

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1404/95
of 15 June 1995**

opening and providing for the administration of Community tariff quotas for certain industrial products (third series 1995) and modifying Regulations (EC) No 2878/94 and (EC) No 915/95 opening and providing for the administration of Community tariff quotas for certain industrial and fishery products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas production in the Community of certain industrial products will remain, in the course of 1995, unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 31 December 1995 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas by Regulation (EC) No 2878/94⁽¹⁾ and (EC) No 915/95⁽²⁾ the Council opened, for 1995 Community tariff quotas for certain industrial and fishery products, and in particular ferro-chromium containing by weight more than 6 % of carbon (order No 09.2711), fresh chilled or frozen cod (order No 09.2753), cod, salted but not dried (order No 09.2765), shrimps (order No 09.2773), cod livers (order No 09.2758), frozen surimi (order No 09.2779), and blue grenadier fillets (order No 09.2780);

Whereas current economic data suggests that the Community demand of non-Community imports of the products in question could in the course of the year

exceed the volumes laid down in the above Regulation, whereas the volume of the quota in question should therefore be increased;

Whereas it is necessary, in particular, to ensure for all Community importers equal uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable obstacle to authorizing Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports;

Whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly,

HAS ADOPTED THIS REGULATION :

Article 1

1. From the date of entry into force of the present Regulation, to the date specified in the following table, the customs duties applicable to imports into the Community of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas shown below :

⁽¹⁾ OJ No L 304, 29. 11. 1994, p. 1.

⁽²⁾ OJ No L 95, 27. 4. 1995, p. 1.

Order number	CN code	Taric code	Description	Amount of quota	Quota duty (%)	End of quota period
09.2892	ex 2932 29 90	*45	2'-anilino-6'-diethylamino-3'-methylspiro (isobenzofuran-1(3H) 9'-xanthen)-3-one	25 tonnes	0	31.12.1995
09.2893	ex 3815 90 00	*88	Catalytic preparation consisting of titanium dioxide doped with tungsten trioxide containing not less than 10 % by weight of tungsten trioxide with a specific surface 80 to 100 m ² /g	300 tonnes	0	31.12.1995
09.2894	ex 9608 91 00	*20	Felt tips and other porous-tips for markers, without internal canal	30 000 000 pieces	0	31.12.1995
09.2895	ex 7011 20 00	*80	Glass face-plate of a diagonal dimension of 724 (± 2 mm) and of dimension of 471 × 601 mm (± 2 mm) for the manufacture of colour cathode-ray tubes (a)	700 000 pieces	0	31.12.1995
09.2896	ex 8540 11 11	*92	Colour cathode-ray tubes with a slot mask equipped with electron guns, placed side by side (in line technology) with a diagonal measurement of the screen of 27 cm	13 000 pieces	0	31.12.1995

(a) Checks on their prescribed end use shall be carried pursuant to the relevant Community provisions.

2. In Regulation (EC) No 2878/94 the table shown in Article 1 is replaced, for order No 09.2711, by the following table :

'Order number	CN code	Description	Amount of quota	Quota duty (%)	End quota period
09.2711	7202 41 91 7202 41 99	Ferro-chromium containing by weight more than 6 % of carbon	700 000 tonnes	0	31.12.1995'

3. Regulation (EC) No 915/95 is modified as follows :

- (a) Article 1, paragraph 1, instead of '30 June 1995' read '31 December 1995';
 (b) the table attached is replaced by the following :

'Series number	CN code	Description of goods	Amount of quota (in tonnes)	Quota duty (%)
09.2753	ex 0302 50 ex 0302 69 35 ex 0303 60 ex 0303 79 41	Cod (<i>Gadus morhua</i> , <i>Gadus ogaç</i> , <i>Gadus macrocephalus</i>), and fish of the genus <i>Boreogadus saida</i> , excluding livers, roes, presented fresh, chilled or frozen, for processing (a) (b)	50 000	6
09.2765	0305 62 00 0305 69 10	Cod (<i>Gadus morhua</i> , <i>Gadus ogaç</i> , <i>Gadus macrocephalus</i>), and fish of the species <i>Boreogadus saida</i> , salted or in brine, but not dried or smoked	8 500	6
09.2773	ex 0306 13 10 ex 0306 23 10	Shrimps and prawns of the species <i>Pandalus borealis</i> , in shell, fresh, chilled or frozen for processing (a) (b)	6 500	5
09.2758	ex 0302 70 00	Cod livers (<i>Gadus morhua</i> , <i>Gadus ogaç</i> , <i>Gadus macrocephalus</i>) and fish liver of the genus <i>Boreogadus saida</i> , for processing (a) (b)	500	0

Series number	CN code	Description of goods	Amount of quota (in tonnes)	Quota duty (%)
09.2779	ex 0304 90 05	Surimi, frozen, for processing (a) (b)	3 500	6
09.2780	ex 0304 10 38 ex 0304 20 91 ex 0304 90 97	Blue grenadier fillets (<i>Macrouronus novaezelandiae</i>), fresh, chilled or frozen and other blue grenadier meat for processing (a) (b)	2 000	6
09.2884	ex 0303 29 00	Whitefish (<i>Coregonus spp.</i>) frozen for processing (a) (b)	750	5
09.2757	ex 0302 62 00 ex 0303 72 00	Haddock (<i>Melanogrammus aeglefinus</i>), fresh, chilled or frozen for processing (a) (b)	200	6

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The quotas shall apply to products intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations :

- cleaning, gutting tailing, heading,
- cutting (excluding filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The quota is not allowed for products intended, in addition, to undergo treatment (for operations) qualifying for the quota where such treatment (for operations), is (are) carried out at retail or catering level. The reduction of customs duties shall apply only to fish intended for human consumption.

Taric codes

Series No	CN code	Taric code
09.2753	ex 0302 50 10	*11
		*19
	ex 0302 50 90	*11
	ex 0302 50 90	*91
	ex 0302 69 35	*10
	ex 0303 60 11	*10
	ex 0303 60 19	*10
	ex 0303 60 90	*10
	ex 0303 79 41	*10
09.2758	ex 0302 70 00	*20
09.2773	ex 0306 13 10	*10
	ex 0306 23 10	*11
	ex 0306 23 10	*91
09.2779	ex 0304 90 05	*10
09.2780	ex 0304 20 91	*10
	ex 0304 10 38	*50
	ex 0304 90 97	*60
09.2884	ex 0303 29 00	*10
09.2757	ex 0302 62 00	*11
		*19
	ex 0303 72 00	*10'

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a declaration covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawing shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to extent that the available balance so permits.

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

Done at Luxembourg, 15 June 1995.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants *pro rata*. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

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

For the Council

The President

Ph. VASSEUR

**COMMISSION REGULATION (EC) No 1405/95
of 22 June 1995**

**fixing the minimum levies on the importation of olive oil and levies on the
importation of other olive oil sector products**

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, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽²⁾, as last amended by Regulation (EEC) No 1900/92⁽³⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁴⁾, as last amended by Regulation (EEC) No 1901/92⁽⁵⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as last amended by Regulation (EEC) No 413/86⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁸⁾, as last amended by Regulation (EEC) No 1902/92⁽⁹⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹⁰⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹¹⁾, as amended by the Act of Accession of Greece, the Commis-

sion decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

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⁽¹³⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 19 and 20 June 1995 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the

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

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽³⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁵⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹³⁾ OJ No L 263, 19. 9. 1991, p. 1.

imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 23 June 1995.

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

Done at Brussels, 22 June 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	59,00 ⁽²⁾
1509 10 90	59,00 ⁽²⁾
1509 90 00	70,00 ⁽³⁾
1510 00 10	72,00 ⁽²⁾
1510 00 90	116,00 ⁽⁴⁾

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,7245 per 100 kg ;

(b) Turkey : ECU 13,8645^(*) per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : ECU 15,3245^(*) per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 4,661 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,731 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 8,754 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 7,004 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	12,98
0711 20 90	12,98
1522 00 31	29,50
1522 00 39	47,20
2306 90 19	5,76

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

COMMISSION REGULATION (EC) No 1406/95
of 22 June 1995
correcting Regulation (EC) No 906/95 laying down detailed rules governing the
grant of private storage aid for Kafalotyri and Kasserri cheeses

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 by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 9 (3) and 28 thereof,

Whereas Article 4 (1) of Commission Regulation (EC) No 906/95 ⁽³⁾ lays down the amounts of aid for private storage of Kafalotyri and Kasserri cheeses; whereas the portion of the aid relating to financial costs was specified as ECU 1,14 in the text of the Regulation submitted to the Management Committee for Milk and Milk Products on 30 March 1995; whereas, in the course of the preparation of the text for publication, an error occurred in all the language versions with the result that the amount indicated in the Regulation published in the *Official Journal of the European Communities* is ECU 1,41; whereas since the Regulation only concerns Greek operators and the information communicated to them by the Greek authorities referred to the correct amount for finan-

cial costs, this correction can be carried out retrospectively; whereas paragraph 2 of the Article referred to should also be corrected in the Greek version,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EC) No 906/95 is hereby corrected as follows:

1. in paragraph 1 (c) 'ECU 1,41' is replaced by 'ECU 1,14';
2. paragraph 2 is replaced by the following text:
(only concerns the Greek language version).

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 with effect from 15 May 1995.

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

Done at Brussels, 22 June 1995.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

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

⁽³⁾ OJ No L 93, 26. 4. 1995, p. 11.

COMMISSION REGULATION (EC) No 1407/95
of 22 June 1995

repealing Regulation (EC) No 1070/95 relating to the invitation to tender for the
export of barley by the United Kingdom intervention agency

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 by Regulation
(EC) No 3290/94⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾,
as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down
the procedures and conditions for the disposal of cereals
held by the intervention agencies;

Whereas for economical reasons, it is appropriate to
repeal the invitation to tender under Commission Regula-
tion (EC) No 1070/95⁽⁵⁾ remain open;

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

Commission Regulation (EC) No 1070/95 is hereby
repealed.

Article 2

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

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

Done at Brussels, 22 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 108, 13. 5. 1995, p. 33.

COMMISSION REGULATION (EC) No 1408/95
of 22 June 1995
establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994, on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as amended by Regulation (EC) No 1363/95⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

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

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 23 June 1995.

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

Done at Brussels, 22 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 22 June 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 35	052	56,6
	060	80,2
	066	41,7
	068	32,4
	204	50,9
	212	117,9
	624	75,0
	999	65,0
0707 00 25	052	51,2
	053	166,9
	060	39,2
	066	53,8
	068	60,4
	204	49,1
	624	207,3
	999	89,7
0709 90 77	052	55,4
	204	77,5
	624	196,3
	999	109,7
0805 30 30	388	66,0
	528	56,6
	600	54,7
	624	78,0
	999	63,8
0809 10 30	052	133,4
	064	133,6
	999	133,5
0809 20 41, 0809 20 49	052	186,9
	064	140,6
	068	122,4
	400	208,0
	624	282,4
	676	166,2
	999	184,4
	0809 30 31, 0809 30 39	220
624		106,8
999		114,3
0809 40 20	624	262,7
	999	262,7

(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 1409/95
of 22 June 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 1234/95⁽⁴⁾, as last amended by Regulation (EC) No 1344/95⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 1234/95 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

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be :

- ECU 45,049 per 100 kilograms for the 1994/95 marketing year,
- ECU 53,726 per 100 kilograms for the 1995/96 marketing year.

2. However, the amount of the aid for 1995/96 shall be confirmed or replaced with effect from 23 June 1995 to take account of the guide price for cotton for that marketing year, the consequences of the stabilizer system and any adaptations to the arrangements.

Article 2

This Regulation shall enter into force on 23 June 1995.

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

Done at Brussels, 22 June 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 121, 1. 6. 1995, p. 21.

⁽⁵⁾ OJ No L 129, 14. 6. 1995, p. 18.

COMMISSION REGULATION (EC) No 1410/95
of 22 June 1995
fixing the monthly increase applicable to the intervention price for cereals in
Sweden for June 1995

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

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149 thereof,

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 by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 5 thereof,

Whereas Regulation (EEC) No 1766/92 extends the intervention period in Sweden to the end of June; whereas intervention in June 1995 must involve a price at least equal to that applicable in May; whereas this may be achieved by applying the monthly increase fixed for May by Council Regulation (EC) No 1867/94 of 27 July 1994 fixing the monthly price increases for cereals for the 1994/95 marketing year⁽³⁾ to the intervention price for cereals in Sweden for June 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

Notwithstanding Regulation (EC) No 1867/94, the monthly increase applicable in May shall apply to the intervention price for cereals in Sweden for June 1995.

Article 2

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

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

Done at Brussels, 22 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

⁽³⁾ OJ No L 197, 30. 7. 1994, p. 3.

COMMISSION REGULATION (EC) No 1411/95
of 22 June 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 502/95⁽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 21 June 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 502/95 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 23 June 1995.

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

Done at Brussels, 22 June 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 50, 7. 3. 1995, p. 15.

ANNEX

to the Commission Regulation of 22 June 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	105,47 ⁽²⁾ ⁽³⁾
0712 90 19	105,47 ⁽²⁾ ⁽³⁾
1001 10 00	47,20 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	89,73
1001 90 99	89,73 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	122,71 ⁽⁶⁾
1003 00 10	107,31
1003 00 90	107,31 ⁽⁹⁾
1004 00 00	102,98
1005 10 90	105,47 ⁽²⁾ ⁽³⁾
1005 90 00	105,47 ⁽²⁾ ⁽³⁾
1007 00 90	111,24 ⁽⁴⁾
1008 10 00	58,25 ⁽⁹⁾
1008 20 00	62,70 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	0
1101 00 11	168,97 ⁽⁹⁾
1101 00 15	168,97 ⁽⁹⁾
1101 00 90	168,97 ⁽⁹⁾
1102 10 00	217,38
1103 11 10	114,18
1103 11 90	196,56
1107 10 11	172,86
1107 10 19	132,48
1107 10 91	204,15 ⁽¹⁰⁾
1107 10 99	155,86 ⁽⁹⁾
1107 20 00	179,47 ⁽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 amended Regulation (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 1412/95

of 22 June 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 1149/95⁽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⁾, as amended by Regulation (EC) No 1380/95⁽⁷⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas the 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 23 June 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 116, 23. 5. 1995, p. 1.

⁽⁵⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 22 June 1995.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 22 June 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)	 0,738 1,136 2,363 3,644 1,378 — 3,938
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)	 2,560 3,938 2,363 3,544 1,378 — 3,938
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)	 7,687 4,612 6,918 2,623 7,493 — 7,687
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	 5,455 3,819 3,273 2,623 7,493 — 5,455

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	5,650 3,390 5,085 2,623 7,493 — 5,860
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)	7,493 6,245 6,994 4,498 6,744 2,623 7,493 2,997 3,914 7,493
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	24,723 22,011 22,011
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	31,900 31,900 31,900
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	7,200 7,200 4,320 7,200 —
1007 00 90	Sorghum	5,455
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	3,148 4,844
1102 10 00	Rye flour	10,537
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	1,049 1,613
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	3,148 4,844

(1) The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to amended 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 1413/95
of 22 June 1995
repealing Regulation (EC) No 1175/95 suspending advance fixing of export
refunds for certain 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 the first subparagraph of Article 13 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1766/92 makes provision for the suspension of arrangements relating to the advance fixing of export refunds if the market situation indicates that the said arrangements are causing difficulties or if such difficulties are in danger of arising ;

Whereas Commission Regulation (EC) No 1175/95⁽²⁾ suspended advance fixing of the export refund for certain

products processed from cereals and rice ; whereas under present circumstances suspension of advance fixing is no longer necessary ; whereas Regulation (EC) No 1175/95 should therefore be repealed ;

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

Regulation (EC) No 1175/95 is hereby repealed.

Article 2

This Regulation shall enter into force on 23 June 1995.

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

Done at Brussels, 22 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 118, 25. 5. 1995, p. 18.

COMMISSION REGULATION (EC) No 1414/95
of 22 June 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 1053/95⁽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⁾, as amended by Regulation (EC) 1380/95⁽¹¹⁾, 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⁾ OJ No L 45, 1. 3. 1995, p. 32.

⁽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 107, 12. 5. 1995, p. 4.

⁽¹⁰⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹¹⁾ OJ No L 138, 21. 6. 1995, p. 1.

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 23 June 1995.

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

Done at Brussels, 22 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 22 June 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)	104,90	1104 23 10 100	112,40
1102 20 10 400 (2)	89,92	1104 23 10 300	86,17
1102 20 90 200 (2)	89,92	1104 29 11 000	40,17
1102 90 10 100	81,83	1104 29 51 000	39,38
1102 90 10 900	55,64	1104 29 55 000	39,38
1102 90 30 100	101,70	1104 30 10 000	9,85
1103 12 00 100	101,70	1104 30 90 000	18,73
1103 13 10 100 (2)	134,87	1107 10 11 000	70,10
1103 13 10 300 (2)	104,90	1107 10 91 000	97,10
1103 13 10 500 (2)	89,92	1108 11 00 200	78,76
1103 13 90 100 (2)	89,92	1108 11 00 300	78,76
1103 19 10 000	76,87	1108 12 00 200	119,89
1103 19 30 100	84,55	1108 12 00 300	119,89
1103 21 00 000	40,17	1108 13 00 200	119,89
1103 29 20 000	55,64	1108 13 00 300	119,89
1104 11 90 100	81,83	1108 19 10 200	109,44
1104 12 90 100	113,00	1108 19 10 300	109,44
1104 12 90 300	90,40	1109 00 00 100	0,00
1104 19 10 000	40,17	1702 30 51 000 (3)	82,30
1104 19 50 110	119,89	1702 30 59 000 (3)	63,01
1104 19 50 130	97,41	1702 30 91 000	82,30
1104 21 10 100	81,83	1702 30 99 000	63,01
1104 21 30 100	81,83	1702 40 90 000	63,01
1104 21 50 100	109,10	1702 90 50 100	82,30
1104 21 50 300	87,28	1702 90 50 900	63,01
1104 22 10 100	96,05	1702 90 75 000	86,24
1104 22 30 100	90,40	1702 90 79 000	59,86
1104 22 99 100	0,00	2106 90 55 000	63,01

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

(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 1415/95

of 22 June 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;

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 on 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 1053/95⁽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⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situation 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 23 June 1995.

⁽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.

⁽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 107, 12. 5. 1995, p. 4.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 22 June 1995.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

to the Commission Regulation of 22 June 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 ⁽³⁾
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	74,93
Cereal products ⁽²⁾ excluding maize and maize products	46,97

⁽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 amended Regulation (EEC) No 990/93 are observed.

COMMISSION DIRECTIVE 95/17/EC

of 19 June 1995

laying down detailed rules for the application of Council Directive 76/768/EEC as regards the non-inclusion of one or more ingredients on the list used for the labelling of cosmetic products

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products ⁽¹⁾, as last amended by Commission Directive 94/32/EC ⁽²⁾, and in particular Article 6 (1) (g) thereof,

Whereas there is a need to specify the criteria and conditions under which a manufacturer may, for reasons of trade secrecy, apply not to include one or more ingredients on the minimum list of ingredients which must be included on the packaging of cosmetic products, or, where this is impossible for practical reasons, on an enclosed leaflet, label, tape or card;

Whereas approval of confidentiality should not, however, impinge on the other obligations pursuant to Directive 76/768/EEC and the responsibilities arising from the Articles concerning the cosmetic product's safety, from the Annexes, and from the provisions as to the information necessary for appropriate medical treatment and the case-file to which the national monitoring authorities must have access;

Whereas approval of confidentiality should not be prejudicial to consumer safety;

Whereas the request for confidentiality must be submitted in the Member State of manufacture or initial importation into the Community market, which must also have access to the information referred to in Article 7a of Directive 76/768/EEC, as amended by Directive 93/35/EEC ⁽³⁾, for control purposes;

Whereas to be adequately assessed and monitored the request must include all the particulars necessary for identifying the applicants, for the identification and human health assessment of the ingredient as used in the cosmetic product(s) and for determining the intended use of the ingredient concerned, as well as the grounds for confidentiality and the name(s) of the product containing the ingredient;

Whereas for economic reasons and in deference to his rights the competent authority should inform the applicant, within a brief period of not more than four months, other than in exceptional cases, of the ruling in this case; whereas any refusal to grant confidentiality should be duly reasoned and the means of appeal and time limits clearly indicated;

Whereas in the interests of transparency and monitoring, the competent authority should allocate a registration number to each request it approves; whereas this number should replace the ingredient in the list of ingredients referred to in Article 6 (1) (g) of Directive 76/768/EEC;

Whereas all amendments to the particulars contained in the initial request must be communicated by the applicant to the competent authority, which may then withdraw its approval of confidentiality in view of those modifications, or if new information makes such a measure necessary for compelling public health reasons;

Whereas the duration of the right to confidentiality should not exceed five years, subject to the option, in exceptional circumstances, of an extension for a further three years at the most;

Whereas, in the interests of monitoring product safety and proper enforcement of the Directive, the Commission and the other Member States should be adequately informed of the decisions taken by the competent authority; whereas, on the other hand, such decisions should be recognized throughout the Community territory, except for exceptional reasons;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Cosmetics Products Sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply without prejudice to the other obligations arising from Directive 76/768/EEC and the responsibilities arising therefrom, in particular from Articles 2, 4, 5, 7 (3) and 7a thereof.

⁽¹⁾ OJ No L 262, 27. 9. 1976, p. 169.

⁽²⁾ OJ No L 181, 15. 7. 1994, p. 31.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 32.

Article 2

Any manufacturer or his agent or person on whose account a cosmetic product is manufactured, or any person responsible for placing an imported cosmetic product on the Community market, who, for reasons of trade secrecy, wishes not to include one or more ingredients of a cosmetic product on the list referred to in Article 6 (1) (g) of Directive 76/768/EEC, shall submit a request to that effect to the competent authority referred to in Article 10 of this Directive of the Member State of the place of manufacture or initial importation, prior to placing the product on the Community market.

Article 3

The request referred to in Article 2 must include the following particulars :

- (a) name or style and address or head office of the applicant ;
- (b) precise identification of the ingredient for which confidentiality is requested, namely :
 - the CAS, Eincs and colour index numbers, the chemical name, the Iupac name, the INCI⁽¹⁾ name, the *European Pharmacopoeia* name, the international non-proprietary name recommended by the World Health Organization, and the common nomenclature name referred to in Article 7 (2) of Directive 76/768/EEC, where they exist,
 - the Elincs name and the official number allocated to it if it has been notified pursuant to Council Directive 67/548/EEC⁽²⁾ and indication of approval or refusal to approve a request for confidentiality pursuant to Article 19 of that Directive,
 - where the names or numbers referred to in the first and second indents do not exist, as in the case of certain ingredients of natural origin, the name of the base material, the name of the part of the plant or animal used, and the names of the ingredient's components, such as solvents ;
- (c) the evaluation of the safety for human health of the ingredient as used in the finished product(s), taking into account the ingredient's toxicological profile, chemical structure and the level of exposure, as specified in Article 7a (1) (d) and (e) and Article 7a (2) of Directive 76/768/EEC ;
- (d) the envisaged use of the ingredient and in particular the different categories of products in which it will be used ;

- (e) a detailed justification of why, by way of exception, confidentiality is sought ; for example :
 - the fact that the identity of the ingredient or its function in the cosmetic product to be marketed has not been described in the literature and is unknown to others in the trade,
 - the fact that the information is not yet in the public domain, even though a patent application has been lodged for the ingredient or its use,
 - the fact that if the information were known it would be easily reproducible, to the detriment of the applicant ;

- (f) if known, the name of each product which is to contain the ingredient(s), and if different names are to be used in the Community market, precise details on each one of them.

If the name of a product is not yet known, it may be communicated at a later date, but at least 15 days before placing the product on the market.

If the ingredient is used in several products, one request shall suffice, provided that the products are clearly indicated to the competent authority ;

- (g) a statement setting out whether a request has been submitted to the competent authority of any other Member State in respect of the ingredient for which confidentiality is sought, and particulars on the outcome of any such request.

Article 4

1. After receipt of the request for confidentiality in accordance with Article 3 the competent authority shall, within a period not exceeding four months, examine the request and inform the applicant in writing of its decision. In the event of approval, the authority shall also communicate the registration number it has allocated to the product in accordance with the procedure laid down in the Annex. However, if there are exceptional reasons, the competent authority may inform the applicant in writing that an additional period of two months will be required for the examination of the request.

2. Any refusal to grant a request for confidentiality must include a statement of reasons ; appeal procedures, together with their time limits, must be clearly explained to the applicant.

Article 5

The registration number referred to in Article 4 (1) shall replace the ingredient in question in the list referred to in Article 6 (1) (g) of Directive 76/768/EEC.

⁽¹⁾ Formerly : CTFA name.

⁽²⁾ OJ No L 196, 16. 8. 1967, p. 1.

Article 6

1. All amendments to the information provided pursuant to Article 3 must be communicated as rapidly as possible to the competent authority that has granted the request for confidentiality. All changes to the names of cosmetic products containing the ingredient must be communicated to the competent authority at least 15 days before those products are placed on the market under their new name.

2. Taking into consideration the amendments referred to in paragraph 1, or if new information makes it imperative to do so, particularly for compelling reasons of public health, the competent authority may withdraw its approval. In this event it shall inform the applicant of its new decision within the time limits and in accordance with the procedure referred to in Article 4.

Article 7

The decision granting the right to confidentiality shall be valid for a period of five years.

If the beneficiary of this decision considers that there are exceptional reasons justifying an extension of this period, he may submit a reasoned request to the competent authority which initially granted the request for confidentiality.

The competent authority shall decide on this new request within the time limits and under the conditions referred to in Article 4.

The confidentiality period shall not be extended by more than three years.

Article 8

1. Member States shall inform the Commission and the other Member States of their decisions to grant requests for confidentiality or to extend such approval, indicating the name or style and address or head office of the applicants, the names of the cosmetic products containing the ingredient in respect of which the request for confidentiality has been granted, and the registration number referred to in Article 4 (1).

The Commission and the other Member States may obtain, on request, a copy of the case file containing the request for confidentiality together with the decision of the competent authority. Particularly in this framework the competent authorities of the Member States and the Commission shall make arrangements to ensure proper cooperation.

2. Member States shall inform the Commission and the other Member States of their reasoned decisions to refuse or to withdraw approval of confidentiality or to refuse to extend the confidentiality period.

3. Member States and the Commission shall take the necessary measures to ensure that confidential data made known to them is not improperly disclosed.

Article 9

Member States shall recognize the decisions taken by a competent authority as to the approval of confidentiality or extension of the confidentiality period.

However, if, after having been informed or after having received a copy of the case file in accordance with the procedure under Article 8 (1), a Member State challenges a decision taken by the competent authority of another Member State, it may ask the Commission to take a decision pursuant to the procedure referred to in Article 10 of Directive 76/768/EEC.

Article 10

Member States shall designate the competent authorities referred to in this Directive and shall inform the Commission thereof, which shall publish them in the *Official Journal of the European Communities*. A Member State may also designate the competent authority of another Member State, willing to accept for the purposes of examination in exceptional cases the requests referred to in Article 2.

Article 11

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 30 November 1995. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 12

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

Article 13

This Directive is addressed to the Member States.

Done at Brussels, 19 June 1995.

For the Commission

Emma BONINO

Member of the Commission

*ANNEX***PROCEDURE FOR GRANTING THE REGISTRATION NUMBER REFERRED TO IN
ARTICLE 4**

1. The registration number referred to in Article 4 consists of seven digits, the first two corresponding to the year of approval of confidentiality, the second two to the code assigned to each Member State pursuant to point 2, and the three final digits being assigned by the competent authority.
 2. The following codes are allocated to the Member States :
 - 01 France
 - 02 Belgium
 - 03 Netherlands
 - 04 Germany
 - 05 Italy
 - 06 United Kingdom
 - 07 Ireland
 - 08 Denmark
 - 09 Luxembourg
 - 10 Greece
 - 11 Spain
 - 12 Portugal
 - 13 Finland
 - 14 Austria
 - 15 Sweden.
-

II

(Acts whose publication is not obligatory)

COUNCIL

Information concerning the date of entry into force of Decision of the EEA Council No 1/95 of 10 March 1995 on the entry into force of the Agreement on the European Economic Area for the Principality of Liechtenstein and the Agreement on the European Economic Area as regards the Principality of Liechtenstein

The instruments of ratification of the Agreement on the European Area⁽¹⁾ and of the Protocol adjusting the Agreement on the European Economic Area⁽²⁾ having been deposited by Liechtenstein on 25 April 1995 and the Treaty of 2 November 1994 between Liechtenstein and Switzerland concerning the amendment of the Treaty of 29 March 1923 regarding the inclusion of the Principality of Liechtenstein in the Swiss Customs Territory having entered into force on 1 May 1995, Decision of the EEA Council No 1/95 of 10 March 1995 on the entry into force of the Agreement on the European Economic Area for the Principality of Liechtenstein⁽³⁾ entered into force, in accordance with Article 7 (1) thereof, on 1 May 1995. In accordance with Article 6 of Decision of the EEA Council No 1/95, the Agreement on the European Economic Area, as adjusted by that Decision of the EEA Council, also entered into force for Liechtenstein on 1 May 1995.

⁽¹⁾ OJ No L 1, 3. 1. 1994, p. 3.

⁽²⁾ OJ No L 1, 3. 1. 1994, p. 572.

⁽³⁾ OJ No L 86, 20. 4. 1995, p. 58.