983/84.

From the 1995/96 wine year onwards, the uniform percentage and consecutive reference years shall be determined by the Commission, which shall fix:

- the uniform percentage on the basis of the quantities that must be distilled in accordance with paragraph 2 in order to eliminate the production surplus for the year in question,
- the consecutive reference years on the basis of the trend of production; and, in particular, the effects of the grubbing policy.'

— paragraph 10 is replaced by the following:

'10. Notwithstanding this Article, for the 1985/86 to 1994/95 wine years, compulsory distillation in Greece may be implemented in accordance with special provisions taking account of the difficulties encountered in that country in particular as regards knowledge of yield per hectare. These provisions shall be adopted in accordance with the procedure laid down in Article 83.'

— the first subparagraph of paragraph 11 is replaced by the following:

'11. If, during the 1987/88 to 1994/95 wine years, difficulties likely to jeopardize the execution

or balanced application of the compulsory distillation operation referred to in paragraph 1 occur, the measures necessary in order to ensure effective application of the distillation scheme shall be adopted in accordance with the procedure laid down in Article 83.'

— paragraph 12 is replaced by following:

'12. Before the end of the 1994/95 wine year, the Commission shall submit to the European Parliament and to the Council a report outlining, in particular, the effect of the structural measures applicable in the wine sector and, where appropriate, proposals to repeal or replace the provisions of this Article by other measures designed to maintain balance on the wine market.'

6. Article 46 (4) is replaced by the following:

'4. During the 1985/86 to 1994/95 wine years, a part to be determined of the aid provided for in the first indent of paragraph 1 shall be set aside for the organization of campaigns to promote the consumption of grape juice. The aid may, for the purposes of organizing such campaigns, be fixed at a higher level than that resulting from the application of paragraph 3.'

7. Article 65 (5) is replaced by the following:

'5. The Commission shall submit to the European Parliament and to the Council before 1 April 1995, in the light of experience gained, a report on the maximum sulphur dioxide levels of wine, accompanied, where appropriate, by proposals on which the Council shall act in accordance with the procedure laid down in Article 43 (2) of the Treaty before 1 September 1995.'

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, 27 July 1994.

For the Council

The President

Th. WAIGEL

COUNCIL REGULATION (EC) No 1892/94

of 27 July 1994

amending Regulation (EEC) No 2046/89 laying down general rules for distillation operations involving wine and the by-products of winemaking

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, and in particular Articles 35 (7), 36 (5), 38 (4), 39 (8), 41 (8), 42 (4) and 79 (2) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Whereas Article 2 (3) of Regulation (EEC) No 2046/89 ⁽³⁾ provides that Member States may regard associations of wine-growers as producers for the purposes of compulsory distillation; whereas paragraph 4 of that Article provides for the submission of a report in that regard; whereas the proposed measures should be consistent with others which the Commission is to draw up in the near future; whereas, for that purpose, the deadline laid down in the abovementioned paragraph 4 should be postponed,

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

Done at Brussels, 27 July 1994.

Article 1

Article 2 (4) of Regulation (EEC) No 2046/89 is hereby replaced by the following:

'4. Paragraph 3 shall apply until 31 August 1995.

Before 31 March 1995, the Commission shall submit to the Council a report on the application of the said paragraph, accompanied, if necessary, by an appropriate proposal. The Council shall act on any measures to apply as from 1 September 1995.'

Article 2

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

It shall apply from 1 September 1994.

For the Council

The President

Th. WAIGEL

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1891/94 (see page 42 of this Official Journal).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 53.

⁽³⁾ OJ No L 202, 14. 7. 1989, p. 14. Regulation as amended by Regulation (EEC) No 1567/93 (OJ No L 154, 25. 6. 1993, p. 41).

COUNCIL REGULATION (EC) No 1893/94

of 27 July 1994

amending Regulation (EEC) No 2332/92 as regards sparkling wines produced in the Community and Regulation (EEC) No 4252/88 on the preparation and marketing of liqueur wines produced in the Community

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Articles 11 and 16 of Regulation (EEC) No 2332/92 ⁽⁴⁾ and Article 6 (2) of Regulation (EEC) No 4252/88 ⁽⁵⁾ fix the maximum sulphur dioxide content of sparkling wines and of liqueur wines; whereas those Articles provide for the presentation by 1 April 1994 of a report from the Commission to the Council on those contents, together, where appropriate, with proposals; whereas the measures proposed should be consistent with others that the Commission is required to draft in the near future; whereas the abovementioned deadline should be postponed to that end; whereas the same is true of the deadline of 1 September 1994 laid down in Article 17 (3) of Regulation (EEC) No 2332/92,

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

Done at Brussels, 27 July 1994.

Article 1

Regulation (EEC) No 2332/92 is hereby amended as follows:

1. In Article 11 (3), '1 April 1994' and '1 September 1994' shall be replaced respectively by '1 April 1995' and '1 September 1995'.
2. In Article 16 (3), '1 April 1994' and '1 September 1994' shall be replaced respectively by '1 April 1995' and '1 September 1995'.
3. In Article 17 (3), '1 September 1994' shall be replaced by '1 September 1995'.

Article 2

Regulation (EEC) No 4252/88 is hereby amended as follows:

In Article 6 (2), '1 April 1994' and '1 September 1994' shall be replaced respectively by '1 April 1995' and '1 September 1995'.

Article 3

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

It shall apply from 1 September 1994.

For the Council

The President

Th. WAIGEL

⁽¹⁾ OJ No C 83, 19. 3. 1994, p. 54.

⁽²⁾ OJ No C 128, 9. 5. 1994.

⁽³⁾ OJ No C 148, 30. 5. 1994, p. 49.

⁽⁴⁾ OJ No L 231, 13. 8. 1992, p. 1. Regulation as amended by Regulation (EEC) No 1568/93 (OJ No L 154, 25. 6. 1993, p. 42).

⁽⁵⁾ OJ No L 373, 31. 12. 1988, p. 59. Regulation as last amended by Regulation (EEC) No 1568/93.

COUNCIL REGULATION (EC) No 1894/94

of 27 July 1994

fixing the guide price for wine for the 1994/95 wine year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, and in particular Article 27 thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas, when the guide prices for the various types of table wine are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas, if these objectives are to be achieved, it is of prime importance that the gap between production and demand should not be opened further; whereas, to that

end, the guide prices for the 1994/95 wine year should be set at the same levels as the previous year;

Whereas the guide prices must be fixed for each type of table wine representative of Community production as defined in Annex III to Regulation (EEC) No 822/87,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 wine year, the guide prices for table wine shall be as follows:

Type of wine	Guide price
R I	ECU 3,17/% vol/hl
R II	ECU 3,17/% vol/hl
R III	ECU 51,47/hl
A I	ECU 3,17/% vol/hl
A II	ECU 68,58/hl
A III	ECU 78,32/hl

Article 2

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

It shall apply from 1 September 1994.

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

Done at Brussels, 27 July 1994.

For the Council

The President

Th. WAIGEL

(1) OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1891/94 (see page 42 of this Official Journal).

(2) OJ No C 83, 19. 3. 1994, p. 52.

(3) OJ No C 128, 9. 5. 1994.

(4) OJ No C 148, 30. 5. 1994, p. 49.

COUNCIL REGULATION (EC) No 1895/94

of 27 July 1994

fixing, for the 1994 harvest, the premiums for leaf tobacco by tobacco group

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco (1), and in particular Article 4 (1) thereof,

Having regard to the proposal from the Commission (2),

Having regard to the opinion of the European Parliament (3),

Whereas, when the premiums for raw tobacco are fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims in particular to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas the premiums must take

account in particular of past and foreseeable possibilities of disposal of the various tobaccos under normal conditions of competition,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994 harvest, the premium referred to in Article 4 of Regulation (EEC) No 2075/92 for each group of raw tobacco varieties, and the supplementary amounts, shall be set out in the Annex hereto.

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, 27 July 1994.

For the Council

The President

Th. WAIGEL

(1) OJ No L 215, 30. 7. 1992, p. 70.

(2) OJ No C 83, 19. 3. 1994, p. 55.

(3) OJ No C 128, 9. 5. 1994.

ANNEX

PREMIUMS FOR LEAF TOBACCO FROM THE 1994 HARVEST

	I Flue-cured	II Light air-cured	III Dark air-cured	IV Fire-cured	V Sun-cured	VI Basmas	VII Katerini	VIII Kaba Koulak
ECU/kg	2,244	1,795	1,795	1,974	1,795	3,109	2,638	1,885

SUPPLEMENTARY AMOUNTS

Variety	ECU/kg
Badischer Geudertheimer, Pereg, Korso	0,351
Badischer Burley E and hybrids thereof	0,562
Virgin D and hybrids thereof, Virginia and hybrids thereof	0,321
Paraguay and hybrids thereof, Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appelterre	0,262
Nijkerk	0,153
Misionero and hybrids thereof, Rio Grande and hybrids thereof	0,167