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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 423/95
of 20 February 1995**

amending Regulation (EEC) No 2997/87 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production

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⁾,

Whereas, having regard to the imbalance on the market in bitter varieties, Regulation (EEC) No 2997/87 ⁽³⁾ lays down special varietal conversion measures;

Whereas varietal conversion for hops would be more effective if it were accompanied by land consolidation measures; whereas such land consolidation measures are currently being implemented in the hop-growing regions of Spain; whereas the entire area under hops scheduled for varietal conversion should be subject to land consolidation prior to conversion; whereas the time required for the land consolidation operation would not allow for the implementation of subsequent varietal conversion for a large part of the area in question within the time limits set by Regulation (EEC) No 2997/87;

Whereas the Portuguese Republic, the Kingdom of Belgium and the United Kingdom have encountered unforeseeable delays in the implementation of the

conversion plans initially approved; whereas the duration of the conversion programmes for the four said Member States should therefore be extended with effect from 1 January 1995;

Whereas Regulation (EEC) No 2997/87 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 2 (1) of Regulation (EEC) No 2997/87 shall be replaced by the following:

'In the case of the Kingdom of Spain, the Portuguese Republic and the Kingdom of Belgium, the members of the producers' groups concerned shall undertake to implement the conversion plans before 31 December 1996. In the case of the United Kingdom, this date shall be 31 December 1995.'

Article 2

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

It shall apply from 1 January 1995.

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

Done at Brussels, 20 February 1995.

For the Council

The President

J. PUECH

⁽¹⁾ OJ No C 377, 31. 12. 1994, p. 17.

⁽²⁾ Opinion delivered on 17 February 1995 (not yet published in the Official Journal).

⁽³⁾ OJ No L 284, 7. 10. 1987, p. 19. Regulation as last amended by Regulation (EEC) No 3338/92 (OJ No L 336, 20. 11. 1992, p. 3).

COUNCIL REGULATION (EC) No 424/95

of 20 February 1995

amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal as regards the deseasonalization premium

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 4c of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, provides for the granting of a deseasonalization premium to encourage the putting up for slaughter of castrated male bovine animals outside the annual 'off-grass' period;

Whereas the sudden cessation of payment of that premium at the end of April can cause serious disturbances on the markets of the Member States concerned; whereas payment of the premium should consequently be staggered to avoid the said adverse effects; whereas, therefore, the period of application should be extended and the level of the premium reduced step by step,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4c (2) of Regulation (EEC) No 805/68 is hereby replaced by the following:

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

Done at Brussels, 20 February 1995.

'However, in the stead of the unit amount referred to in the previous subparagraph, in Member States which fulfil the conditions set out in paragraph 1 and in which the percentage of slaughtered castrated male bovine animals compared with the total number of slaughtered male bovine animals is greater than 10 %, this premium shall be granted in accordance with the following conditions:

- ECU 60 per animal slaughtered during the first 15 weeks of the following year,
- ECU 45 per animal slaughtered during the 16th and 17th weeks of the following year,
- ECU 30 per animal slaughtered during the 18th to the 21st week of the following year,
- and
- ECU 15 per animal slaughtered during the 22nd and 23rd weeks of the following year.

In order to establish that the 10 % rate has been exceeded, account shall be taken of animals slaughtered during the second year preceding that in which the animal receiving the premium was slaughtered.'

Article 2

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

It shall apply from 1 January 1995.

For the Council

The President

J. PUECH

⁽¹⁾ OJ No C 321, 18. 11. 1994, p. 10.

⁽²⁾ Opinion delivered on 17 February 1995 (not yet published in the Official Journal).

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 1884/94 (OJ No L 197, 30. 7. 1994, p. 27).

COMMISSION REGULATION (EC) No 425/95

of 28 February 1995

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 283/95⁽²⁾, and in particular Article 16 (8) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 11 (1) of Council Regulation (EEC) No 1766/92⁽⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

Whereas as a consequence of the amendment of Article 1 (2) of Regulation (EEC) No 1785/81 and by virtue of Article 16 thereof, a levy is chargeable on imports of inuline syrup ; whereas the levy is defined in paragraph 6 (a) of the said Article 16 as equal, per 100 kilograms of dry matter, to the levy fixed in accordance with paragraph 6 of that Article multiplied by a coefficient of 1,9 ;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 181, 1. 7. 1992, p. 21.

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾, as last amended by Regulation (EC) No 157/95⁽⁵⁾;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4553	—
1702 20 90	0,4553	—
1702 30 10	—	55,20
1702 40 10	—	55,20
1702 60 10	—	55,20
1702 60 90 10 ⁽²⁾	—	104,88
1702 60 90 90 ⁽²⁾	0,4553	—
1702 90 30	—	55,20
1702 90 60	0,4553	—
1702 90 71	0,4553	—
1702 90 80	—	104,88
1702 90 99	0,4553	—
2106 90 30	—	55,20
2106 90 59	0,4553	—

⁽¹⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽²⁾ Taric code: Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product obtained by hydrolysis of inulin or oligofructoses.

⁽³⁾ Taric code: CN code 1702 60 90, other than inulin syrup.

COMMISSION REGULATION (EC) No 426/95

of 28 February 1995

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 283/95 ⁽²⁾, and in particular Article 19 (4) thereof,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EC) No 2529/94 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁷⁾, last amended by Commission Regu-

lation (EEC) No 464/91 ⁽⁸⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁹⁾, as amended by Regulation (EEC) No 1714/88 ⁽¹⁰⁾; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 13b of Regulation (EEC) No 394/70;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 269, 20. 10. 1994, p. 14.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁸⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁹⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽¹⁰⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽³⁾, as last amended by Regulation (EC) No 157/95⁽⁴⁾;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro);

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	37,34 ⁽²⁾ ⁽³⁾
1702 60 10 000	37,34 ⁽²⁾ ⁽³⁾
1702 60 90 200	70,95 ⁽³⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 800	0,3734 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	37,34 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3734 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3734 ⁽¹⁾ ⁽³⁾
1702 90 99 900	0,3734 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	37,34 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3734 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

⁽⁵⁾ Applicable only to products defined under Article 13 (3) of Regulation (EEC) No 394/70.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 427/95
of 28 February 1995
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Commission Regulation (EC) No 3496/93⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, pursuant to Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93⁽³⁾ and Commission Regulation (EC) No 538/94⁽⁴⁾;

Whereas Council Regulation (EEC) No 2065/92⁽⁵⁾, as amended by Regulation (EEC) No 1288/93, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1994/95 marketing year at 70 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, pursuant to Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1110/89⁽⁷⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers

and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁸⁾, as last amended by Regulation (EEC) No 1069/93⁽⁹⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed pursuant to Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 17.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 68, 11. 3. 1994, p. 20.

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁶⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁸⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 114.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽³⁾, as last amended by Regulation (EC) No 157/95⁽⁴⁾;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, when adopting the Decision on the reform of the common agricultural policy in 1992, the Council announced its intention of introducing new aid arrangements for the production of dried fodder based on aid fixed per tonne; whereas, during the negotiations on the agricultural prices for the 1994/95 marketing year, this was confirmed and a proposal for a Regulation has been submitted to the Council providing for the establishment of a new organization of the market in the sector in question to take effect from 1 April 1995 based on fixed-rate aid per tonne for specified maximum quantities;

Whereas, given that the new arrangements referred to above are due to apply from 1 April 1995, the aid paid under the current arrangements for the period 1 April to 31 October 1995 should be fixed at zero;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the rate of the aid for dried fodder

Aid applicable from 1 March 1995 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
March 1995	78,111	48,310

Aid in case of advance fixing for the month of:

(ECU/tonne)

April 1995	0,000	0,000
May 1995	0,000	0,000
June 1995	0,000	0,000
July 1995	0,000	0,000
August 1995	0,000	0,000
September 1995	0,000	0,000
October 1995	0,000	0,000

COMMISSION REGULATION (EC) No 428/95
of 28 February 1995
fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽²⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽³⁾, as last amended by Regulation (EC) No 2484/94⁽⁴⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁵⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁶⁾;

Whereas equally account must be taken of Council Regulation (EC) No 3641/93 of 20 December 1993, on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria, of the other part⁽⁷⁾, whereas Commission Regulation (EC) No 1550/94⁽⁸⁾, as amended by Regulation (EC) No 2221/94⁽⁹⁾, for the importation of products falling within CN codes 2309 90 31 and 2309 90 41 originating in Bulgaria;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁰⁾, as last amended by Regulation (EC) No 150/95⁽¹¹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹²⁾, as last amended by Regulation (EC) No 157/95⁽¹³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽⁵⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁶⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁷⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽⁸⁾ OJ No L 166, 1. 7. 1994, p. 43.

⁽⁹⁾ OJ No L 239, 14. 9. 1994, p. 6.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹¹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹²⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹³⁾ OJ No L 24, 1. 2. 1995, p. 1.

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

Done at Brussels, 28 February 1995.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1995 fixing the import levies on compound feedingstuffs

(ECU / tonne)

CN code	Levies (1)	
	ACP	Third countries (other than ACP)
2309 10 11	17,12	28,00
2309 10 13	666,42	677,30
2309 10 31	53,49	64,37
2309 10 33	702,79	713,67
2309 10 51	106,99	117,87
2309 10 53	756,29	767,17
2309 90 31	17,12	28,00 (2)
2309 90 33	666,42	677,30
2309 90 41	53,49	64,37 (2)
2309 90 43	702,79	713,67
2309 90 51	106,99	117,87
2309 90 53	756,29	767,17

(1) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(2) The levy may be reduced in accordance with the Agreement between the Community and Bulgaria (OJ No L 333, 31. 12. 1993, p. 16) and Regulation (EC) No 623/94 (OJ No L 78, 22. 3. 1994, p. 7).

COMMISSION REGULATION (EC) No 429/95

of 28 February 1995

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended the Act of Accession of Austria, Finland and Sweden, and in particular the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76⁽³⁾ laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EEC) No 1620/93⁽⁴⁾, as amended by Regulation (EC) No 438/95⁽⁵⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to

be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as last amended by Regulation (EC) No 150/95⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁸⁾, as last amended by Regulation (EC) No 157/95⁽⁹⁾;

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

Whereas Council Regulation (EEC) No 990/93⁽¹⁰⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽⁵⁾ See page 32 of this Official Journal.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 24, 1. 2. 1995, p. 1.

⁽¹⁰⁾ OJ No L 102, 28. 4. 1993, p. 14.

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

Whereas, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1995 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 200 (2)	92,36	1104 23 10 300	75,87
1102 20 10 400 (2)	79,16	1104 29 11 000	32,82
1102 20 90 200 (2)	79,16	1104 29 51 000	32,18
1102 90 10 100	90,26	1104 29 55 000	32,18
1102 90 10 900	61,37	1104 30 10 000	8,05
1102 90 30 100	136,67	1104 30 90 000	16,49
1103 12 00 100	136,67	1107 10 11 000	57,28
1103 13 10 100 (2)	118,75	1107 10 91 000	107,10
1103 13 10 300 (2)	92,36	1108 11 00 200	64,36
1103 13 10 500 (2)	79,16	1108 11 00 300	64,36
1103 13 90 100 (2)	79,16	1108 12 00 200	105,55
1103 19 10 000	69,75	1108 12 00 300	105,55
1103 19 30 100	93,26	1108 13 00 200	105,55
1103 21 00 000	32,82	1108 13 00 300	105,55
1103 29 20 000	61,37	1108 19 10 200	110,96
1104 11 90 100	90,26	1108 19 10 300	110,96
1104 12 90 100	151,86	1109 00 00 100	0,00
1104 12 90 300	121,49	1702 30 51 000 (2)	137,88
1104 19 10 000	32,82	1702 30 59 000 (2)	105,55
1104 19 50 110	105,55	1702 30 91 000	137,88
1104 19 50 130	85,76	1702 30 99 000	105,55
1104 21 10 100	90,26	1702 40 90 000	105,55
1104 21 30 100	90,26	1702 90 50 100	137,88
1104 21 50 100	120,34	1702 90 50 900	105,55
1104 21 50 300	96,27	1702 90 75 000	144,47
1104 22 30 100	129,08	1702 90 79 000	100,27
1104 22 99 100	121,49	2106 90 55 000	105,55
1104 23 10 100	98,96		

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

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

(3) Refunds are granted in accordance with Regulation (EEC) No 2730/75 (OJ No L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 430/95
of 28 February 1995
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended the Act of Accession of Austria, Finland and Sweden, and in particular the third subparagraph of Article 13 (4) thereof,

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

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽²⁾, as last amended by Regulation (EC) No 1707/94⁽³⁾, provides that calculation of the export refund must take account of, in particular, the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markers, allowing more accurate accounts to be taken of the commercial conditions under which such products are exported;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽³⁾ OJ No L 180, 14. 7. 1994, p. 19.

Whereas under the terms of Article 4 of Commission Regulation (EEC) No 1619/93⁽⁴⁾, the refund may be varied on the basis of the destination;

Whereas the representative market areas defined in Article I of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 157/95⁽⁸⁾;

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

Whereas Council Regulation (EEC) No 930/93⁽⁹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EEC) No 1619/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1995.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 24, 1. 2. 1995, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1995 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund ⁽¹⁾:

2309 10 11 000, 2309 10 13 000, 2309 10 31 000,
2309 10 33 000, 2309 10 51 000, 2309 10 53 000,
2309 90 31 000, 2309 90 33 000, 2309 90 41 000,
2309 90 43 000, 2309 90 51 000, 2309 90 53 000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10.	65,97
Cereal products ⁽²⁾ excluding maize and maize products	46,18

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

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

COMMISSION REGULATION (EC) No 431/95
of 28 February 1995
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9 (3) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽³⁾, as last amended by Regulation (EC) No 3125/94⁽⁴⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize, wheat and barley changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, potatoes, rice or broken rice, shall be ECU 70,09 per tonne.

2. The refund referred to in Article 3 (3) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley and oats, shall be ECU 65,23 per tonne.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 112.

⁽⁴⁾ OJ No L 330, 21. 12. 1994, p. 39.

COMMISSION REGULATION (EC) No 432/95

of 28 February 1995

fixing the reduced levy on imports into Finland and Portugal of certain quantities of raw sugar intended for Finnish and Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 283/95 ⁽²⁾, and in particular Article 16 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the 1994/95 marketing year to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

Whereas Article 16 a (2) of Regulation (EEC) No 1785/81 stipulates that this reduced levy is to equal the intervention price for raw sugar as indicated in Article 3 (2) of that Regulation applicable when the sugar is imported, less an amount equal to the average of the spot prices, adjusted where necessary to the cif stage, quoted on the London market during the first 20 days of the month preceding that for which the reduced levy amount is set;

Whereas pursuant to Article 16 a (5) the reduced levy is to be set each month for the following month;

Whereas under Article 3 of Commission Regulation (EC) No 3300/94 of 21 December 1994 laying down transitional measures to apply in the sugar sector following the accession of Austria, Finland and Sweden ⁽³⁾, during the period from 1 January to 30 June 1995, the reduced levy

for Finland referred to in Article 16a (2a) of Regulation (EEC) No 1785/81 is to be that established, fixed and applied in accordance with paragraphs 3, 4 and 5 of the said Article 16a for Portugal;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾, as last amended by Regulation (EC) No 150/95 ⁽⁵⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁶⁾, as last amended by Regulation (EC) No 157/95 ⁽⁷⁾;

Whereas application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Finland and Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 24,36 per 100 kg.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 39.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 24, 1. 2. 1995, p. 1.

COMMISSION REGULATION (EC) No 433/95
of 28 February 1995
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87⁽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⁾, as last amended by Regulation (EEC) No 1554/93⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EC) No 195/95⁽⁴⁾, as last amended by Regulation (EC) No 318/95⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 195/95 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginmed cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 48,641 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.
⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.
⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.
⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 109.
⁽⁵⁾ OJ No L 36, 16. 2. 1995, p. 32.

COMMISSION REGULATION (EC) No 434/95

of 28 February 1995

fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 2296/94⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4⁽¹⁾ of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of

America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁵⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

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

Article 2

This Regulation shall enter into force on 1 March 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 249, 24. 9. 1994, p. 9.

⁽⁵⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 28 February 1995.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1995 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : – used unprocessed : – – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – – in all other cases – used in the form of : – – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – – hulled grains of CN code 1104 and starch of CN code 1108 – – germ of CN code 1104 – – gluten of CN code 1109 – – other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — —
1001 90 99	Common wheat and meslin : – used unprocessed : – – on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America – – in all other cases – used in the form of : – – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – – hulled grains of CN code 1104 and starch of CN code 1108 – – germ of CN code 1104 – – gluten of CN code 1109 – – other (except flours of CN code 1101, and groats and meal of CN code 1103)	2,092 3,218 1,931 2,896 1,126 — 3,218
1002 00 00	Rye : – used unprocessed – used in the form of : – – groats, meal and pellets of CN code 1103, or pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germ of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other (except flours of CN code 1102)	6,975 4,185 6,278 2,309 6,597 — 6,975
1003 00 90	Barley : – used unprocessed – used in the form of : – – flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 – – pellets of CN code 1103 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	6,017 4,212 3,610 2,309 6,597 — 6,017

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : – used unprocessed – used in the form of : – – pellets of CN code 1103, and pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	7,593 4,556 6,834 2,309 6,597 — 7,593
1005 90 00	Maize (Corn): – used unprocessed – used in the form of : – – flours of CN codes 1102 20 10 and 1102 20 90 – – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 – – pellets of CN code 1103 – – hulled or perled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 12 00 – – gluten of CN code 2303 10 11 – – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ – – other ⁽³⁾	6,597 4,618 5,278 3,958 5,937 2,309 6,597 2,639 6,597 6,597
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	25,110 22,356 22,356
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	32,400 32,400 32,400
1006 40 00	Broken rice : – used unprocessed – used in the form of : – – flour of CN code 1102 30, groats and meal or pellets of CN code 1103 – – flaked grains of CN 1104 19 91 – – starch of CN code 1108 19 10 – – other	7,300 7,300 4,380 7,300 —
1007 00 90	Sorghum	6,017
1101 00	Wheat or meslin flour : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	2,573 3,958
1102 10 00	Rye flour	9,556
1103 11 10	Groats and durum wheat meal : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	— —
1103 11 90	Common wheat groats and spelt : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	2,573 3,958

(1) The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Commission Regulation (EEC) No 1620/93 (OJ No L 155, 26. 6. 1993, p. 29).

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

(3) For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 435/95

of 28 February 1995

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽²⁾, as last amended by Regulation (EC) No 2296/94⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁴⁾, as last amended by Regulation (EEC) No 1435/90⁽⁵⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁶⁾, as last amended by Regulation (EC) No 3337/94⁽⁷⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

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

Article 2

This Regulation shall enter into force on 1 March 1995.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 136, 31. 5. 1994, p. 5.⁽³⁾ OJ No L 249, 24. 9. 1994, p. 9.⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 6.⁽⁵⁾ OJ No L 138, 31. 5. 1990, p. 8.⁽⁶⁾ OJ No L 55, 1. 3. 1988, p. 31.⁽⁷⁾ OJ No L 350, 31. 12. 1994, p. 66.⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 28 February 1995.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1995 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 70,28
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	56,41 117,90
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	13,89
	b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat c) On exportation of other goods	167,25 160,00

COMMISSION REGULATION (EC) No 436/95

of 28 February 1995

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 283/95⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 2296/94⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 249, 24. 9. 1994, p. 9.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg —
White sugar :	37,34
Raw sugar :	34,35
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$37,34^{(*)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	
Molasses :	—
Isoglucose ⁽²⁾ :	37,34 ⁽²⁾

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

(4) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EC) No 437/95

of 28 February 1995

laying down detailed rules for granting a special refund for exports of poultrymeat sector products to certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 9 (3) and 15 thereof,

Having regard to Council Regulation (EEC) No 2779/75 of 29 October 1975 laying down general rules for granting export refunds on poultrymeat and criteria for fixing the amount of such refunds⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the purchase of certain quantities of poultrymeat products in the Community by Russia, Azerbaijan, Armenia, Georgia, Tajikistan, Uzbekistan, Albania, Angola and Iran should be facilitated; whereas, to this end, provision should be made for the grant of a special export refund for those destinations, provided that certain conditions are met;

Whereas provision should be made whereby refunds are fixed in advance for control purposes and, notwithstanding Article 1 of Commission Regulation (EEC) No 3652/81 of 18 December 1981 laying down special detailed rules for the application of the system of certificates of advance fixing of refunds in the poultrymeat sector⁽³⁾, as last amended by Regulation (EC) No 1617/94⁽⁴⁾, the amount of the security should be increased and access of operators to this measure should be made subject to specific conditions in order to prevent speculative applications; whereas it is appropriate to fix a deadline for the lodging of advance-fixing applications in order to accelerate the operations;

Whereas it is appropriate to provide for the necessary measures to ensure, in view of budgetary constraints, adherence to the total quantity of 40 000 tonnes and to lay down the details concerning the lodging of the advance-fixing applications and the delivery of certificates;

Whereas it is appropriate, in the interest of the operators, to provide for the option of withdrawing the application

for certificates after the fixing of a coefficient of reduction;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A special refund shall be granted for products falling within refund nomenclature codes 0207 21 10 900 and 0207 21 90 190, provided that the following conditions are met:

- (a) products must be exported for consumption in Russia, Azerbaijan, Armenia, Georgia, Tajikistan, Uzbekistan, Albania, Angola or Iran before 1 July 1995;
- (b) exporters must apply for advance fixing of the refund and notwithstanding Article 1 of Regulation (EEC) No 3652/81 the amount of the security for certificates of advance fixing of refunds shall be fixed at ECU 30 per 100 kilograms;
- (c) applicants must prove to the satisfaction of the competent authorities in the Member States that they have exported not less than 500 tonnes (product weight) of products falling within the scope of Regulation (EEC) No 2777/75 in 1994;
- (d) licence applications must relate to at least 20 tonnes and to not more than 10 000 tonnes;
- (e) Section 20 of the certificate application and the advance-fixing certificate shall contain one of the following references:
 - 'Russia, Azerbaijan, Armenia, Georgia, Tajikistan, Uzbekistan, Albania, Angola, Iran';
- (f) the certificate shall make it compulsory to export to one of the countries referred to in (a);
- (g) Section 22 of the certificate of advance fixing shall contain one of the following:

— 'Special refund for Russia, Azerbaijan, Armenia, Georgia, Tajikistan, Uzbekistan, Albania, Angola, Iran; Regulation (EC) No 437/95',

— '...'

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽³⁾ OJ No L 364, 19. 12. 1981, p. 19.

⁽⁴⁾ OJ No L 170, 4. 7. 1994, p. 12.

2. The conditions referred to at (a), (b) and (f) of paragraph 1 shall constitute primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾.

Article 2

1. The applications for certificates provided for in Article 1 (1) (b) shall be lodged with the competent authorities on Monday and Tuesday of every week.

2. Notwithstanding the second indent of Article 5 of Regulation (EEC) No 3652/81, Member States shall communicate to the Commission on Wednesday of every week the list of certificates of advance fixing of refunds requested on the two days designated in paragraph 1, while indicating the number of this Regulation.

Article 3

Once the total quantity in respect of which certificates have been applied for reaches 40 000 tonnes, the Commission may take the necessary steps to ensure

compliance with the quantity provided for, and in particular:

- decide to stop the delivery of certificates,
- decide that applications lodged after a certain date shall not be accepted,
- set a single percentage by which the quantities in the applications lodged after a certain date, are accepted. Where this percentage is less than 50 % the Commission may decide not to award the quantities applied for, and to release the securities.

Article 4

Where the Commission makes use of the option provided for in the first sentence of the third indent of Article 3, the exporter may withdraw his request for certificates within ten working days after the publication of the single percentage of acceptance in the *Official Journal of the European Communities*, if the application of this rate leads to the fixing of a quantity of less than 20 tonnes. The corresponding security shall be released immediately.

Article 5

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

COMMISSION REGULATION (EC) No 438/95

of 28 February 1995

amending Commission Regulation (EEC) No 1620/93 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 and Regulation (EEC) No 1418/76 regarding the import and export system for products processed from cereals and rice respectively

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 11, 13 and 14 thereof,

Whereas Commission Regulation (EEC) No 1620/93⁽²⁾ lays down detailed rules for the application of Council Regulations (EEC) No 1418/76⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, and (EEC) No 1766/92 regarding the import and export system for products processed from rice and cereals respectively;

Whereas Commission Regulation (EC) No 1737/94⁽⁵⁾ amends, with effect from 1 January 1995, Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and the Common Customs Tariff⁽⁶⁾, as last amended by Commission Regulation (EC) No 3330/94⁽⁷⁾, as regards certain cereals falling within CN code 1104, for example clipped oats and lightly heat-treated cereals;

Whereas Commission Regulation (EEC) No 1620/93 must be amended to take account, with effect from 1

January 1995, of those amendments; whereas the coefficients relating to the quantity of basic cereals necessary for the production of one unit of processed product must be established;

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

HAS ADOPTED THIS REGULATION:

Article 1

The part of the Annex to Regulation (EEC) No 1620/93 relating to CN code 1104 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽⁵⁾ OJ No L 182, 16. 7. 1994, p. 9.

⁽⁶⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁷⁾ OJ No L 350, 31. 12. 1994, p. 52.

ANNEX

CN code	Description	Basic product	Coefficient	Fixed component (ECU/tonne)
1	2	3	4	5
'1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006: germ of cereals, whole, rolled, flaked or ground (!):			
	– Rolled or flaked grains:			
1104 11	– – Of barley:			
1104 11 10	– – – Rolled	Barley	1,02	3,647
1104 11 90	– – – Flaked	Barley	2,00	7,293
1104 12	– – Of oats:			
1104 12 10	– – – Rolled	Oats	1,02	3,647
1104 12 90	– – – Flaked	Oats	2,00	7,293
1104 19	– – Of other cereals:			
1104 19 10	– – – Of wheat	Common wheat	1,80	7,293
1104 19 30	– – – Of rye	Rye	1,80	7,293
1104 19 50	– – – Of maize	Maize	1,80	7,293
	– – – Other:			
1104 19 91	– – – – Flaked rice	Broken rice	1,80	7,293
1104 19 99	– – – – Other	Sorghum	1,80	7,293
	– Other worked grains (for example, hulled, pearled, sliced or kibbled):			
1104 21	– – Of barley:			
1104 21 10	– – – Hulled (shelled or husked)	Barley	1,60	3,647
1104 21 30	– – – Hulled and sliced or kibbled ("Grütze" or "grutten")	Barley	1,60	3,647
1104 21 50	– – – Pearled	Barley	2,50	7,293
1104 21 90	– – – Not otherwise worked than kibbled	Barley	1,02	3,647
1104 21 99	– – – Other	Barley	1,02	3,647
1104 22	– – Of oats:			
1104 22 10	– – – Hulled (shelled or husked)	Oats	1,80	3,647
1104 22 30	– – – Hulled and sliced or kibbled ("Grütze" or "grutten")	Oats	1,80	3,647
1104 22 50	– – – Pearled	Oats	1,60	3,647
1104 22 90	– – – Not otherwise worked than kibbled	Oats	1,02	3,647
1104 22 99	– – – Other			
	– – – – Clipped oats	Oats	1,02	3,647
	– – – – Other	Oats	1,80	3,647
1104 23	– – Of maize (corn)			
1104 23 10	– – – Hulled (shelled or husked), whether or not sliced or kibbled	Maize	1,60	3,647
1104 23 30	– – – Pearled	Maize	1,60	3,647
1104 23 90	– – – Not otherwise worked than kibbled	Maize	1,02	3,647
1104 23 99	– – – Other	Maize	1,02	3,647
1104 29	– – Of other cereals:			
	– – – Hulled (shelled or husked) whether or not sliced or kibbled:			

CN code	Description	Basic product	Coefficient	Fixed component (ECU/tonne)
1	2	3	4	5
1104 29 11	— — — — Of wheat	Common wheat	1,33	3,647
1104 29 15	— — — — Of rye	Rye	1,33	3,647
1104 29 19	— — — — Other	Sorghum	1,60	3,647
	— — — Pearled :			
1104 29 31	— — — — Of wheat	Common wheat	1,60	3,647
1104 29 35	— — — — Of rye	Rye	1,60	3,647
1104 29 39	— — — — Other	Sorghum	1,60	3,647
	— — — Not otherwise worked than kibbled :			
1104 29 51	— — — — Of wheat	Common wheat	1,02	3,647
1104 29 55	— — — — Of rye	Rye	1,02	3,647
1104 29 59	— — — — Other	Sorghum	1,02	3,647
	— — — Other			
1104 29 81	— — — — Of wheat	Common wheat	1,02	3,647
1104 29 85	— — — — Of rye	Rye	1,02	3,647
1104 29 89	— — — — Other	Sorghum	1,02	3,647
1104 30	— Germ of cereals, whole, rolled, flaked or ground :			
1104 30 10	— — Of wheat	Common wheat	0,75	7,293
1104 30 90	— — Other	Maize	0,75	7,293

COMMISSION REGULATION (EC) No 439/95

of 28 February 1995

amending and derogating from Regulation (EEC) No 1442/93 laying down detailed rules for the application of the arrangements for importing bananas into the Community in respect of import licence requests for the second quarter of 1995

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Council Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas Annex I Commission Regulation (EEC) No 1442/93 ⁽³⁾, as last amended by Regulation (EC) No 2444/94 ⁽⁴⁾, provides the names and addresses of competent authorities in Member States; whereas the names and addresses of the competent authorities of Austria, Finland and Sweden should be added to this Annex;

Whereas Commission Regulation (EEC) No 1442/93 provides in Articles 9 (2) and 14 (2) for import licence requests to be submitted during the first seven days of the last month of the quarter preceding the quarter for which licences are issued and provides in Articles 11 (1) and 17 (1) that import licences be issued no later than the 21st day of the last month in respect of the following quarter; whereas for administrative reasons relating to the implementation of agreements concluded during the Uruguay Round of multilateral trade negotiations it is advisable to postpone these dates in respect of applications for and issuing of import licences for the second quarter of 1995;

Whereas this Regulation must enter into force immediately before the period in which licence applications for the second quarter of 1995 are to be submitted;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The names and addresses of the competent authorities of Austria, Finland and Sweden are hereby added to Annex I of Commission Regulation (EEC) No 1442/93 as follows:

— *Austria*:

Bundesministerium für Land- und Forstwirtschaft,
Abteilung III A 5 — Handelspolitik und Außenhandel,
Stubenring 12,
A-1012 Wien;

— *Finland*:

Maa- ja metsätalousministeriö,
Mariankatu 23,
PL 232,
FIN-00171 Helsinki;

— *Sweden*:

Jordbruksverket
Vallgatan 8
S-551 82 Jönköping.

2. The name and address of the German competent authority in Annex I of Regulation (EEC) No 1442/93 is hereby replaced by the following:

— *Germany*:

Bundesanstalt für Landwirtschaft und Ernährung,
Referat 322,
Adickesallee 40,
D-60322 Frankfurt am Main.

Article 2

1. By way of derogation from Articles 9 (2) and 14 (2) of Regulation (EEC) 1442/93, applications in respect of import licences for the second quarter of 1995 shall be submitted between 8 March 1995 and 14 March 1995.

2. By way of derogation from Articles 11 (1) and 17 (1) of Regulation (EEC) 1442/93, import licences for the second quarter of 1995 shall be issued not later than 28 March 1995.

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 L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 261, 11. 10. 1994, p. 3.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 440/95
of 28 February 1995
amending Regulation (EEC) No 3846/87 establishing an agricultural product
nomenclature for export refunds

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

Having regard to Council Regulation (EEC) No 1766/92
of 30 June 1992 on the common organization of the
market in cereals⁽¹⁾, as last amended by the Act of Acces-
sion of Austria, Finland and Sweden, and in particular
Article 13 thereof,

Whereas Commission Regulation (EC) No 3115/94 of 20
December 1994 amending Annexes I and II to Council
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽²⁾,
provides for amendments for certain cereals products
falling within CN code 1104 such as clipped oats and
lightly heat-treated cereals;

Whereas Commission Regulation (EEC) No 3846/87⁽³⁾,
as last amended by Regulation (EC) No 3333/94⁽⁴⁾, esta-
blishes, on the basis of the combined nomenclature, the
nomenclature applicable to export refunds for agricultural
products; whereas this nomenclature should be adapted

accordingly to the abovementioned amendment with
effect from 1 January 1995;

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

HAS ADOPTED THIS REGULATION:

Article 1

Sector 3 in the Annex to Regulation (EEC) No 3846/87 is
hereby amended in accordance with the Annex to this
Regulation.

Article 2

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

It shall apply with effect from 1 January 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 345, 31. 12. 1994, p. 1.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 350, 31. 12. 1994, p. 60.

ANNEX

1. The following data are inserted after CN code 1104 22 30 :

CN code	Description of goods	Product code
'1104 22 99	- - - Other : - - - - Clipped oats of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,5 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	1104 22 99 100'

2. The data relating to CN codes 1104 29 91 and 1104 29 95 are replaced by the following :

CN code	Description of goods	Product code
'1104 29 51	- - - - Of wheat	1104 29 51 000
1104 29 55	- - - - Of rye	1104 29 55 000'

COMMISSION REGULATION (EC) No 441/95

of 28 February 1995

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 157/95⁽⁸⁾;

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

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

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

⁽²⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽³⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁴⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 24, 1. 2. 1995, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1995 fixing the export refunds on olive oil

(ECU/100 kg)

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

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

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

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

COMMISSION REGULATION (EC) No 442/95
of 28 February 1995
amending the export refunds on poultrymeat

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

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the fifth subparagraph of Article 9 (2) thereof,

Whereas the export refunds on poultrymeat were fixed by Commission Regulation (EC) No 187/95⁽²⁾;

Whereas there are openings for exports to certain third countries; whereas the grant of a special refund with respect to these destinations is subject to compliance with the conditions provided for in Commission Regulation (EC) No 437/95⁽³⁾, the export refunds at present in force

should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 paragraph 1 of Regulation (EEC) No 2777/75, exported in the natural state, as fixed in the Annex to Regulation (EC) No 187/95 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 24, 1. 2. 1995, p. 72.

⁽³⁾ See page 30 of this Official Journal.

ANNEX

to the Commission Regulation of 28 February 1995 altering the export refunds on poultrymeat

Product code	Destination of refund (1)	Amount of refund (2)	Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 units			ECU/100 kg
0105 11 11 000	09	4,00	0207 39 23 900	01	8,00
	10	3,00		0207 39 25 190	01
0105 11 19 000	09	4,00	0207 39 25 290	01	6,00
	10	3,00	0207 39 25 390	01	6,00
0105 11 91 000	09	4,00	0207 39 31 990	01	16,00
	10	3,00	0207 39 33 000	01	7,00
0105 11 99 000	09	4,00	0207 39 41 000	01	10,00
	10	3,00	0207 39 43 000	01	5,00
0105 19 10 000	01	4,00	0207 39 45 000	01	8,00
0105 19 90 000	01	3,00	0207 39 55 990	01	16,00
		ECU/100 kg	0207 39 57 000	01	10,00
0207 10 15 900	01	6,00	0207 39 73 000	01	8,00
		6,00	0207 39 77 000	01	8,00
0207 10 19 190	01	6,00	0207 41 10 990	01	16,00
0207 10 19 990	01	6,00	0207 41 11 900	02	22,00
0207 10 31 000	01	7,00		03	12,00
0207 10 39 000	01	7,00		01	8,00
0207 10 51 000	01	10,00	0207 41 51 900	02	26,00
0207 10 55 000	01	10,00	0207 41 71 190	03	16,00
0207 10 59 000	01	10,00		02	22,00
0207 21 10 900	04	40,00		03	12,00
0207 21 90 190	05	18,00	0207 41 71 290	02	22,00
	06	12,00		03	12,00
	04	44,00		02	22,00
0207 21 90 990	05	20,00	0207 41 71 390	03	12,00
	06	12,00		01	16,00
	01	12,00		0207 42 10 990	01
0207 22 10 000	01	7,00	0207 42 11 000	01	10,00
0207 22 90 000	01	7,00	0207 42 41 000	01	5,00
0207 23 11 000	01	10,00	0207 42 51 000	01	8,00
		10,00	0207 42 59 000	01	16,00
0207 23 19 000	01	10,00	0207 43 15 990	01	10,00
0207 39 11 990	01	16,00	0207 43 21 000	01	8,00
0207 39 13 900	01	6,00	0207 43 53 000	01	8,00
0207 39 21 900	01	8,00	0207 43 63 000	01	8,00
			1602 39 11 100	01	8,00

(¹) The destinations are as follows :

01 All destinations except the United States of America,

02 Egypt, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, the Republic of Yemen, Iraq, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia, Latvia, Iran, Singapore, Angola, Lebanon and Syria,

03 All destinations except the United States of America and those of 02 above,

04 Egypt, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, the Republic of Yemen, Lebanon and Syria ; Russia, Azerbaijan, Armenia, Georgia, Tajikistan, Uzbekistan, Albania, Angola, Iran, for exports under Commission Regulation (EC) No 437/95,

05 Ceuta and Melilla, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia, Latvia, Iraq, Iran, Angola and Singapore,

06 All destinations except the United States of America and those of 04 and 05 above,

09 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen and Iran,

10 All destinations except the United States of America and those of 09 above.

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

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

COMMISSION REGULATION (EC) No 443/95
of 28 February 1995

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Whereas Article 6 of Regulation (EC) No 2517/94 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽³⁾ OJ No L 268, 19. 10. 1994, p. 3.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the maximum export refunds on olive oil for the sixth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	45,40
1509 10 90 900	—
1509 90 00 100	54,20
1509 90 00 900	—
1510 00 90 100	12,00
1510 00 90 900	—

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

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

COMMISSION REGULATION (EC) No 444/95

of 28 February 1995

fixing the production refund for olive oil used in the manufacture of certain preserved foods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽²⁾, as last amended by Regulation (EEC) No 2903/89⁽³⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the preserving industry;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature and the export refunds valid for those same oils; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of March and April 1995, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 62,18 per 100 kilograms for olive oil produced in the Community,
- ECU 50,11 per 100 kilograms for olive oil other than that referred to in the preceding indent.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽³⁾ OJ No L 280, 29. 9. 1989, p. 3.

COMMISSION REGULATION (EC) No 445/95**of 28 February 1995****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994, on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the units of account on the conversion rates to be applied with the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation;

Whereas the derogation laid down in the second subparagraph of Article 1 of Council Regulation (EC) No 3311/94 of 20 December 1994 extending by one month the application of the agrimonetary arrangements in force on 31 December 1994 and fixing the agricultural conversion rates for the new Member States⁽⁴⁾ should be applied,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 350, 31. 12. 1994, p. 1.

ANNEX

to the Commission Regulation of 28 February 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 15	204	50,2
	212	82,0
	624	97,3
	999	76,5
0707 00 10	052	100,7
	053	166,9
	068	98,6
	204	115,7
	624	207,3
0709 90 73	999	137,8
	052	99,8
	204	129,2
	624	196,3
	999	141,8

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

COMMISSION REGULATION (EC) No 446/95
of 28 February 1995

adopting interim protective measures on applications for STM licences in the
beef and veal sector submitted for trade with Spain on 28 February 1995

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to the Act of Accession of Spain and
Portugal, and in particular Articles 85 (1) thereof,

Whereas Commission Regulation (EEC) No 1112/93 of 6
May 1993 laying down detailed rules for the application
of the supplementary trade mechanism in the beef and
veal sector between the Community as constituted at 31
December 1985 and Spain and Portugal and repealing
Regulations (EEC) No 3810/91 and (EEC) No 3829/92 ⁽¹⁾,
as last amended by Regulation (EC) No 3083/94 ⁽²⁾, set
the indicative ceilings applicable in the beef and veal
sector and the maximum quantities for which STM
licences may be issued in March and April 1995;

Whereas Article 85 (1) of the Act of Accession makes
provision for the Commission to take the interim protec-
tive measures necessary if the indicative ceiling for the
year in course or part of it is reached or exceeded;

Whereas an examination of licence application lodged on
28 February 1995 shows that the quantities applied for are

likely to bring about a serious disturbance of the market
for live animals; whereas, as an interim protective
measure, licences should only be issued for up to a given
percentage of the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species other than pure-
bred breeding animals and animals for bullfights:

1. applications for STM licences lodged on 28 February
1995 and notified to the Commission shall be
accepted in respect of 65 % for Spain;
2. further applications may be submitted from 30 March
1995.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 113, 7. 5. 1993, p. 10.

⁽²⁾ OJ No L 325, 17. 12. 1994, p. 42.

COMMISSION REGULATION (EC) No 447/95

of 28 February 1995

altering the corrective amount applicable to the refund on cereals

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 13 (4) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 219/95⁽²⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, as

last amended by Regulation (EC) No 150/95⁽⁴⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁵⁾, as last amended by Regulation (EC) No 157/95⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 26, 3. 2. 1995, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 28 February 1995 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		3	4	5	6	7	8	9
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	- 35,00	—	—
1002 00 00 000	01	0	0	0	0	- 35,00	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	- 35,00	- 35,00	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	01	0	0	0	0	- 35,00	—	—
1101 00 15 130	01	0	0	0	0	- 35,00	—	—
1101 00 15 150	01	0	0	0	0	- 35,00	—	—
1101 00 15 170	01	0	0	0	0	- 35,00	—	—
1101 00 15 180	01	0	0	0	0	- 35,00	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	- 35,00	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	- 35,00	- 35,00	- 35,00	- 35,00
1103 11 10 400	01	0	0	0	- 35,00	- 35,00	- 35,00	- 35,00
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	- 35,00	- 35,00	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 448/95

of 28 February 1995

altering the export refunds on white sugar and raw sugar exported in the natural state

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 283/95 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 308/95 ⁽³⁾, as amended by Regulation (EC) No 357/95 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 308/95 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as last amended by Regulation (EC) No 150/95 ⁽⁶⁾, are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾, as last amended by Regulation (EC) No 157/95 ⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 308/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 36, 16. 2. 1995, p. 14.

⁽⁴⁾ OJ No L 41, 23. 2. 1995, p. 4.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 28 February 1995 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	34,35 ⁽¹⁾
1701 11 90 910	32,60 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,60 ⁽¹⁾
1701 12 90 910	34,35 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3734
	— ECU/100 kg —
1701 99 10 100	37,34
1701 99 10 910	37,34
1701 99 10 950	37,34
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3734

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

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

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

COMMISSION REGULATION (EC) No 449/95
of 28 February 1995
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 283/95 ⁽²⁾, and in particular Article 16 ⁽⁸⁾ thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94 ⁽⁵⁾, as last amended by Regulation (EC) No 421/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 to

the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 27 February 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER,

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 44, 28. 2. 1995, p. 52.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (1)
1701 11 10	36,95 (1)
1701 11 90	36,95 (1)
1701 12 10	36,95 (1)
1701 12 90	36,95 (1)
1701 91 00	46,13
1701 99 10	46,13
1701 99 90	46,13 (2)

(1) The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

(2) In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

(3) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 450/95**of 28 February 1995****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 10 (5) and 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 3035/94⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 27 February 1995, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 3035/94 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 321, 14. 12. 1994, p. 28.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	114,20 ^(*)
0712 90 19	114,20 ^(*)
1001 10 00	43,96 ^(*) ⁽¹⁾
1001 90 91	99,00
1001 90 99	99,00 ^(*) ⁽¹⁾
1002 00 00	138,10 ^(*)
1003 00 10	104,38
1003 00 90	104,38 ^(*)
1004 00 00	116,66
1005 10 90	114,20 ^(*) ⁽²⁾
1005 90 00	114,20 ^(*) ⁽²⁾
1007 00 90	114,40 ^(*)
1008 10 00	50,90 ^(*)
1008 20 00	52,34 ^(*) ⁽³⁾
1008 30 00	0 ^(*)
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	184,28 ^(*)
1102 10 00	239,02
1103 11 10	109,78
1103 11 90	211,49
1107 10 11	189,36
1107 10 19	144,81
1107 10 91	198,94 ⁽¹⁰⁾
1107 10 99	151,97 ^(*)
1107 20 00	174,93 ⁽¹⁰⁾

(¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,7245/tonne.

(²) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

(³) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 2,186/tonne.

(⁴) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(⁵) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,7245/tonne.

(⁶) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

(⁷) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

(⁸) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(⁹) Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with amended Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

(¹⁰) In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 6,569 per tonne for products originating in Turkey.

(¹¹) The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 451/95

of 28 February 1995

fixing the premiums to be added to the import levies on cereals, flour and malt

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden to the European Union⁽²⁾, and in particular Article 12 (4) thereof,

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

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EC) No 1938/94⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 27 February 1995, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No C 241, 29. 8. 1994, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 39.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	3	4	5	6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	1,96	1,95
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	3	4	5	6	7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 452/95

of 28 February 1995

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 (4) thereof,

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 416/95 ⁽⁵⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁷⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93 ⁽⁸⁾, as amended by Regulation (EC) No 438/95 ⁽⁹⁾, as fixed in the Annex to Regulation (EC) No 416/95 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 44, 28. 2. 1995, p. 40.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽⁹⁾ See page 32 of this Official Journal.

ANNEX

to the Commission Regulation of 28 February 1995 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP)
1102 20 10	203,45	210,75
1102 20 90	115,29	118,94
1102 90 30	209,66	216,96
1102 90 90	116,11	119,75
1103 12 00	209,66	216,96
1103 13 10	203,45	210,75
1103 13 90	115,29	118,94
1103 19 90	116,11	119,75
1103 29 30	209,66	216,96
1103 29 40	203,45	210,75
1103 29 90	116,11	119,75
1104 12 10	118,81	122,46
1104 12 90	232,96	240,25
1104 19 50	203,45	210,75
1104 19 99	204,89	212,19
1104 22 10 10 (°)	118,81	122,46
1104 22 10 90 (°)	209,66	213,31
1104 22 30	209,66	213,31
1104 22 50	186,37	190,01
1104 22 90	118,81	122,46
1104 23 10	180,85	184,49
1104 23 30	180,85	184,49
1104 23 90	115,29	118,94
1104 29 19	182,13	185,77
1104 29 39	182,13	185,77
1104 29 99	116,11	119,75
1104 30 90	84,77	92,07
1106 20 90	178,35 (°)	206,79
1108 12 00	181,98	206,79
1108 13 00	181,98	206,79
1108 14 00	90,98	206,79
1108 19 90	90,98 (°)	206,79
1702 30 51	237,36	334,08
1702 30 59	181,98	262,27
1702 30 91	237,36	354,15
1702 30 99	181,98	262,27
1702 40 90	181,98	262,27
1702 90 50	181,98	262,27
1702 90 75	248,67	365,46
1702 90 79	172,94	253,22
2106 90 55	181,98	262,27
2303 10 11	226,06	445,03

(°) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(°) Taric code: clipped oats.

(°) Taric code: CN code 1104 22 10, other than 'clipped oats'.

(°) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

COMMISSION REGULATION (EC) No 453/95
of 28 February 1995
fixing the import levies on rice and broken rice

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽²⁾, as last amended by Regulation (EEC) No 674/91 ⁽³⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 178/95 ⁽⁴⁾, as last amended by Regulation (EC) No 396/95 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 28 February 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 52.

⁽⁵⁾ OJ No L 43, 25. 2. 1995, p. 43.

ANNEX

to the Commission Regulation of 28 February 1995 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (¹)(²)(³)(⁴)	Third countries (except ACP and Bangladesh) (°)
1006 10 21	—	183,44	375,58
1006 10 23	—	187,33	383,36
1006 10 25	—	187,33	383,36
1006 10 27	287,52	187,33	383,36
1006 10 92	—	183,44	375,58
1006 10 94	—	187,33	383,36
1006 10 96	—	187,33	383,36
1006 10 98	287,52	187,33	383,36
1006 20 11	—	230,38	469,47
1006 20 13	—	235,24	479,20
1006 20 15	—	235,24	479,20
1006 20 17	359,40	235,24	479,20
1006 20 92	—	230,38	469,47
1006 20 94	—	235,24	479,20
1006 20 96	—	235,24	479,20
1006 20 98	359,40	235,24	479,20
1006 30 21	—	284,14	597,08
1006 30 23	—	334,08	696,88
1006 30 25	—	334,08	696,88
1006 30 27	522,66	334,08	696,88
1006 30 42	—	284,14	597,08
1006 30 44	—	334,08	696,88
1006 30 46	—	334,08	696,88
1006 30 48	522,66	334,08	696,88
1006 30 61	—	303,03	635,89
1006 30 63	—	358,61	747,06
1006 30 65	—	358,61	747,06
1006 30 67	560,29	358,61	747,06
1006 30 92	—	303,03	635,89
1006 30 94	—	358,61	747,06
1006 30 96	—	358,61	747,06
1006 30 98	560,29	358,61	747,06
1006 40 00	—	64,25	135,75

(°) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(°) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(°) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(°) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

(°) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(°) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of amended Decision 91/482/EEC.

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