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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1497/95

of 29 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 Commission 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 26 and 27 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 30 June 1995.

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

Done at Brussels, 29 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 ⁽²⁾
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 1498/95
of 28 June 1995
concerning the stopping of fishing for haddock by vessels flying the flag of the
United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Council Regulation (EC) No 748/95 of 31 March 1995 allocating, for 1995, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen⁽²⁾, provides for haddock quotas for 1995;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of haddock in the waters of ICES divisions I, IIa, b (Norwegian waters north of 62 °N) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quota

allocated for 1995; whereas the United Kingdom has prohibited fishing for this stock as from 23 May 1995; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of haddock in the waters of ICES divisions I, IIa, b (Norwegian waters north of 62 °N) by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1995.

Fishing for haddock in the waters of ICES divisions I, IIa, b (Norwegian waters north of 62 °N) by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 23 May 1995.

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

Done at Brussels, 28 June 1995.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 74, 1. 4. 1995, p. 18.

COMMISSION REGULATION (EC) No 1499/95

of 28 June 1995

concerning the stopping of fishing for cod by vessels flying the flag of Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Council Regulation (EC) No 3370/94 of 20 December 1994 allocating, for 1995, catch quotas between Member States for vessels fishing in Latvian waters⁽²⁾, provides for cod quotas for 1995;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES division IIIId (Latvian waters) by vessels flying the flag of Germany or registered in Germany have reached the

quota allocated for 1995; whereas Germany has prohibited fishing for this stock as from 2 June 1995; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division IIIId (Latvian waters) by vessels flying the flag of Germany or registered in Germany are deemed to have exhausted the quota allocated to Germany for 1995.

Fishing for cod in the waters of ICES division IIIId (Latvian waters) by vessels flying the flag of Germany or registered in Germany is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 2 June 1995.

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

Done at Brussels, 28 June 1995.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 363, 31. 12. 1994, p. 90.

COMMISSION REGULATION (EC) No 1500/95
of 28 June 1995
concerning the stopping of fishing for cod by vessels flying the flag of Finland

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

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

Whereas Council Regulation (EC) No 3362/94 of 20 December 1994 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1995 and certain conditions under which they may be fished⁽²⁾, as amended by Regulation (EC) No 746/95 of 31 March 1995⁽³⁾, provides for cod quotas for 1995;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES division IIIb, c, d (EC-zone) by vessels flying the flag of Finland or registered in Finland have reached the quota allocated for 1995; whereas Finland has prohibited

fishing for this stock as from 2 June 1995; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division IIIb, c, d (EC-zone) by vessels flying the flag of Finland or registered in Finland are deemed to have exhausted the quota allocated to Finland for 1995.

Fishing for cod in the waters of ICES division III b, c, d (EC-zone) by vessels flying the flag of Finland or registered in Finland is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 2 June 1995.

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

Done at Brussels, 28 June 1995.

For the Commission
Emma BONINO
Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 363, 31. 12. 1994, p. 1.

⁽³⁾ OJ No L 74, 1. 4. 1995, p. 1.

COMMISSION REGULATION (EC) No 1501/95
of 29 June 1995

laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals

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 by Regulation (EC) No 3290/94⁽²⁾, and in particular Articles 13 (11) and 16 (2) thereof,

Whereas the export refunds, corrective amounts and export taxes on products covered by the common organization of the market in cereals must be fixed, as a special measure in the event of a disturbance on the market, in accordance with certain criteria enabling the difference between the quotations and prices for such products in the Community and those on the world market to be covered;

Whereas, given the disparity in the prices at which cereals are offered by the different exporting countries on the world market, account should be taken in particular of the different internal forwarding costs and the refund should be fixed bearing in mind the difference between the representative prices in the Community and the most favourable quotations and prices applying on the world market;

Whereas, in order to make it possible to export flour, groats, meal and malt, the factors to be taken into account when fixing the refund are, on the one hand, the prices of the basic cereals, the quantities needed to manufacture the products concerned and the value of the by-products and, on the other hand, the opportunities and conditions for the sale of the products on the world market;

Whereas it is a requirement of the system of corrective amounts provided for in the second subparagraph of Article 13 (8) of Regulation (EEC) No 1766/92 that they be capable of differentiation according to the destination of the products to be exported;

Whereas, with a view to the efficient administration of Community funds and to take account of the export possibilities for those products, provision should be made

for the export refunds and taxes on the products listed in Article 1 (a) and (b) of Regulation (EEC) No 1766/92 to be fixed by invitation to tender covering a given quantity;

Whereas, in order to ensure equal treatment for all interested parties within the Community, invitations to tender must be organized in accordance with uniform principles; whereas, to that end, decisions opening invitations to tender should be published together with a notice of invitation to tender in the *Official Journal of the European Communities*;

Whereas tenders must contain the data needed to assess them and must be accompanied by certain formal undertakings;

Whereas a maximum export refund or minimum export tax should be fixed; whereas that procedure ensures that all the quantities concerned are allocated;

Whereas situations may arise on the market in which the economic aspects of the exports contemplated result in no further action being taken in respect of tenders received rather than in the fixing of an export refund or tax;

Whereas a tendering security should ensure that the quantities exported are so exported pursuant to the licence issued under the invitation to tender; whereas that obligation can be met only if tenders submitted are maintained; whereas the security must accordingly be forfeited where tenders are withdrawn;

Whereas detailed rules must be laid down to ensure that tenderers are notified of the outcome of the invitation to tender and that the necessary licences are issued for the export of the quantities allocated;

Whereas, for the purposes of fixing export refunds on the products listed in Article 1 (1) of Regulation (EEC) No 1766/92 and in order to avoid the need to introduce checks to detect the slightest variations in quantities of the basic materials and without any noticeable effect on the quality of the product, a standard method of assessment should be adopted; whereas the analysis of the ash content of products manufactured has proved the most effective technical means of assessing the quantity of basic cereals used; whereas the analysis should be carried out following the same procedure throughout the Community;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

Whereas granting export refunds on cereals imported from third countries and re-exported to third countries does not appear justified; whereas refunds should accordingly be granted on Community products only;

Whereas Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹⁾, as last amended by Regulation (EC) No 1384/95⁽²⁾, requires that, where refunds vary according to destination, payment of the refund be made conditional in particular on presentation of proof that the product has been imported in its unaltered state into the third country or into one of the third countries for which the refund applies; whereas, as regards cereals, the only refund lower than that applicable to exports to third countries as a whole is that on exports to Switzerland and Liechtenstein; whereas, in order to avoid obstructing most Community exports by requiring proof of arrival at destination, other means must be found to ensure that products on which a refund applying to all third countries has been paid are not exported to the abovementioned countries; whereas, to that end, the need to present proof of arrival should be waived in all cases where export is effected by sea; whereas certificates drawn up by the competent authorities of the Member States stating that the products have left the customs territory of the Community on board a vessel suitable for sea transport are considered to provide a sufficient guarantee;

Whereas Article 16 of Regulation (EEC) No 1766/92 provides that appropriate measures may be taken when the quotations or prices on the world market for one or more of the products referred to in Article 1 of that Regulation reach the level of Community prices, and when that situation is likely to continue or deteriorate, thereby disturbing or threatening to disturb the Community market; whereas to that end sufficient supplies of cereals must be ensured; whereas for that purpose export taxes may be levied and the issuing of export licences totally or partly suspended;

Whereas, since the situation envisaged in Article 16 of Regulation (EEC) No 1766/92 may arise at relatively short notice, the Commission must be able to suspend the issue of export licences at any time;

Whereas this Regulation incorporates, while adjusting them to current market conditions, the provisions of Commission Regulation (EEC) No 1533/93⁽³⁾, as last amended by Regulation (EC) No 3304/94⁽⁴⁾; whereas that Regulation 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

Export refunds, export taxes as provided for in Article 16 of this Regulation, and corrective amounts as provided for

in the second subparagraph of Article 13 (8) of Regulation (EEC) No 1766/92, in the case of the products listed in Article 1 (1) (a), (b) and (c) of that Regulation, shall be fixed in the light of the following factors in particular:

- (a) the prices charged on the representative Community markets and their trends, and the quotations recorded on the markets of third countries;
- (b) the marketing costs and the most favourable costs of transport from the representative Community markets to the port or other place of export, and the costs of forwarding on the world market;
- (c) in the case of processed products, the quantity of cereals required for the manufacture thereof;
- (d) the prospects for and conditions governing the sale of the relevant products on the world market;
- (e) concern to avoid disturbance on the Community market;
- (f) the economic aspect of the exports contemplated;
- (g) the quantitative and budgetary limits arising from agreements concluded in accordance with Article 228 of the Treaty.

Article 2

The provisions of the first subparagraph of Article 13 (8) of Regulation (EEC) No 1766/92 shall apply to all the products referred to in Article 1 (1) (c) and (d) of that Regulation and to the products referred to in Article 1 thereof exported in the form of goods as listed in Annex B thereto.

The provisions of the second subparagraph of Article 13 (8) of Regulation (EEC) No 1766/92 shall apply to the products referred to in Article 1 (1) (c) thereof.

Article 3

Corrective amounts may vary according to destination.

Article 4

1. Export refunds on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1766/92 and the export taxes provided for in Article 15 of this Regulation may be fixed by invitation to tender.

The terms of invitations to tender must guarantee equality of access for all persons established in the Community.

⁽¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽²⁾ OJ No L 134, 20. 6. 1995, p. 14.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 48.

Such invitations to tender shall relate to the export refund or tax.

2. Decisions to issue invitations to tender shall be taken in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.

3. Decisions to issue invitations to tender shall be accompanied by the publication of notices of invitation to tender drawn up by the Commission setting out in particular the dates on which tenders may be submitted and the relevant departments of the Member States to which they are to be sent.

4. Decisions to issue invitations to tender and notices of invitation to tender shall be published in the *Official Journal of the European Communities*.

At least five days must elapse between the publication of the notice of invitation to tender and the first date for the submission of tenders.

Article 5

1. Interested parties shall submit tenders in writing or by any means of written telecommunication to the competent department of the Member State.

2. Tenders shall indicate :

- (a) the reference of the invitation to tender ;
- (b) the name and address of the tenderer ;
- (c) the type and quantity of product to be exported ;
- (d) the export refund per tonne or, where applicable, the export tax per tonne, expressed in ecus.

3. Tenders shall be valid only if :

- (a) proof is provided before the expiry of the time limit laid down for the submission of tenders that the tenderer has lodged the tendering security ;
- (b) they are accompanied by a written undertaking to submit, in respect of quantities awarded and within two days of receipt of notification of award pursuant to Article 7 (3), an application for advance fixing of an export refund or, where applicable, an application for advance fixing of an export tax equal to the amount tendered ;
- (c) they do not include any conditions other than those provided for in the notice of invitation to tender.

4. Tenders submitted may not be withdrawn.

Article 6

Tenders shall be opened by the competent departments of the Member States. They shall not be opened in public.

Persons authorized to be present at the opening of the tenders shall be under an obligation of secrecy.

The Commission shall be notified forthwith of the tenders without the tenderers being mentioned by name.

Article 7

1. On the basis of tenders notified, the Commission shall, in accordance with the procedure provided for in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund or, where applicable, a minimum export tax or to take no further action in respect of the invitation to tender.

2. Where a maximum export refund is fixed, the contract shall be awarded to the tenderer or tenderers whose bids are equal to or lower than the maximum refund.

Where a minimum export tax is fixed, the contract shall be awarded to the tenderer or tenderers whose bids are equal to or higher than the minimum tax.

3. The competent departments of the Member States concerned shall notify all tenderers in writing of the outcome of their tenders as soon as the Commission has taken a decision.

Article 8

1. Export licences shall be issued to successful tenderers after their applications for export licences have been received by the competent departments of the Member States and in respect of the quantities awarded to them.

2. In the relevant section of the licence applications, and of the licences themselves, shall be stated the destination specified in the regulation issuing the invitation to tender. Licences shall entail the obligation to export to the stated destination.

Article 9

Tendering securities shall be released :

- (a) where tenders are not accepted ;
- (b) when the successful tenderer has provided proof that the security provided for in Article 10 of Commission Regulation (EC) No 1162/95⁽¹⁾ has been submitted.

Where the undertaking provided for in Article 5 (3) (b) hereof is not fulfilled, the tendering security shall be forfeited except in cases of *force majeure*.

Article 10

Export refunds on the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be fixed at least once a month.

⁽¹⁾ OJ No L 117, 24. 5. 1995, p. 2.

Article 11

1. The export refund on wheat flour, meslin flour and rye flour, wheat groats, wheat meal and malt shall be fixed taking account of the quality of the basic cereal necessary to manufacture 1 000 kg of the product in question. The quantities of the basic cereals shall be as set out in Annex I.

2. The ash content of the flour shall be determined using the method of analysis defined in Annex II.

Article 12

Refunds on the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be paid once proof has been provided that the products are of Community origin.

Article 13

Notwithstanding Article 18 of Regulation (EEC) No 3665/87, proof of completion of customs formalities for release for consumption shall not be required for payment of refunds fixed by invitation to tender, on condition that the operator provides proof that a quantity of at least 1 500 tonnes of cereal product has left the customs territory of the Community on board a vessel suitable for sea transport.

Such proof shall be provided by the following endorsement certified by the competent authority on the control copy referred to in Article 6 of Regulation (EEC) No 3665/87, on the single administrative document or on the national document proving that the goods have left the Community customs territory:

• Exportación de cereales por vía marítima; artículo 13 del Reglamento (CE) n° 1501/95 •

• Eksport af korn ad søvejen — Artikel 13 i forordning (EF) nr. 1501/95 •

„Ausfuhr von Getreide auf dem Seeweg — Verordnung (EG) Nr. 1501/95 Artikel 13“

«Εξαγωγή σιτηρών δια θαλάσσης — Άρθρο 13 του κανονισμού (ΕΚ) αριθ. 1501/95»

‘Export of cereals by sea — Article 13 of Regulation (EC) No 1501/95’

• Exportation de céréales par voie maritime — Règlement (CE) n° 1501/95, article 13 •

• Esportazione di cereali per via marittima — Regolamento (CE) n. 1501/95, articolo 13 •

„Uitvoer van graan over zee — Verordening (EG) nr. 1501/95, artikel 13”

• Exportação de cereais por via marítima — Artigo 13º, Regulamento (CE) n° 1501/95 •

”Viljan vienti meriteitse — Asetus (EY) N:o 1501/95 13 artikla”

”Export av spannmål sjövägen — Artikel 13 i förordning (EG) nr 1501/95”.

Article 14

Where the operator provides proof of completion of customs formalities for release for consumption in Switzerland or Liechtenstein, the amount of the export refund for exports to ‘all third countries’ fixed under an invitation to tender shall be reduced by the difference between that amount and the amount of the export refund in force for the abovementioned destinations on the day the contract is awarded.

Article 15

Where the conditions laid down in Article 16 of Regulation (EEC) No 1766/92 are met in respect of one or more products, the following measures may be taken:

- (a) an export tax may be applied. A corrective amount may be fixed. Such taxes and corrective amounts may vary according to destination;
- (b) the issuing of export licences may be totally or partly suspended;
- (c) the export licence applications pending may be rejected in whole or in part.

Article 16

Where there is no invitation to tender, the export tax to be collected shall be that applicable on the day on which customs formalities are completed.

However, export taxes applicable on the day of submission of licence applications shall apply, at the request of the party concerned lodged at the same time as the licence application, to exports to be effected during the term of validity of the licence.

Article 17

In emergencies the Commission may apply the measures referred to in Article 15 (b). It shall notify the Member States of its decision and shall publish it in the *Official Journal of the European Communities*.

Article 18

Regulation (EEC) No 1533/93 is hereby repealed. However, it shall continue to apply to licences issued before 1 July 1995.

Article 19

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 29 June 1995.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX I

	CN code	Ash content (expressed in mg) per 100 g of flour, groats and meal	Number of kg of cereals per 1 000 kg of products in question
1. Flour of common wheat, spelt or meslin	1101 00 15 100	0 to 600	1 370
	1101 00 15 130	601 to 900	1 280
	1101 00 15 150	901 to 1 100	1 180
	1101 00 15 170	1 101 to 1 650	1 090
	1101 00 15 180	1 651 to 1 900	1 020
2. Rye flour	1102 10 00 500	0 to 1 400	1 370
	1102 10 00 700	1 401 to 2 000	1 080
3. Common wheat groats and meal	1103 11 90 200	0 to 600	1 370
4. Durum wheat groats and meal	1103 11 10 200	0 to 1 300 (sieve with mesh 0,160 mm)	1 500
	1103 11 10 400	0 to 1 300	1 340
	1103 11 10 900	over 1 300	1 260
5. Malt, not roasted	1107 10 19		1 300
	1107 10 99		
Malt, roasted	1107 20 00		1 520

*ANNEX II***Method of determining the ash content of flour***Apparatus*

1. Laboratory scales sensitive to 0,1 mg, box of corresponding weights.
2. Electric muffle kiln, with adequate draught and a temperature gauge and regulator.
3. Round, flat-bottomed incineration dishes (about 5 cm in diameter, maximum height 2 cm); preferably of gold and platinum alloy or of quartz or porcelain.
4. Desiccator (with an internal diameter of about 18 cm) fitted with a neck and a perforated plate, in porcelain or aluminium.

Dehydration agent: calcium chloride, phosphorous pentoxide or silica gel coloured blue.

Method

1. The weight of the test sample should be between 5 and 6 g. When it is flour of which the ash content referred to dry matter is likely to be over 1 %, the weight of the test sample should be between 2 and 3 g. The weight of the test sample may be rounded up to the nearest 10 mg; all other quantities are weighed to the nearest 0,1 mg.
2. Immediately before use the dishes must be heated in the muffle kiln at incineration temperature to constant weight; a period of 15 minutes is usually sufficient.

The dishes are then cooled in the desiccator to laboratory temperature under the conditions indicated in paragraph 7.

3. Place the test sample in the dish and spread it out in an even layer, without heaping. Immediately before incineration damp the test sample with 1 to 2 ml of ethyl alcohol.
4. Place the dishes in the mouth of the kiln, leaving the door open. When the substance has ceased to flame, push the dishes into the kiln. When the kiln door has been closed, an adequate draught must be maintained, but not so strong as to blow the substance out of the dishes.
5. Incineration must result in the total combustion of the flour, including any sooty particles among the ashes. It will be considered completed when the residue is almost white after cooling.
6. The incineration temperature must reach 900° C.
7. When incineration is completed, remove the dishes from the kiln and place them on a sheet of eternit for about one minute to cool, then put them in the desiccator (not more than four dishes at a time). The closed desiccator is placed near the analysis scales. Weigh the dishes when they are completely cold (about one hour).

Results

1. Margin of error: if the ash content does not exceed 1 %, the results of a double test should not differ by more than 0,02 units of ash content; if the ash content exceeds 1 %, the difference should not exceed 2 % of the ash content. If the difference exceeds these limits the test must be repeated.
 2. The ash content must be expressed per 100 parts of dry matter and rounded up to 0,01.
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COMMISSION REGULATION (EC) No 1502/95

of 29 June 1995

**on rules of application (cereal sector import duties 1995/96 marketing year) for
Council Regulation (EEC) No 1766/92**

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 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 10 (4) thereof,

Whereas Article 10 of Regulation (EEC) No 1766/92 provides for the common customs tariff duties to be charged when the products listed in Article 1 thereof are imported; whereas however for the products listed in paragraph 2 of that Article the import duty is to be the intervention price valid at the time of importation increased by 55 % and then reduced by the cif import price applicable to the consignment;

Whereas for the purposes of grading imported lots the products covered by Article 10 (2) of Regulation (EEC) No 1766/92 are in certain cases to be classed in several standard qualities; whereas the standard qualities to be used should therefore be determined using objective grading criteria and tolerance rates should also be set allowing products to be imported to be given the most appropriate quality grading; whereas of the possible objective quality grading criteria for common wheat protein content; specific weight and miscellaneous impurity (Schwarzbesatz) content and those most commonly used in the trade and also the easiest to use; whereas for durum wheat these criteria are specific weight, miscellaneous impurity (Schwarzbesatz) content and vitreous grain content; whereas imported goods are accordingly to be subjected to analysis to determine these parameters for each lot imported; whereas however where the Community has established an official recognition procedure for quality certificates issued by an authority of the country of origin of the goods these analyses need be effected merely by way of verification on a sufficiently representative number of imported lots;

Whereas Article 10 (3) of Regulation (EEC) No 1766/92 specifies that for the purposes of calculation of the import duty representative cif import prices are to be regularly established for each of the qualities defined for the products to which that paragraph refers; whereas for establishment of these prices the use must be stipulated of quotations for the several wheat qualities and for the other cereals; whereas the actual quotation sources to be used should be specified;

Whereas the use of quotations for the various wheat types and for other cereals on the commodity exchanges of the United States of America will provide a basis both transparent and objective for establishing representative cif import prices; whereas addition of the commercial premium assigned on the United States market to each quality of the various cereals will allow the exchange quotation for each cereal to be converted into an fob export price from the United States; whereas by addition of sea freight costs between the Gulf of Mexico or the Great Lakes and a Community port that are quoted on the freight markets these fob prices can be converted into representative cif import prices; whereas given the volume of freight passing through and amount of trade at the port of Rotterdam this is the Community destination for which sea freight quotations are most widely known, most transparent and most easily available; whereas the port of destination to be selected for the Community should therefore be Rotterdam;

Whereas accordingly for the sake of transparency the representative cif import prices of the cereals indicated at (a) in Article 10 (3) are to be established from commodity exchange quotations for the cereal in question plus the commercial premium assigned to the cereal and sea freight costs between the Gulf of Mexico or the Great Lakes and the port of Rotterdam; whereas however freight cost differences by port of destination justify flat rate adjustment of the import duty for Community ports located in the Mediterranean, on the Atlantic coast of the Iberian Peninsula and in the United Kingdom, Ireland and the Scandinavian countries; whereas the factors of calculation of the representative cif import prices so established should be monitored daily so that the trend of these prices can be followed; whereas the representative cif import price is calculated for the market situation for sorghum and for rye to allow it to be used for these cereals;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 1.

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

Whereas for the purpose of setting the import duty on the cereals indicated in Article 10 (2) of Regulation (EEC) No 1766/92 a period of two weeks' recording of the representative cif import prices for each cereal will reflect market trends without introducing uncertainty; whereas import duties for these products can therefore be determined every second Wednesday using the average representative cif import price recorded over two weeks; whereas the import duty thus calculated can be applied for two weeks without any appreciable distorting effect on the duty paid import price; whereas however if no exchange quotation is available during the calculation period for the representative cif import prices or if as a result of sudden changes in their components they fluctuate very substantially during the period, action must be taken to maintain a properly representative price for the product in question; whereas in the case of absence of quotations the duty amount set for the previous period should continue to be applied and in the case of large fluctuations in either the exchange quotation, the commercial premiums attached to the quotation, the sea freight costs or the rate of exchange used to calculate the representative cif import price of the product the price used for calculation of the import duty should be kept representative by means of an adjustment corresponding to the derivation from it that these changes account for; whereas even where this type of adjustment is made the timing of the next determination need not be affected;

Whereas when imported cereals arrive in the Community overland, by river transport or by sea on vessels from ports in the Mediterranean, Black or Baltic Seas transport costs will be markedly lower than those used for calculation of import duties; whereas this difference should be taken into account, by a flat-rate adjustment, in determination of the representative cif import prices for the products concerned;

Whereas in cases where, according to the Commission's information, certain quotations or prices are not representative of the real trend of the import market in the Community for medium or low quality common wheat owing to the granting by third countries of subsidies on exportation of these products to Mediterranean basin or European countries, it must be possible for the amount of the export subsidy granted to be deducted from the representative cif import price calculated for the product;

Whereas in the case of imports of very high quality common wheat, malting barley or flint maize the

exchange quotation used for calculation of the representative cif import price may not, either because of the particular quality of the goods or because their price includes a quality premium over the normal price, take account of the existence of such a premium over normal market terms; whereas to take account of these quality premiums over prices or quotations importers who show that they have used the goods to make high quality products justifying the existence of such a premium should be reimbursed, at a flat rate, part of the import duty paid;

Whereas pending careful monitoring of application of the provisions of this Regulation it should be made applicable only to the 1995/96 marketing year;

Whereas in order to ensure that importers respect the provisions of this Regulation security should be required from them additional to that pertaining to licences;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Common Customs Tariff duty rates as indicated in Article 10 (1) and (2) of Regulation (EEC) No 1766/92 shall be those applicable on the date stipulated by Article 67 of Council Regulation (EEC) No 2913/92⁽¹⁾.

Article 2

1. The import duties indicated in Article 10 (2) of Regulation (EEC) No 1766/92 on products of the following CN codes:

- 1001 10 00 to 1001 90 99 (except meslin),
- 1002 00,
- 1003 00 10 and 1003 00 90,
- 1005 10 90 and 1005 90 00,
- 1007 00 90;

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

shall be calculated daily but fixed every second Wednesday by the Commission for application from the following day. However if during the period of application the average import duty calculated differs by ECU 5 per tonne or more from that fixed the corresponding adjustment shall be made.

If the Wednesday on which import duties are due to be fixed is not a working day for the Commission they shall be set on the first working day following.

In the intervening period the import duty shall as appropriate be increased or reduced by the difference between the intervention price valid for the month in which it was fixed plus 55 % and that for the month of importation plus 55 %.

2. The price to be used for calculation of the import duty shall be the average of the daily representative cif import prices determined as specified in Article 4 during the previous two weeks.

3. Import duties fixed as provided for in this Regulation shall be applicable until a new fixing comes into force.

If however for a particular product no quotation is available for the reference exchange as indicated at the first indent of Article 4 (1) during the two weeks preceding a fixing the import duty previously fixed shall remain in force.

On the occasion of each fixing or adjustment the Commission shall publish in the *Official Journal of the European Communities* the import duties and the data used for their calculation.

4. The Commission shall reduce the import duty by the following amounts on goods arriving via the Atlantic Ocean at the following ports of unloading :

- Mediterranean ports (beyond the Strait of Gibraltar) : ECU 3 per tonne,
- Atlantic ports of the Iberian Peninsula, United Kingdom and Irish ports : ECU 2 per tonne,
- ports in Denmark, Finland and Sweden : ECU 2 per tonne.

The customs authority at the port of unloading shall issue a certificate attesting the quantity of each product un-

loaded. For the duty reduction to be granted this must accompany the goods until completion of the customs import formalities.

5. Import duties shall be reduced at a flat rate of ECU 8 per tonne on :

- standard high quality common wheat,
- malting barley,
- flint maize ;

provided the importer shows that a quality premium on the normal product price was paid.

The reduction is further conditional on :

- (a) indication by the applicant in box 20 of the import licence of the product into which the cereals are to be processed
- (b) a written commitment by the importer, lodged along with the import licence application, that all the goods to be imported will be processed as specified in box 20 of the licence within six months of the date of acceptance of the entry for free circulation. The importer shall state the location at which processing is to be carried out. If this is in a different Member State consignment of the goods shall give rise to completion in the Member State of departure of a T5 control copy in line with the provisions of Regulation (EEC) No 2454/93 ⁽¹⁾. The statement indicated at (a) shall be entered in box 104 of the T5 document.
- (c) production of evidence of the specific final use warranting a quality premium over the normal product price. It must be shown to the satisfaction of the competent authorities of the Member State of importation that all the cereals imported have been processed into the product specified in the declaration indicated at (a) within the time limit indicated at (b). If processing is carried out in a Member State other than that of importation evidence of processing shall be provided by means of the T5 control copy.

Processing shall be deemed to have occurred :

- in the case of common wheat, when the processed product indicated at (a) has been made,
- the malting barley has undergone steeping,
- the flint maize has been processed into a product of CN code 1904 10 10 or 1103 13.

⁽¹⁾ OJ No L 253, 11. 10. 1993, p. 1.

Article 3

The quality standards to be met on importation into the Community and the tolerances allowed shall be those shown in Annex I.

Article 4

1. For common wheat of high, medium and low quality, durum wheat, maize and other feed grains the components determining the representative cif import prices indicated in Article 10 (2) of Regulation (EEC) No 1766/92 shall be :

- (a) the representative exchange quotation on the market of the United States of America,
- (b) the known commercial premium attached to this quotation of the United States market on the quotation day,
- (c) the sea freight cost between the United States (Gulf of Mexico or Duluth) and the port of Rotterdam for a vessel of at least 25 000 tonnes.

The Commission shall record each working day :

- component (a) from the exchanges and using the reference qualities shown in Annex II,
- components (b) and (c) from publicly available information.

2. The representative cif import prices for durum wheat, barley and maize and in the case of common wheat for each standard quality shall be the sum of components (a), (b) and (c) indicated in paragraph 1.

However the representative cif import prices for imports of durum wheat, barley, maize and in the case of common wheat each standard quality that are made :

- overland or by river,
- by sea on vessels arriving in the Community from ports located in the Mediterranean, Black or Baltic Sea ports

shall be reduced by ECU 10 per tonne. In this case the import duty reductions provided for in Article 2 (4) shall not be applicable.

In cases where third countries grant subsidies on exports of standard medium or low quality common wheat to European or Mediterranean basin countries so that world market prices can be undercut the Commission may take account of these subsidies in establishing the representative cif price for importation into the Community.

3. The representative cif import prices for rye and sorghum shall be those calculated for barley. For common

wheat seed of CN code 1001 90 91, maize seed of CN code 1005 10 90 and barley seed of CN code 1003 00 10 they shall be those calculated for high quality common wheat, maize and barley respectively.

Article 5

Import licence applications for common wheat and durum wheat shall be invalid if the applicant does not :

- enter the quality to be imported in box 20 of the import licence,
- if the import duty on the quality shown in box 20 is not the highest duty for the product category in question, lodge beforehand a specific security additional to those required under Commission Regulation (EC) No 1162/95⁽¹⁾. The amount of the security shall be the difference on the day of application between the highest duty and that applicable to the quality shown, plus a supplement of ECU 5 per tonne.

Article 6

1. Representative samples shall be taken of every consignment of durum wheat and of common wheat of standard high or medium quality by the customs authority of the importing Member State, the provisions of the Annex to Commission Directive 76/371/EEC applying⁽²⁾, for determination of protein content, specific weight and impurity content (Schwarzbesatz) as defined in Council Regulation (EEC) No 2731/75⁽³⁾. For durum wheat the competent authorities shall also determine the vitreous grain content. If however the Commission officially recognizes a quality certificate for common or durum wheat issued by the State of origin of the goods samples shall not be taken and analysis shall be carried out only in verification of the certified quality of a sufficiently representative number of imported lots.

The goods shall be classed in the standard quality for which all the requirements indicated in Annex I are met. However if the quality of durum wheat of CN code 1001 10 imported is lower than that specified in Annex I the import duty shall be that applicable on common wheat of low quality.

2. The standard methods for analysis as indicated in paragraph 1 shall be those set out in Commission Regulations (EEC) No 1908/84⁽⁴⁾ and (EEC) No 2731/75.

⁽¹⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽²⁾ OJ No L 102, 15. 4. 1976, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽⁴⁾ OJ No L 178, 5. 7. 1984, p. 22.

3. If the analysis results show the imported wheat to be of a lower standard quality than entered on the import licence the importer shall pay the difference between the import duty applicable to the product shown on the licence and that on the product actually imported. The security indicated in Article 5 shall then be released except for the ECU 5 per tonne supplement.

If the above difference is not paid within one month the security indicated in Article 5 shall be forfeit by way of import duty and the ECU 5 per tonne supplement by way of security.

4. Representative samples of imported cereals taken by the competent authority of the Member State shall be retained for six months.

Article 7

The provisions of this Regulation shall apply to import licences issued before 1 July 1995 that are used after that date.

Article 8

Regulation (EEC) No 1621/93 is hereby repealed.

Article 9

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

It shall apply from 1 July 1995 to 30 June 1996.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Classification of imported products

Product	Common wheat			Durum wheat	Maize	Other feed grains
CN Code	1001 90 99			1001 10	1005 90 00	1002, 1003 00 90, 1007 00 90
Quality	High	Medium	Low			
Quality requirements (for moisture content of 12 % by weight or equivalent)						
1. Minimum protein percentage	14,0	11,5	—	—	—	—
2. Minimum specific weight (kg/hl)	77,0	74,0	—	76,0	—	—
3. Maximum impurity percentage (Schwarzbesatz)	1,0	1,0	—	1,0	—	—
4. Minimum vitreous grain percentage	—	—	—	75,0	—	—

Permitted tolerances

	Common/durum wheat
Protein percentage	- 0,7
Minimum specific weight	- 0,5
Maximum impurity percentage	+ 0,5
Vitreous grain percentage	- 2,0

ANNEX II

Quotation exchanges and reference varieties

Product	Common wheat			Durum wheat	Maize	Other feed grains
Standard quality	High	Medium	Low			
Reference variety (type/grade) for exchange quotation	Hard red spring No 2	Hard Red Winter No 2	Soft red Winter No 2	Hard amber Durum No 2	Yellow corn No 3	US barley No 2
Quotation exchange	Minneapolis Grain Exchange	Kansas City Board of Trade	Chicago Board of Trade	MidAmerica Commodity Exchange	Chicago Board of Trade	MidAmerica Commodity Exchange

COMMISSION REGULATION (EC) No 1503/95
of 29 June 1995
exempting certain Member States from the obligation to buy in certain fruit and
vegetables

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 1363/95⁽²⁾, and in particular Article 19a (4) thereof,

Whereas Commission Regulation (EEC) No 1852/85 of 2 July 1985 laying down detailed rules of application with a view to exempt Member States from the obligation to buy in certain types of fruit and vegetables⁽³⁾ specified what information the Member States were to provide to the Commission with a view to their being exempted if they so requested, as provided for in Article 19a (4) of Regulation (EEC) No 1035/72, from intervention purchasing;

Whereas this information must concern either the proportion of each of the products indicated in Article 19a of Regulation (EEC) No 1035/72 marketed through recognized producer organizations or the proportion harvested in the Member State concerned during the last three marketing years;

Whereas the Member States have supplied this information; whereas the conditions for exemption laid down in Regulation (EEC) No 1852/85 are met by certain Member States for certain products for the 1995/96 marketing year; whereas those Member States which have so applied

should therefore be exempted from the obligation to make intervention purchases,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States are hereby exempted from the obligations to make intervention purchases, as provided for in Article 19a of Regulation (EEC) No 1035/72, of pears from 1 July to 31 August 1995, and peaches, apricots, tomatoes and aubergines during the 1995/96 marketing year:

Belgium,
Denmark,
Germany,
Ireland,
Luxembourg,
Netherlands,
United Kingdom.

This exemption shall apply in respect of Greece only to the pears during the summer period referred to above.

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, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 174, 4. 7. 1985, p. 24.

COMMISSION REGULATION (EC) No 1504/95
of 29 June 1995

amending Regulations (EEC) No 2699/93 and (EC) No 1559/94 with regard to the transitional adjustment of certain rules on imports to the Community of certain egg and poultrymeat products from the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas in order to take account of existing import arrangements in the eggs and poultrymeat sector and those resulting from the Agriculture Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of partial exemption from the import duty for certain egg and poultrymeat products from the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania;

Whereas concessions were granted for certain products in the eggs and poultrymeat sectors under Commission Regulation (EEC) No 2699/93 of 30 September 1993 laying down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in the Interim Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak

Republic⁽²⁾, as last amended by Regulation (EC) No 481/95⁽³⁾, and Commission Regulation (EC) No 1559/94 of 30 June 1994 laying down detailed rules for the application in the poultrymeat and egg sectors of the arrangement provided for in the Interim Agreements between the Community, of the one part and Bulgaria and Romania, of the other part⁽⁴⁾, as last amended by Regulation (EC) No 481/95; whereas, since the levies are being replaced by customs duties from 1 July 1995, it is necessary to make transitional adjustments to these rules;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Regulations (EEC) No 2699/93 and (EC) No 1559/94, the word 'levy' shall be replaced by the words 'customs duty laid down in the Common Customs Tariff' each time that it appears.

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 July 1995 to 30 June 1996.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 245, 1. 10. 1993, p. 88.

⁽³⁾ OJ No L 49, 4. 3. 1995, p. 22.

⁽⁴⁾ OJ No L 166, 1. 7. 1994, p. 62.

COMMISSION REGULATION (EC) No 1505/95

of 29 June 1995

amending Regulation (EEC) No 903/90 laying down detailed rules for the application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

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

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas, in order to take account of existing import arrangements in the poultrymeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain poultrymeat products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 903/90⁽²⁾, as last amended by Regulation (EEC) No 1741/90⁽³⁾, lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for poultrymeat quotas; whereas, since the levies are

being replaced by customs duties from 1 July 1995, it is necessary to make transitional adjustments to these rules;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 903/90 is hereby amended as follows:

The word 'levy' is replaced by the words 'customs duty laid down in the Common Customs Tariff' each time that it appears.

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 July 1995 to 30 June 1996.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 93, 10. 4. 1990, p. 20.

⁽³⁾ OJ No L 161, 27. 6. 1990, p. 32.

**COMMISSION REGULATION (EC) No 1506/95
of 29 June 1995**

determining, for the 1995 marketing year, the estimated loss of income and the estimated level of the premium payable per ewe and per female goat and fixing the second advance payment for this premium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Council Regulation (EC) No 1265/95⁽²⁾, and in particular Article 5 (6) thereof,

Having regard to Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as last amended by Regulation (EEC) No 1974/93⁽⁴⁾ and in particular Article 13 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992, relating to the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, and in particular Article 6 thereof,

Whereas Article 5 (1) and (5) of Regulation (EEC) No 3013/89 provides for the grant of a premium to compensate for any loss of income sustained by producers of sheepmeat and, in certain areas, of goatmeat; whereas those areas are defined in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Commission Regulation (EEC) No 1065/86 of 11 April 1986 determining the mountain areas in which the premium for goatmeat is granted⁽⁷⁾, as amended by Regulation (EEC) No 3519/86⁽⁸⁾;

Whereas, pursuant to Article 5 (6) of Regulation (EEC) No 3013/89 and to enable an advance payment to be made to sheepmeat and goatmeat producers, the foreseeable loss of income should be estimated in the light of the foreseeable trend in market prices;

Whereas, pursuant to Article 5 (2) of Regulation (EEC) No 3013/89, the amount of the premium per ewe for producers of heavy lambs is obtained by multiplying the

loss of income referred to in the second subparagraph of paragraph 1 of that Article by a coefficient expressing the annual average production of heavy lamb meat per ewe producing these lambs expressed per 100 kilograms of carcass weight; whereas the coefficient for 1995 has not yet been fixed in view of the lack of full Community statistics; whereas, pending the fixing of that coefficient, a provisional coefficient should be used; whereas Article 5 (3) of that Regulation also fixes the amount per ewe for producers of light lambs and per female of the caprine species and at 80 % of the premium per ewe for producers of heavy lambs;

Whereas, pursuant to Article 8 of Regulation (EEC) No 3013/89, the premium must be reduced by the impact on the basic price of the coefficient provided for in paragraph 2 of that Article; whereas that coefficient is fixed by Article 8 (4) at 7 %;

Whereas, in accordance with Article 5 (6) of Regulation (EEC) No 3013/89, the half-yearly advance payment is fixed at 30 % of the expected premium; whereas, in accordance with Article 4 (3) of Commission Regulation (EEC) No 2700/93⁽⁹⁾, as last amended by Regulation (EC) No 279/94⁽¹⁰⁾, the advance payment is to be paid only if it is equal to or greater than ECU 1;

Whereas, for the advance payments, due to the agrimone-
tary changes which occurred on 1 February 1995 and in order to simplify administrative management, it is appropriate to apply, by derogation from Article 6 of Regulation (EEC) No 2700/93, the agricultural conversion rate valid on the abovementioned date;

Whereas Regulation (EEC) No 1601/92 provides for the application of specific measures relating to agricultural production in the Canary Islands; whereas those measures entail the grant of a supplement to the ewe premium to producers of light lambs and she-goats on the same conditions as those governing the grant of the premium referred to in Article 5 of Regulation (EEC) No 3013/89; whereas those conditions provide that Spain is authorized to pay an advance on the said supplementary premium;

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

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 123, 3. 6. 1995, p. 1.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 97, 12. 4. 1986, p. 25.

⁽⁸⁾ OJ No L 325, 20. 11. 1986, p. 17.

⁽⁹⁾ OJ No L 245, 1. 10. 1993, p. 99.

⁽¹⁰⁾ OJ No L 37, 9. 2. 1994, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

A difference is hereby estimated between the basic price, reduced by the impact of the coefficient laid down in Article 8 (2) of Regulation (EEC) No 3013/89, and the foreseeable market price during 1995 is ECU 162,785 per 100 kilograms.

Article 2

1. The estimated amount of the premium payable per ewe is as follows :

- producers of heavy lambs : ECU 26,046,
- producers of light lambs : ECU 20,837.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the second advance that the Member States are authorized to pay to producers shall be as follows :

- producers of heavy lambs : ECU 7,814 per ewe,
- producers of light lambs : ECU 6,251 per ewe.

Article 3

1. The estimated amount of the premium payable per female of the caprine species in the areas designated in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Regulation (EEC) No 1065/86 : ECU 20,837.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the second advance which the Member States are authorized to pay to goatmeat producers located in the areas designated in paragraph 1 shall be as follows : ECU 6,251 per female of the caprine species.

Article 4

By derogation from Article 6 of Regulation (EEC) No 2700/93 the advances of the ewe and she-goat premium for the 1995 marketing year are to be converted at the agricultural conversion rate valid on 1 February 1995.

Article 5

Pursuant to Article 13 (3) of Regulation (EEC) No 1601/92, the second advance on the supplementary premium for the 1995 marketing year for producers of light lambs and she-goats in the Canary Islands within the limits provided for in Article 1 (1) of Regulation (EEC) No 3493/90 (1).

- ECU 1,563 per ewe in the case of producers referred to in Article 5 (3) of that Regulation,
- ECU 1,563 per she-goat in the case of the producers referred to in Article 5 (5) of that Regulation.

Article 6

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, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

(1) OJ No L 337, 4. 12. 1990, p. 7.

COMMISSION REGULATION (EC) No 1507/95
of 29 June 1995

concerning derogations in the beef and veal sector from Regulation (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on agricultural products and from Regulation (EEC) No 3719/88 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EC) No 424/95⁽³⁾, and in particular Article 15 thereof,

Whereas, in order to guarantee that a distinction is made between quantities exported before and quantities exported on or after the date of entry into force of the Uruguay Round Agricultural Agreement, Commission Regulation (EC) No 1521/94⁽⁴⁾, lays down that the period of validity of export licences issued under the arrangements currently in force is limited to 30 June 1995 and that products covered by one of the systems referred to in Articles 4 and 5 of Council Regulation (EEC) No 565/80⁽⁵⁾, as last amended by Regulation (EEC) No 2026/83⁽⁶⁾, must be the subject of the export declaration ;

Whereas Article 6 of Commission Regulation (EEC) No 1964/82 of 20 July 1982 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals⁽⁷⁾, as last amended by Regulation (EEC) No 3169/87⁽⁸⁾, lays down that the total quantity of meat produced by boning must be exported ;

Whereas it has transpired that a large number of operators have faced marketing difficulties for certain boned cuts produced by boning and are therefore not able, despite

their efforts, to comply with the time limit of 60 days from the date of acceptance of the export declaration within which the products must leave the customs territory of the Community, which is laid down in Article 4 and Article 32 (1) of Commission Regulation (EEC) No 3665/87⁽⁹⁾, as last amended by Regulation (EC) No 331/95⁽¹⁰⁾ and Article 30 (1) (b) (i) of Commission Regulation (EEC) No 3719/88⁽¹¹⁾, as last amended by Regulation (EC) No 1199/95⁽¹²⁾; whereas provision should therefore be made, because of the exceptional circumstances affecting these products, for derogation from this time limit which should be increased to 90 days while restricting this derogation to export licences issued before 1 May 1995 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

By way of derogation from Article 30 (1) (b) (i) of Regulation (EEC) No 3719/88 and Article 4 and Article 32 (1) of Regulation (EEC) No 3665/87, the time limit of 60 days shall be increased to 90 days for boned meat covered by Code 0201 30 00 100 of the nomenclature of agricultural products for export refunds for which an export licence or an advance-fixing certificate issued before 1 May 1995 has been submitted, supported by the export declaration or the declaration of payment referred to in Article 25 (1) of Regulation (EEC) No 3665/87.

Article 2

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

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽⁴⁾ OJ No L 162, 30. 6. 1994, p. 47.

⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁶⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁸⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 38, 18. 2. 1995, p. 1.

⁽¹¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽¹²⁾ OJ No L 119, 30. 5. 1995, p. 4.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1508/95

of 29 June 1995

determining the extent to which applications in the beef and veal sector for import rights lodged pursuant to Regulation (EC) No 1151/95 may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1151/95 of 22 May 1995 opening and providing for the administration of a tariff quota for meat of bovine animals, frozen, falling within CN code 0202 and products falling within CN code 0206 29 91 (from 1 July 1995 to 30 June 1996)⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EC) No 1151/95 provides in particular for the quantities reserved for traditional importers to be allocated in proportion to their imports in 1992, 1993 and 1994; whereas in the other cases the quantities applied for exceed the quantities available under Article 2 (2) of that Regulation; whereas, therefore, the quantities applied for should be reduced on a proportional basis in accordance with Article 5 (2) of Regulation (EC) No 1151/95,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for an import licence lodged in accordance with Regulation (EC) No 1151/95 shall be granted to the following extent:

- (a) 249,704 kg per tonne imported in 1992, 1993 and 1994 for importers as defined in Article 2 (1) (a) of Regulation (EC) No 1151/95;
- (b) 144,688 kg per tonne applied for in the case of importers as defined in Article 2 (2) of Regulation (EC) No 1151/95.

Article 2

This Regulation shall enter into force on 30 June 1995.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 116, 23. 5. 1995, p. 15.

COMMISSION REGULATION (EC) No 1509/95**of 29 June 1995****suspending advance fixing of export refunds on 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 second subparagraph of Article 13 (7) thereof,

Having regard to Commission Regulation (EC) No 1222/94 of 31 May 1994 laying down general 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⁽²⁾, as last amended by Regulation (EC) No 1149/95⁽³⁾, and in particular the second subparagraph of Article 5 (3) thereof,

Whereas the second subparagraph of Article 13 (7) of Regulation (EEC) No 1766/92 and the second subparagraph of Article 5 (3) of Regulation (EC) No 1222/94

make provision for advance fixing of the refund to be suspended for basic products exported in the form of certain goods;

Whereas the situation on the market and in order to prevent applications for advance fixing of refunds for speculative purposes, the abovementioned advance fixing should be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of export refunds on maize (corn), exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92, is suspended until 30 June 1995.

Article 2

This Regulation shall enter into force on 30 June 1995.

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

Done at Brussels, 29 June 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽³⁾ OJ No L 116, 23. 5. 1995, p. 1.

COMMISSION REGULATION (EC) No 1510/95

of 29 June 1995

setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products last for the benefit of the Canary Islands⁽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 2 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

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

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 1053/95⁽⁸⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

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

⁽³⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ No L 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.

ANNEX

to the Commission Regulation of 29 June 1995 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(ECU/tonne)

Product (CN code)	Amount of aid
	Canary Islands
Milled rice (1006 30)	322,00
Broken rice (1006 40)	71,00

COMMISSION REGULATION (EC) No 1511/95

of 29 June 1995

setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira⁽¹⁾, as last amended by Commission Regulation (EC) No 3290/94⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products⁽⁵⁾, as last amended by Regulation (EC) No 1683/94⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

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

Done at Brussels, 29 June 1995.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 1053/95⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

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

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ No L 178, 12. 7. 1994, p. 53.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 107, 12. 5. 1995, p. 4.

ANNEX

to the Commission Regulation of 29 June 1995 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	322,00	322,00

COMMISSION REGULATION (EC) No 1512/95
of 29 June 1995
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 17 (3) thereof,

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

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

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

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

when prices in international trade are being determined particular account should be taken of:

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

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

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾;

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

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

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

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

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾ prohibits trade between the European Community and the Federal

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

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

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

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁸⁾ OJ No L 267, 29. 9. 1990, p. 14.

⁽⁹⁾ OJ No L 325, 17. 12. 1994, p. 17.

ANNEX

to the Commission Regulation of 29 June 1995 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000	+	5,880	0402 21 91 500	+	121,88
0401 10 90 000	+	5,880	0402 21 91 600	+	132,08
0401 20 11 100	+	5,880	0402 21 91 700	+	138,07
0401 20 11 500	+	9,089	0402 21 91 900	+	144,83
0401 20 19 100	+	5,880	0402 21 99 100	+	109,44
0401 20 19 500	+	9,089	0402 21 99 200	+	110,19
0401 20 91 100	+	12,10	0402 21 99 300	+	111,55
0401 20 91 500	+	14,10	0402 21 99 400	+	119,23
0401 20 99 100	+	12,10	0402 21 99 500	+	121,88
0401 20 99 500	+	14,10	0402 21 99 600	+	132,08
0401 30 11 100	+	18,11	0402 21 99 700	+	138,07
0401 30 11 400	+	27,93	0402 21 99 900	+	144,83
0401 30 11 700	+	41,95	0402 29 15 200	+	0,6800
0401 30 19 100	+	18,11	0402 29 15 300	+	0,9587
0401 30 19 400	+	27,93	0402 29 15 500	+	1,0101
0401 30 19 700	+	41,95	0402 29 15 900	+	1,0864
0401 30 31 100	+	49,96	0402 29 19 200	+	0,6800
0401 30 31 400	+	78,02	0402 29 19 300	+	0,9587
0401 30 31 700	+	86,03	0402 29 19 500	+	1,0101
0401 30 39 100	+	49,96	0402 29 19 900	+	1,0864
0401 30 39 400	+	78,02	0402 29 91 100	+	1,0944
0401 30 39 700	+	86,03	0402 29 91 500	+	1,1923
0401 30 91 100	+	98,05	0402 29 99 100	+	1,0944
0401 30 91 400	+	144,11	0402 29 99 500	+	1,1923
0401 30 91 700	+	168,17	0402 91 11 110	+	5,880
0401 30 99 100	+	98,05	0402 91 11 120	+	12,10
0401 30 99 400	+	144,11	0402 91 11 310	+	20,71
0401 30 99 700	+	168,17	0402 91 11 350	+	25,38
0402 10 11 000	+	68,00	0402 91 11 370	+	30,87
0402 10 19 000	+	68,00	0402 91 19 110	+	5,880
0402 10 91 000	+	0,6800	0402 91 19 120	+	12,10
0402 10 99 000	+	0,6800	0402 91 19 310	+	20,71
0402 21 11 200	+	68,00	0402 91 19 350	+	25,38
0402 21 11 300	+	95,87	0402 91 19 370	+	30,87
0402 21 11 500	+	101,01	0402 91 31 100	+	23,92
0402 21 11 900	+	108,64	0402 91 31 300	+	36,48
0402 21 17 000	+	68,00	0402 91 39 100	+	23,92
0402 21 19 300	+	95,87	0402 91 39 300	+	36,48
0402 21 19 500	+	101,01	0402 91 51 000	+	27,93
0402 21 19 900	+	108,64	0402 91 59 000	+	27,93
0402 21 91 100	+	109,44	0402 91 91 000	+	98,05
0402 21 91 200	+	110,19	0402 91 99 000	+	98,05
0402 21 91 300	+	111,55	0402 99 11 110	+	0,0588
0402 21 91 400	+	119,23	0402 99 11 130	+	0,1210

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 11 150	+	0,1976	0403 90 61 100	+	0,0588
0402 99 11 310	+	23,89	0403 90 61 300	+	0,0909
0402 99 11 330	+	28,66	0403 90 63 000	+	0,1210
0402 99 11 350	+	38,11	0403 90 69 000	+	0,1811
0402 99 19 110	+	0,0588	0404 90 11 100	+	67,00
0402 99 19 130	+	0,1210	0404 90 11 910	+	5,880
0402 99 19 150	+	0,1976	0404 90 11 950	+	20,53
0402 99 19 310	+	23,89	0404 90 13 120	+	67,00
0402 99 19 330	+	28,66	0404 90 13 130	+	95,02
0402 99 19 350	+	38,11	0404 90 13 140	+	100,10
0402 99 31 110	+	0,2593	0404 90 13 150	+	107,67
0402 99 31 150	+	39,66	0404 90 13 911	+	5,880
0402 99 31 300	+	0,4996	0404 90 13 913	+	12,10
0402 99 31 500	+	0,8603	0404 90 13 915	+	18,11
0402 99 39 110	+	0,2593	0404 90 13 917	+	27,93
0402 99 39 150	+	39,66	0404 90 13 919	+	41,95
0402 99 39 300	+	0,4996	0404 90 13 931	+	20,53
0402 99 39 500	+	0,8603	0404 90 13 933	+	25,18
0402 99 91 000	+	0,9805	0404 90 13 935	+	30,61
0402 99 99 000	+	0,9805	0404 90 13 937	+	36,18
0403 10 22 100	+	5,880	0404 90 13 939	+	37,83
0403 10 22 300	+	9,089	0404 90 19 110	+	108,47
0403 10 24 000	+	12,10	0404 90 19 115	+	109,20
0403 10 26 000	+	18,11	0404 90 19 120	+	110,56
0403 10 32 100	+	0,0588	0404 90 19 130	+	118,17
0403 10 32 300	+	0,0909	0404 90 19 135	+	120,78
0403 10 34 000	+	0,1210	0404 90 19 150	+	130,89
0403 10 36 000	+	0,1811	0404 90 19 160	+	136,84
0403 90 11 000	+	67,00	0404 90 19 180	+	143,53
0403 90 13 200	+	67,00	0404 90 31 100	+	67,00
0403 90 13 300	+	95,02	0404 90 31 910	+	5,880
0403 90 13 500	+	100,10	0404 90 31 950	+	20,53
0403 90 13 900	+	107,67	0404 90 33 120	+	67,00
0403 90 19 000	+	108,47	0404 90 33 130	+	95,02
0403 90 31 000	+	0,6700	0404 90 33 140	+	100,10
0403 90 33 200	+	0,6700	0404 90 33 150	+	107,67
0403 90 33 300	+	0,9502	0404 90 33 911	+	5,880
0403 90 33 500	+	1,0010	0404 90 33 913	+	12,10
0403 90 33 900	+	1,0767	0404 90 33 915	+	18,11
0403 90 39 000	+	1,0847	0404 90 33 917	+	27,93
0403 90 51 100	+	5,880	0404 90 33 919	+	41,95
0403 90 51 300	+	9,089	0404 90 33 931	+	20,53
0403 90 53 000	+	12,10	0404 90 33 933	+	25,18
0403 90 59 110	+	18,11	0404 90 33 935	+	30,61
0403 90 59 140	+	27,93	0404 90 33 937	+	36,18
0403 90 59 170	+	41,95	0404 90 33 939	+	37,83
0403 90 59 310	+	49,96	0404 90 39 110	+	108,47
0403 90 59 340	+	78,02	0404 90 39 115	+	109,20
0403 90 59 370	+	86,03	0404 90 39 120	+	110,56
0403 90 59 510	+	98,05	0404 90 39 130	+	118,17
0403 90 59 540	+	144,11			
0403 90 59 570	+	168,17			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0404 90 39 150	+	120,78	0405 00 19 500	+	156,10
0404 90 51 100	+	0,6700	0405 00 19 700	+	160,00
0404 90 51 910	+	0,0588	0405 00 90 100	+	181,13
0404 90 51 950	+	23,70	0405 00 90 900	+	233,21
0404 90 53 110	+	0,6700	0406 10 20 100	+	—
0404 90 53 130	+	0,9502	0406 10 20 230	028	—
0404 90 53 150	+	1,0010		400	35,39
0404 90 53 170	+	1,0767		404	—
0404 90 53 911	+	0,0588		***	43,47
0404 90 53 913	+	0,1210	0406 10 20 290	028	—
0404 90 53 915	+	0,1811		400	35,39
0404 90 53 917	+	0,2793		404	—
0404 90 53 919	+	0,4195		***	43,47
0404 90 53 931	+	23,70	0406 10 20 610	028	12,24
0404 90 53 933	+	28,43		037	—
0404 90 53 935	+	37,79		039	—
0404 90 53 937	+	39,33		400	79,06
0404 90 59 130	+	1,0847		404	—
0404 90 59 150	+	1,1817		***	81,10
0404 90 59 930	+	0,5998	0406 10 20 620	028	18,13
0404 90 59 950	+	0,8603		037	—
0404 90 59 990	+	0,9805		039	—
0404 90 91 100	+	0,6700		400	87,17
0404 90 91 910	+	0,0588		404	—
0404 90 91 950	+	23,70		***	88,93
0404 90 93 110	+	0,6700	0406 10 20 630	028	21,75
0404 90 93 130	+	0,9502		037	—
0404 90 93 150	+	1,0010		039	—
0404 90 93 170	+	1,0767		400	99,07
0404 90 93 911	+	0,0588		404	—
0404 90 93 913	+	0,1210	0406 10 20 640	028	—
0404 90 93 915	+	0,1811		037	—
0404 90 93 917	+	0,2793		039	—
0404 90 93 919	+	0,4195		400	117,82
0404 90 93 931	+	23,70		404	—
0404 90 93 933	+	28,43		***	117,82
0404 90 93 935	+	37,79	0406 10 20 650	028	24,93
0404 90 93 937	+	39,33		037	—
0404 90 99 130	+	1,0847		039	—
0404 90 99 150	+	1,1817		400	58,91
0404 90 99 930	+	0,5998		404	—
0404 90 99 950	+	0,8603		***	122,66
0404 90 99 990	+	0,9805	0406 10 20 660	+	—
0405 00 11 200	+	120,98	0406 10 20 810	028	—
0405 00 11 300	+	152,20		037	—
0405 00 11 500	+	156,10		039	—
0405 00 11 700	+	160,00		400	19,10
0405 00 19 200	+	120,98		404	—
0405 00 19 300	+	152,20		***	19,10

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 10 20 830	028	—	0406 30 10 200	028	—	
	037	—		037	—	
	039	—		039	—	
	400	32,60		400	39,43	
	404	—		404	—	
	...	32,60		...	44,12	
0406 10 20 850	028	—	0406 30 10 250	028	—	
	037	—		037	—	
	039	—		039	—	
	400	39,53		400	39,43	
	404	—		404	—	
	...	39,53		...	44,12	
0406 10 20 870	+	—	0406 30 10 300	028	—	
0406 10 20 900	+	—		037	—	
0406 20 90 100	+	—		039	—	
0406 20 90 913	028	—		400	57,91	
	400	76,99		404	—	
	404	—		...	64,73	
	...	76,99	0406 30 10 350	028	—	
0406 20 90 915	028	—		037	—	
	400	102,65		039	—	
	404	—		400	39,43	
	...	102,65		404	—	
0406 20 90 917	028	—		...	44,12	
	400	109,05	0406 30 10 400	028	—	
	404	—		037	—	
	...	109,05		039	—	
0406 20 90 919	028	—		400	57,91	
	400	121,89		404	—	
	404	—		...	64,73	
	...	121,89	0406 30 10 450	028	—	
0406 20 90 990	+	—		037	—	
	+	—		039	—	
	+	—		400	84,31	
	+	—		404	—	
0406 30 10 100	028	—		...	94,20	
	037	—	0406 30 10 500	+	—	
	039	—		0406 30 10 550	028	—
	400	18,15			037	—
404	—	039			—	
...	20,69	400			39,43	
0406 30 10 150	028	—			404	18,13
	037	—	...		44,12	
	039	—	0406 30 10 600	028	—	
	400	18,15		037	—	
	404	—		039	—	
	...	20,69		400	57,91	
		404		25,38		
		...		64,73		

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)		
0406 30 10 650	028	—	0406 30 31 730	028	—		
	037	—		037	—		
	039	—		039	—		
	400	84,31		400	57,91		
	404	—		404	—		
	...	94,20		...	64,73		
0406 30 10 700	028	—	0406 30 31 910	028	—		
	037	—		037	—		
	039	—		039	—		
	400	84,31		400	39,43		
	404	—		404	—		
	...	94,20		...	44,12		
0406 30 10 750	028	—	0406 30 31 930	028	—		
	037	—		037	—		
	039	—		039	—		
	400	102,91		400	57,91		
	404	—		404	—		
	...	114,99		...	64,73		
0406 30 10 800	028	—	0406 30 31 950	028	—		
	037	—		037	—		
	039	—		039	—		
	400	102,91		400	84,31		
	404	—		404	—		
	...	114,99		...	94,20		
0406 30 31 100	+	—	0406 30 39 100	+	—		
	0406 30 31 300	028		—	0406 30 39 300	028	—
		037		—		037	—
		039		—		039	—
		400		18,15		400	39,43
		404		—		404	18,13
...		20,69	...	44,12			
0406 30 31 500	028	—	0406 30 39 500	028	—		
	037	—		037	—		
	039	—		039	—		
	400	39,43		400	57,91		
	404	—		404	25,38		
	...	44,12		...	64,73		
0406 30 31 710	028	—	0406 30 39 700	028	—		
	037	—		037	—		
	039	—		039	—		
	400	39,43		400	84,31		
	404	—		404	—		
	...	44,12		...	94,20		
0406 30 31 930	028	—	0406 30 39 930	028	—		
	037	—		037	—		
	039	—		039	—		
	400	39,43		400	84,31		
	404	—		404	—		
	...	44,12		...	94,20		

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 39 950	028	—	0406 90 06 900	+	—
	037	—	0406 90 07 000	028	—
	039	—		037	—
	400	102,91		039	—
	404	—		400	117,82
	...	114,99		404	—
0406 30 90 000	028	—		...	144,41
	037	—	0406 90 08 100	028	—
	039	—		037	—
	400	102,91		039	—
	404	—		400	117,82
	...	114,99		404	—
0406 40 50 000	028	—		...	144,41
	400	108,78	0406 90 08 900	+	—
	404	—	0406 90 09 100	028	—
	...	114,66		037	—
0406 40 90 000	028	—		039	—
	400	108,78		400	117,82
	404	—		404	—
	...	114,66		...	144,41
0406 90 02 100	028	—	0406 90 09 900	+	—
	037	—	0406 90 12 000	028	—
	039	—		037	—
	400	117,82		039	—
	404	—		400	117,82
	...	144,41		404	—
0406 90 02 900	+	—		...	144,41
0406 90 03 100	028	—	0406 90 14 100	028	—
	037	—		037	—
	039	—		039	—
	400	117,82		400	117,82
	404	—		404	—
	...	144,41		...	144,41
0406 90 03 900	+	—	0406 90 14 900	+	—
0406 90 04 100	028	—	0406 90 16 100	028	—
	037	—		037	—
	039	—		039	—
	400	117,82		400	117,82
	404	—		404	—
	...	144,41		...	144,41
0406 90 04 900	+	—	0406 90 16 900	+	—
0406 90 05 100	028	—	0406 90 21 900	028	—
	037	—		037	—
	039	—		039	—
	400	117,82		400	117,82
	404	—		404	—
	...	144,41		...	137,48
0406 90 05 900	+	—	0406 90 23 900	028	—
0406 90 06 100	028	—		037	—
	037	—		039	—
	039	—		400	58,91
	400	117,82		404	—
	404	—		...	122,66
	...	144,41			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 90 25 900	028	—	0406 90 35 990	028	—	
	037	—		037	—	
	039	—		039	—	
	400	58,91		400	117,82	
	404	—		404	—	
	***	122,66		***	117,82	
0406 90 27 900	028	—	0406 90 37 000	028	—	
	037	—		037	—	
	039	—		039	—	
	400	50,87		400	117,82	
	404	—		404	—	
	***	103,95		***	144,41	
0406 90 31 119	028	—	0406 90 61 000	028	—	
	037	—		037	81,58	
	039	—		039	81,58	
	400	56,62		400	167,67	
	404	14,50		404	126,88	
	***	81,53		***	167,67	
0406 90 31 151	028	—	0406 90 63 100	028	—	
	037	—		037	95,19	
	039	—		039	95,19	
	400	52,92		400	192,25	
	404	13,56		404	145,01	
	***	75,99		***	192,25	
0406 90 31 159	+	—	0406 90 63 900	028	—	
0406 90 33 119	028	—		037	63,45	
	037	—		039	63,45	
	039	—		400	135,95	
	400	56,62		404	72,51	
	404	14,50		***	149,54	
	***	81,53	0406 90 69 100	+	—	
0406 90 33 151	028	—		0406 90 69 910	028	—
	037	—			037	63,45
	039	—			039	63,45
	400	52,92			400	135,95
	404	13,56			404	72,51
	***	75,99	***		149,54	
0406 90 33 919	028	—	0406 90 73 900	028	—	
	037	—		037	38,67	
	039	—		039	38,67	
	400	56,62		400	136,87	
	404	14,50		404	108,78	
	***	81,53		***	136,87	
0406 90 33 951	028	—	0406 90 75 900	028	—	
	037	—		037	—	
	039	—		039	—	
	400	52,92		400	58,91	
	404	13,56		404	—	
	***	75,99		***	114,16	
0406 90 35 190	028	—	0406 90 76 100	028	21,75	
	037	38,67		037	—	
	039	38,67		039	—	
	400	143,69		400	53,26	
	404	81,58		404	—	
	***	143,69		***	100,41	

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 90 76 300	028	—	0406 90 85 995	028	24,93	
	037	—		037	—	
	039	—		039	—	
	400	58,91		400	58,91	
	404	—		404	—	
	...	122,66		...	122,66	
0406 90 76 500	028	—	0406 90 85 999	+	—	
	037	—	0406 90 86 100	+	—	
	039	—	0406 90 86 200	028	12,24	
	400	67,98		037	—	
	404	—		039	—	
	...	122,66	400	81,10		
0406 90 78 100	028	21,75	404	—		
	037	—	...	81,10		
	039	—	0406 90 86 300	028	18,13	
	400	53,26		037	—	
	404	—		039	—	
	...	100,41	400	87,17		
0406 90 78 300	028	—	404	—		
	037	—	...	88,93		
	039	—	0406 90 86 400	028	21,75	
	400	58,91		037	—	
	404	—		039	—	
	...	122,66	400	99,07		
0406 90 78 500	028	—	404	—		
	037	—	...	100,41		
	039	—	0406 90 86 900	028	—	
	400	67,98		037	—	
	404	—		039	—	
	...	122,66	400	117,82		
0406 90 79 900	028	—	404	—		
	037	—	...	117,82		
	039	—	0406 90 87 100	+	—	
	400	50,87		0406 90 87 200	028	12,24
	404	—			037	—
	...	103,95	039	—		
0406 90 81 900	028	—	400	81,10		
	037	—	404	—		
	039	—	...	81,10		
	400	117,82	0406 90 87 300	028	18,13	
	404	—		037	—	
...	117,82	039		—		
0406 90 85 910	028	—	400	87,17		
	037	38,67	404	—		
	039	38,67	...	88,93		
	400	143,69	0406 90 87 400	028	21,75	
	404	81,58		037	—	
...	143,69	039		—		
0406 90 85 991	028	—	400	99,07		
	037	—	404	—		
	039	—	...	100,41		
	400	117,82				
	404	—				
	...	117,82				

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 90 87 951	028	—	2309 10 15 500	+	—	
	037	38,67	2309 10 15 700	+	—	
	039	38,67	2309 10 19 010	+	—	
	400	136,87	2309 10 19 100	+	—	
	404	81,58	2309 10 19 200	+	—	
0406 90 87 971	...	136,87	2309 10 19 300	+	—	
	028	24,93	2309 10 19 400	+	—	
	037	—	2309 10 19 500	+	—	
	039	—	2309 10 19 600	+	—	
	400	67,07	2309 10 19 700	+	—	
0406 90 87 972	404	—	2309 10 19 800	+	—	
	...	122,66	2309 10 70 010	+	—	
	028	—	2309 10 70 100	+	20,03	
	400	35,39	2309 10 70 200	+	26,71	
	404	—	2309 10 70 300	+	33,39	
0406 90 87 979	...	43,47	2309 10 70 500	+	40,05	
	028	24,93	2309 10 70 600	+	46,73	
	037	—	2309 10 70 700	+	53,41	
	039	—	2309 10 70 800	+	58,76	
	400	67,07	2309 90 35 010	+	—	
0406 90 88 100	404	—	2309 90 35 100	+	—	
	...	122,66	2309 90 35 200	+	—	
	+	—	2309 90 35 300	+	—	
	0406 90 88 200	028	12,24	2309 90 35 400	+	—
	037	—	2309 90 35 500	+	—	
0406 90 88 300	039	—	2309 90 35 700	+	—	
	400	81,10	2309 90 39 010	+	—	
	404	—	2309 90 39 100	+	—	
	...	81,10	2309 90 39 200	+	—	
	028	18,13	2309 90 39 300	+	—	
2309 10 15 010	037	—	2309 90 39 400	+	—	
	039	—	2309 90 39 500	+	—	
	400	87,17	2309 90 39 600	+	—	
	404	—	2309 90 39 700	+	—	
	...	88,93	2309 90 39 800	+	—	
2309 10 15 100	+	—	2309 90 70 010	+	—	
	2309 10 15 200	+	2309 90 70 100	+	20,03	
	2309 10 15 300	+	2309 90 70 200	+	26,71	
	2309 10 15 400	+	2309 90 70 300	+	33,39	
	+	—	2309 90 70 500	+	40,05	
2309 10 15 500	+	—	2309 90 70 600	+	46,73	
	+	—	2309 90 70 700	+	53,41	
	+	—	2309 90 70 800	+	58,76	
	+	—				
	+	—				

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17). For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by "".

Where no destination (+) is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

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

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

COMMISSION REGULATION (EC) No 1513/95
of 29 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 30 June 1995.

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

Done at Brussels, 29 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 29 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	49,3
	060	80,2
	066	41,7
	068	32,4
	204	50,9
	212	117,9
	624	75,0
	999	63,9
	0707 00 25	052
053		166,9
060		39,2
066		53,8
068		60,4
204		49,1
624		207,3
999		89,5
0709 90 77		052
	204	77,5
	624	196,3
	999	109,7
0805 30 30	388	67,3
	528	50,4
	600	54,7
	624	78,0
	999	62,6
0809 10 30	052	133,4
	064	133,6
	999	133,5
0809 20 41, 0809 20 49	052	188,2
	064	150,1
	068	228,7
	400	225,8
	624	282,4
	676	166,2
	999	206,9
	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 1514/95

of 29 June 1995

amending Regulation (EC) No 437/95 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 by Regulation (EC) No 3290/94⁽²⁾, 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⁽³⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EC) No 437/95⁽⁴⁾, as last amended by Regulation (EC) No 1419/95⁽⁵⁾, lays down detailed rules for granting a special refund for exports of poultrymeat sector products to certain third countries;

Whereas certificates issued pursuant to Regulation (EC) No 437/95 are submitted to the provisions on the one hand of Commission Regulation (EEC) No 3652/81 of 18 December 1981 applying detailed rules of application to the scheme for certificates for the advance fixing of refunds in the poultrymeat and eggs sector⁽⁶⁾, as last

amended by Regulation (EC) No 1030/95⁽⁷⁾ and on the other hand of Commission Regulation (EC) No 1521/94 of 29 June 1994 limiting the period of validity of export licences both with and without advance fixing of the export refund⁽⁸⁾; it is advisable to endorse requests made on 26 and 27 June 1995 for advance fixing certificates;

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

The following paragraph is added to Article 2 of Regulation (EC) No 437/95;

'3. Notwithstanding Article 4 (1) of Regulation (EEC) No 3652/81, the advance fixing certificates for requests submitted on 26 and 27 June 1995 and communicated to the Commission not later than 12 noon on 28 June 1995 shall be issued on 30 June 1995.'

Article 2

This Regulation shall enter into force on 30 June 1995.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

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

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 45, 1. 3. 1995, p. 30.

⁽⁵⁾ OJ No L 141, 24. 6. 1995, p. 8.

⁽⁶⁾ OJ No L 364, 19. 12. 1981, p. 19.

⁽⁷⁾ OJ No L 103, 6. 5. 1995, p. 36.

⁽⁸⁾ OJ No L 162, 30. 6. 1994, p. 47.

COMMISSION REGULATION (EC) No 1515/95

of 29 June 1995

amending Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 3 (1) thereof,

For the 1995/96 marketing year Regulation (EEC) No 2245/90 is hereby amended as follows:

1. Article 2 (2) is replaced by the following:

'2. The licence shall contain one of the following entries in box 24:

— Producto ACP/PTU:

- exención de derechos de importación
- apartado 2 del artículo 1 y apartados 1 y 3 del artículo 14 del Reglamento (CEE) nº 715/90,

— AVS/OLT-produkt:

- fritagelse for importtold
- forordning (EØF) nr. 715/90: artikel 1, stk. 2, og artikel 14, stk. 1 og 3,

— Erzeugnis AKP/ÜLG:

- Befreiung vom Einfuhrzoll
- Verordnung (EWG) Nr. 715/90 Artikel 1 Absatz 2 und Artikel 14 Absätze 1 und 3,

— προϊόν ΑΚΕ/ΥΧΕ:

- απαλλαγή από εισαγωγικό δασμό
- άρθρο 1 παράγραφος 2 και άρθρο 14 παράγραφοι 1 και 3 του κανονισμού (ΕΟΚ) αριθ. 715/90,

— ACP/OCT product:

- exemption from import duty
- Regulation (EEC) No 715/90, Article 1 (2) and Article 14 (1) and (3),

— produit ACP/PTOM:

- exemption de droit à l'importation
- règlement (CEE) nº 715/90, article 1^{er} paragraphe 2 et article 14 paragraphes 1 et 3,

— prodotto ACP/PTOM:

- esenzione dal dazio all'importazione
- regolamento (CEE) n. 715/90, articolo 1, paragrafo 2 e articolo 14, paragrafi 1 e 3,

Whereas in order to take account of the existing import arrangements in the cereals sector and those resulting from the agreement on agriculture concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are necessary to adjust the preferential concessions in the form of exemption from the import levy on certain products covered by CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 2245/90 of 31 July 1990 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific States or in overseas countries and territories⁽²⁾ lays down detailed rules for the application of those arrangements as they concern preferential conditions in the form of exemption from the import levy for products covered by CN codes 0714 10 91 and 0714 90 11; whereas, since the levies are being replaced by customs duties and the advance fixing of the import charge is being suspended from 1 July 1995; it is necessary to make transitional adjustments to those provisions;

Whereas the rates of duties of the Common Customs Tariff shall be those applicable on the day of declaration of release for free circulation of the imports;

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

⁽¹⁾ OJ No L 349, 22. 12. 1994, p. 105.

⁽²⁾ OJ No L 203, 1. 8. 1990, p. 47.

- Produkt ACS/LGO :
- vrijstelling van invoerrecht
 - Verordening (EEG) nr. 715/90 : artikel 1, lid 2, en artikel 14, leden 1 en 3,
- produto ACP/PTU :
- isenção do direito de importação
 - Regulamento (CEE) n° 715/90, n° 2 do artigo 1° e n°s 1 e 3 do artigo 14°,
- AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote:
- vapautus tuontitullista
 - asetuksen (ETY) N:o 715/90 1 artiklan 2 kohta ja 14 artiklan 1 ja 3 kohta,
- AVS/ULT-produkt:
- Befriad från importtull
 - Förordning (EEG) nr 715/90 artiklarna 1.2, 14.1 och 14.3.'
2. Article 4 (3) is hereby replaced by the following :
- '3. The licence shall contain one of the following entries in box 24 ;
- Product ACP/PTU :
- exención de derechos de importación
 - apartado 1 del artículo 24 del Reglamento (CEE) n° 715/90
 - exclusivamente válido para el despacho a libre práctica en los departamentos de Ultramar,
- AVS/OLT-produkt :
- fritagelse for importtold
 - forordning (EØF) nr. 715/90 : artikel 24, stk. 1
 - gælder udelukkende for overgang til fri omsætning i de oversøiske departementer,
- Erzeugnis AKP/ÜLG :
- Befreiung vom Einfuhrzoll
 - Verordnung (EWG) Nr. 715/90 Artikel 24 Absatz 1
 - Gilt ausschließlich für die Abfertigung zum freien Verkehr in den französischen überseeischen Departements,
- προϊόν ΑΚΕ/ΥΧΕ:
- απαλλαγή από εισαγωγικό δασμό
 - άρθρο 24 παράγραφος 1, του κανονισμού (ΕΟΚ) αριθ. 715/90
 - ισχύει αποκλειστικά για τη θέση σε ελεύθερη κυκλοφορία στα υπερπόντια διαμερίσματα,
- ACP/OCT product :
- exemption from import duty
 - Regulation (EEC) No 715/90, Article 24 (1)
 - valid exclusively for release for free circulation in the overseas departments,
- produit ACP/PTOM :
- exemption de droit à l'importation
 - règlement (CEE) n° 715/90, article 24 paragraphe 1
 - exclusivement valable pour une mise en libre pratique dans les départements d'outre-mer,
- prodotto ACP/PTOM :
- esenzione dal dazio all'importazione
 - regolamento (CEE) n. 715/90, articolo 24, paragrafo 1
 - valido esclusivamente per l'immissione in libera pratica nei DOM,
- Produkt ACS/LGO :
- vrijstelling van invoerrecht
 - Verordening (EEG) nr. 715/90, artikel 24, lid 1
 - geldt uitsluitend voor het in het vrije verkeer brengen in de Franse overzeese departementen,
- produto ACP/PTU :
- isenção do direito de importação
 - Regulamento (CEE) n° 715/90, n° 1 do artigo 24°
 - válido exclusivamente para uma introdução em livre prática nos departamentos ultramarinos,
- AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote:
- vapautus tuontitullista
 - asetuksen (ETY) N:o 715/90 24 artiklan 1 kohta
 - voimassa ainoastaan merentakaisilla alueilla vapaaseen liikkeeseen laskemiseksi,
- AVS/ULT-produkt:
- Befriad från importtull
 - Förordning (EEG) nr 715/90 artikel 24.1
 - Uteslutande avsedd för övergång till fri omsättning i de utomeuropeiska länderna och territorierna.'

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 July 1995 to 30 June 1996.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1516/95
of 29 June 1995**

amending Regulation (EEC) No 1722/93 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors 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 by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 3290/94, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively ⁽⁴⁾, as last amended by Regulation (EC) No 3125/94 ⁽⁵⁾, must be adapted to take account of the import regime for cereals resulting from the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations; whereas, in order to verify that the value of the production refund is correct, prices of maize and/or of wheat and of barley on the world and Community markets must be kept under observation;

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 (EEC) No 1722/93 is hereby amended as follows:

1. Article 1 (6) is replaced by the following:

'6. Starches imported into the Community under an import scheme which gives rise to a reduction in

import duty may not benefit from a production refund.';

2. paragraphs 2 and 3 of Article 3 are replaced by the following:

'2. The refund per tonne of maize starch, wheat starch, potato starch, rice starch or broken rice starch shall be calculated on the basis, *inter alia*, of the difference between:

(i) the intervention price for cereals for the month in question taking account of the differences in the market prices for maize;

and

(ii) the average of the representative prices on importation cif at Rotterdam used to calculate the import duty on maize during the two weeks preceding the month of application, multiplied by a coefficient of 1,60.

3. The refund per tonne of barley starch or oat starch shall be calculated in particular on the basis of the difference between:

(i) the intervention price for cereals for the month in question taking account of the differences in the market prices for barley;

and

(ii) the average of the representative prices on importation cif at Rotterdam used to calculate the import duty on barley during the two weeks preceding the month of application, multiplied by a coefficient of 2,7.';

3. Article 12 is replaced by the following:

Article 12

Within three months of the end of each period as defined in Article 3 (1), Member States shall notify the Commission of the type, quantities and origin of starch (maize, wheat, potato, barley, oats or rice) for which refunds have been paid and the type and quantities of products for which the starch has been used.'

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 July 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 112.

⁽⁵⁾ OJ No L 330, 21. 12. 1994, p. 39.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1517/95

of 29 June 1995

laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for 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 by Regulation (EC) No 3290/94⁽²⁾, and in particular Articles 10 (4), 11 (4), 13 (11) and 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 3290/94, and in particular Articles 13 (4), 14 (16) and 17 thereof,

Whereas, depending on its composition, prepared animal fodder under CN code 2309 falls within the scope of Regulation (EEC) No 1766/92 or Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94; whereas, in the case of those products falling within the scope of Regulation (EEC) No 1766/92, import levies are replaced by import duties from 1 July 1995;

Whereas Article 9 of Regulation (EEC) No 1766/92 requires submission of an import or export licence for the products listed in Article 1 of that Regulation, which include preparations of the types used for animal feed;

Whereas Article 13 of Regulation (EEC) No 1766/92 provides for an export refund to be granted in respect of the goods listed in Annex A to that Regulation; whereas the main object of the refund is to compensate for the difference between the prices of the basic products in the Community and those on the world market; whereas

general rules for the granting of that refund should be laid down;

Whereas, for the purpose of paying the refund, only those products, the quantities of which incorporated in the compound feedingstuff and their features are truly representative of the substance of the cereal-based feedingstuff in question, that is, cereals, cereal flour and unprepared products derived from the grinding and treatment of cereals should be taken into consideration, to the exclusion of other products whose inclusion in feedingstuffs of this type is complementary or marginal;

Whereas the amount of the refund relating to these various cereal products should take particular account of the difference between prices on the world market and those on the Community market for basic cereals, i.e. maize, wheat and barley;

Whereas adjustment of refunds fixed in advance should take account of the factors on which the refund was based; whereas that adjustment should take account of the content in cereal products;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and advance fixing of export refunds on cereal-based compound feedingstuffs⁽⁵⁾, as last amended by Regulation (EC) No 1707/94⁽⁶⁾, and Commission Regulation (EEC) No 1619/93 of 25 June 1993 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the arrangements applicable to cereal-based feedingstuffs⁽⁷⁾ should be repealed from 1 July 1995; whereas this Regulation takes over the provisions of those Regulations and adapts them to the present market situation and implementation of the agreements reached as part of the Uruguay Round of multilateral trade negotiations;

Whereas, since Article 5 (2) of Commission Regulation (EEC) No 891/89⁽⁸⁾, as last amended by Regulation (EC) No 1043/95, was incorporated into Article 4 (2) of Commission Regulation (EC) No 1162/95 of 23 May 1995

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁵⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁶⁾ OJ No L 180, 14. 7. 1994, p. 19.

⁽⁷⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁸⁾ OJ No L 94, 7. 4. 1989, p. 13.

laying down special detailed rules for the application of the system of import and export licences for cereals and rice^(*), that Regulation should be amended to permit the issue of licences in accordance with Article 9 of Regulation (EEC) No 1766/92;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Refunds

Article 1

1. Export refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 and listed in Annex A to Regulation (EEC) No 1766/92, hereinafter referred to as 'cereal-based compound feedingstuffs', shall be fixed in accordance with this Regulation.

2. Cereal-based compound feedingstuffs shall be classified under the CN codes in Annex I.

Article 2

1. During a given month, the export refund which may be granted on cereal-based compound feedingstuffs shall be fixed per tonne of each cereal contained in the compound feedingstuffs, taking account of the following criteria:

- (a) the average of the refunds granted during the previous month for the most commonly used basic cereals, adjusted on the basis of the increase for the current month;
- (b) the average of the import duties for the most commonly used basic cereals;
- (c) outlets and conditions of sale for the products in question on the world market;
- (d) the need to avoid disturbances on the Community market;
- (e) the economic aspects of the exports concerned.

2. The refunds shall be fixed at least once a month.

Article 3

1. Where necessary, the refund shall be adjusted in accordance with Article 12 of Regulation (EC) No 1162/95. The adjustment shall be made by increasing or

decreasing the refund by the amount resulting from each of the adjustments referred to in paragraphs 1 and 2 of Article 12 of Regulation (EC) No 1162/95, per tonne of cereal product incorporated in the compound feedingstuff. Where necessary, the refund may also be adjusted in the light of the price of milk powder for the month of exportation.

A corrective factor for this product is fixed to take account of the amount of aid granted for milk powder for use in animal feed during the month of exportation.

2. For the purposes of the application of Article 13 (8) of Regulation (EEC) No 1766/92, the amount zero shall not be considered to be a refund and consequently the adjustment referred to in Article 12 (3) of Regulation (EC) No 1162/95 shall not apply.

Article 4

1. The exporter shall notify the competent authorities no later than the point at which customs formalities are completed of the total composition of the cereal-based compound feedingstuff, specifying the percentage of each type of product incorporated by position in the nomenclature of agricultural products for export refunds and the exact quantity of maize and other cereals.

2. The Member States shall take all the steps required to ensure the accuracy of the declaration.

Article 5

The Member States shall notify the Commission, each day before 3 p.m. (Brussels time), of the quantities of cereal-based compound feedingstuffs in respect of which licences have been applied for.

This notification shall distinguish between applications with export refund or export tax and applications without refund.

The notification shall also state the maximum quantities of cereals incorporated in the compound feedingstuffs as shown on the applications for export licences.

TITLE II

Shortage penalty clause

GENERAL PROVISIONS

Article 6

1. Where, for one or more products, the conditions referred to in Article 16 of Regulation (EEC) No 1766/92 and in Article 17 of Regulation (EEC) No 1418/76 are met, the following measures may be taken by the Commission:

- (a) application of an export tax. This tax shall be fixed by the Commission once per week. It may be varied depending on the destination;

^(*) OJ No L 106, 11. 5. 1995, p. 8.

- (b) total or partial suspension of the issuing of export licences ;
- (c) total or partial rejection of pending export licence applications.

2. The export tax referred to in paragraph 1 (a) shall be that applicable on the day on which customs formalities are completed.

However, at the request of the applicant, submitted at the same time as the licence application, the export tax applicable on the day of lodging of the licence application shall apply to an export operation to be carried out during the period of validity of the licence.

3. The Commission shall notify the Member States of its decision and publish it.

Article 7

For the purposes of calculating the refund, the content in milk products of cereal-based compound feedingstuffs may be determined by multiplying the lactose content of each tonne of product concerned by 2.

Article 8

Where, for the purposes of applying this Regulation to either imports or exports, the starch or lactose content has to be determined, analytic methods shall be determined, for starch in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and for lactose in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 9

Article 4 (2) of Regulation (EC) No 1162/95 is hereby replaced by the following :

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

Done at Brussels, 29 June 1995.

'2. Notwithstanding Article 13a of Regulation (EEC) No 3719/88, for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 containing less than 50 % by weight of milk products, export licence applications shall show :

- in Section 15, the description of the product and its eight-digit code ; in the case of products falling within two or more adjacent subdivisions, the exporter may show the 11-digit refund nomenclature,
- in Section 16, the reference "2309",
- in Sections 17 and 18, the quantity of compound feedingstuffs which must be exported,
- in Section 20, the content in cereal products to be incorporated in the compound feedingstuff if this is known, a distinction being made between maize and other cereals ; otherwise, if use is made of the provision referred to above of annotating Section 15, the bracket showing the quantities of maize and other cereals incorporated.

The details included on applications shall be shown on the export licences.'

Article 10

Regulations (EEC) No 1913/69 and (EEC) No 1619/93 are hereby repealed from 1 July 1995. However, they shall continue to apply to licences issued before 1 July 1995.

Article 11

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

It shall apply to certificates issued from 1 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

CN code	Description of goods
2309	Preparations of a kind used in animal feeding :
ex 2309 10	– Dog or cat food, put up for retail sale :
	– – Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :
	– – – Containing starch, glucose, syrup, maltodextrine or maltodextrine syrup :
	– – – – Containing no starch or containing 10 % or less by weight of starch :
2309 10 11	– – – – – Containing no milk products or containing less than 10 % by weight of such products
2309 10 13	– – – – – Containing not less than 10 % but less than 50 % by weight of milk products
	– – – – – Containing more than 10 % but not more than 30 % by weight of starch :
2309 10 31	– – – – – Containing no milk products or containing less than 10 % by weight of such products
2309 10 33	– – – – – Containing not less than 10 % but less than 50 % by weight of milk products
	– – – – – Containing more than 30 % by weight of starch :
2309 10 51	– – – – – Containing no milk products or containing less than 10 % by weight of such products
2309 10 53	– – – – – Containing not less than 10 % but less than 50 % by weight of milk products
ex 2309 90	– – Other :
	– – – Other :
	– – – – Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :
	– – – – – Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup :
	– – – – – Containing no starch or containing 10 % or less by weight of starch :
2309 90 31	– – – – – Containing no milk products or containing less than 10 % by weight of such products
2309 90 33	– – – – – Containing not less than 10 % but less than 50 % by weight of milk products
	– – – – – Containing more than 10 % but not more than 30 % by weight of starch :
2309 90 41	– – – – – Containing no milk products or containing less than 10 % by weight of such products
2309 90 43	– – – – – Containing not less than 10 % but less than 50 % by weight of milk products
	– – – – – Containing more than 30 % by weight of starch :
2309 90 51	– – – – – Containing no milk products or containing less than 10 % by weight of such products
2309 90 53	– – – – – Containing not less than 10 % but less than 50 % by weight of milk products

COMMISSION REGULATION (EC) No 1518/95
of 29 June 1995

laying down detailed rules for the application of Regulations (EEC) No 1418/76 and (EEC) No 1766/92 as regards the import and export system for products processed from cereals and rice and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Article 1

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 Articles 10 (4), 11 (4), 13 (11) and 16 (2) thereof,

1. For the purposes of this Regulation 'processed products' means the products or groups of products listed :

- (a) in Annex A to Regulation (EEC) No 1766/92, except the products falling within CN code ex 2309 ;
- (b) in Article 1 (1) (c) of Regulation (EEC) No 1418/76.

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94, and in particular Articles 12 (4), 13 (4), 14 (16) and 17 (11) thereof,

2. For the purposes of this Regulation 'basic products' means the cereals listed in Article 1 (a) and (b) of Regulation (EEC) No 1766/92 and broken rice.

Whereas implementation of the Agreement on Agriculture reached as part of the Uruguay Round involves major amendments to the import and export system and whereas, therefore, rules should be laid down for the application of the system of import duties and refunds applicable in trade with third countries in products processed from cereals and from rice, excluding compound feedingstuffs, for which special rules have been laid down ;

TITLE I

Refunds

Article 2

Whereas the object of the refund should be to cover the difference between the prices for products within the Community and those charged on the world market ; whereas, for that purpose, criteria should be established for determining the refund essentially by reference to prices of the basis products within and outside the Community, and to the outlets and conditions for the sale of processed products on the world market ;

1. The refund which may be granted on processed products shall be determined with particular reference to :

- (a) the movements of prices for the basic products within the Community, compared with world market prices ;
- (b) the quantities of basic products needed for the manufacture of the product in question and, where applicable, their interchangeability ;
- (c) the possible cumulation of refunds applicable to various products obtained from one and the same process and one and the same basic product ;
- (d) outlets and conditions of sale for processed products on the world market.

Whereas Commission Regulation (EEC) No 1620/93⁽⁴⁾ is to be repealed on 1 July 1995 and whereas, as a result, this Regulation should incorporate its provisions, whilst adjusting them to present market conditions and to the implementation of the agreements concluded as part of the Uruguay Round of multilateral trade negotiations ;

2. The refunds shall be fixed at least once a month.

Article 3

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

1. The refund shall be adjusted in accordance with Article 12 of Commission Regulation (EC) No 1162/95⁽⁵⁾. The adjustment shall be made by increasing or decreasing the refund by the amount resulting from each of the

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

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

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽⁵⁾ OJ No L 117, 24. 5. 1995, p. 2.

adjustments referred to in paragraphs 1 and 2 of Article 12 of Regulation (EC) No 1162/95, per tonne of basic product, multiplied by the coefficient listed in column 4 of Annex I against the processed product in question.

2. For the purposes of Article 13 (8) of Regulation (EEC) No 1766/92, the amount zero shall not be considered to be a refund, and consequently the adjustment referred to in Article 12 (3) of Regulation (EC) No 1162/95 shall not apply.

Article 4

1. Member States shall inform the Commission, each day before 15.00 (Brussels time), of the quantities for which export licences have been applied for.

2. In the case of products processed from cereals and rice not mentioned in Article 7 (3) of Regulation (EC) No 1162/95, Member States shall inform the Commission, by Wednesday of each week in respect of the preceding week and for each product code as defined in the Annex to Commission Regulation (EEC) No 3846/87⁽¹⁾, of the quantities for which licences have been issued, broken down into products exported with a refund and products exported without a refund.

TITLE II

Shortage clause

General provisions

Article 5

1. Where, for one or more products, the conditions referred to in Article 16 of Regulation (EEC) No 1766/92 and in Article 17 of Regulation (EEC) No 1418/76 are met, the following measures may be taken by the Commission :

- (a) application of an export tax. This tax shall be fixed by the Commission once per week. It may be varied depending on the destination ;
- (b) total or partial suspension of the issuing of export licences ;

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

Done at Brussels, 29 June 1995.

(c) total or partial rejection of pending export licence applications.

2. The export tax referred to in paragraph 1 (a) shall be that applicable on the day on which customs formalities are completed.

However, at the request of the applicant, submitted at the same time as the licence application, the export tax applicable on the day of lodging of the licence application shall apply to an export operation to be carried out during the period of validity of the licence.

3. The Commission shall notify the Member States of its decision and publish it.

Article 6

The methods used for assessing the ash content, the fat content and the starch content, the denaturing process, and any other method of analysis necessary for the application of this Regulation as regards the import and export system, shall be determined, if necessary, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and Article 27 of Regulation (EEC) No 1418/76.

Article 7

In Article 7 (3) of Regulation (EC) No 1162/95, CN code 1104 22 99 is inserted after CN code 1104 21 50.

Article 8

Regulation (EEC) No 1620/93 is hereby repealed as from 1 July 1995. However, it shall remain applicable to import licences issued before 1 July 1995.

Article 9

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

It shall apply to licences issued from 1 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

CN/code Product code	Description of goods	Basic product	Coefficient
1	2	3	4
1102	Cereal flours other than of wheat or meslin :		
1102 20 10 200	Maize (corn) flour, of a fat content not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	Maize	1,40
1102 20 10 400	Maize (corn) flour, of a fat content exceeding 1,3 % but not exceeding 1,5 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	Maize	1,20
1102 20 90 200	Maize (corn) flour, of a fat content exceeding 1,5 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	Maize	1,20
1102 90 10 100	Other, barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	Barley	1,50
1102 90 10 900	Other, barley flour, other	Barley	1,02
1102 90 30 100	Other, oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxidase is virtually inactivated	Oats	1,80
1103	Cereal groats, meal and pellets :		
1103 12 00 100	Groats and meal, of oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxidase is virtually inactivated	Oats	1,80
1103 13 10 100	Groats and meal, of maize (corn), of a fat content exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight	Maize	1,80
1103 13 10 300	Groats and meal, of maize (corn), of a fat content exceeding 0,9 % but not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	Maize	1,40
1103 13 10 500	Groats and meal, of maize (corn), of a fat content exceeding 1,3 % but not exceeding 1,5 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	Maize	1,20
1103 13 90 100	Groats and meal, of maize (corn), other, of a fat content exceeding 1,5 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	Maize	1,20
1103 19 10 000	Groats and meal, of rye	Rye	1,00
1103 19 30 100	Groats and meal, of barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	Barley	1,55
1103 21 00 000	Pellets, of wheat	Wheat	1,02
1103 29 20 000	Pellets, of barley	Barley	1,02
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 :		
1104 11 90 100	Rolled or flaked grains, of barley, flaked, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 %	Barley	1,50

CN/code Product code	Description of goods	Basic product	Coefficient
1	2	3	4
1104 12 90 100	Rolled or flaked grains, of oats, flaked, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxidase is virtually inactivated	Oats	2,00
1104 12 90 300	Rolled or flaked grains, of oats, flaked, of an ash content, referred to dry matter not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxidase is virtually inactivated	Oats	1,60
1104 19 10 000	Rolled or flaked grains, of wheat	Wheat	1,02
1104 19 50 110	Rolled or flaked grains, of maize, of a fat content referred to dry matter not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	Maize	1,60
1104 19 50 130	Rolled or flaked grains, of maize, of a fat content, referred to dry matter, exceeding 0,9 % but not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	Maize	1,30
1104 21 10 100	Grains, of barley, hulled (shelled or husked), of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	Barley	1,50
1104 21 30 100	Grains, of barley, hulled and sliced or kibbled ('Grütze' or 'grutten'), of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	Barley	1,50
1104 21 50 100	Grains, of barley, pearled, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — first category	Barley	2,00
1104 21 50 300	Grains, of barley, pearled, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — Second category	Barley	1,60
1104 22 10 100	Grains, of oats, hulled (shelled or husked), 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 0,5 %, of a moisture content not exceeding 11 % and of which the peroxidase is virtually inactivated	Oats	1,60
1104 22 30 100	Grains, of oats, hulled and sliced or kibbled ('Grütze' or 'grutten'), of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxidase is virtually inactivated	Oats	1,70
1104 22 99 100	Clipped oats	Oats	1,02
1104 23 10 100	Grains, of maize (corn), hulled (shelled or husked), whether or not sliced or kibbled, of a fat content, referred to dry matter, not exceeding 0,9 % by weight, of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('Grütze' or 'grutten')	Maize	1,50
1104 23 10 300	Grains, of maize (corn), hulled (shelled or husked), whether or not sliced or kibbled, of a fat content, referred to dry matter, exceeding 0,9 % but not exceeding 1,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ('Grütze' or 'grutten')	Maize	1,15
1104 29 11 000	Grains, of wheat, hulled (shelled or husked), not sliced or kibbled	Wheat	1,02
1104 29 51 000	Grains, of wheat, hulled (shelled or husked), not otherwise worked than kibbled	Wheat	1,00
1104 29 55 000	Grains, of rye, hulled (shelled or husked), not otherwise worked than kibbled	Wheat	1,00
1104 30 10 000	Germ, of wheat, whole, rolled, flaked or ground	Wheat	0,25
1104 30 90 000	Germ, of cereals, other, whole, rolled, flaked or ground	Maize	0,25

CN/code Product code	Description of goods	Basic product	Coefficient
1	2	3	4
1107	Malt, whether or not roasted :		
1107 10 11 000	Not roasted, of wheat, in the form of flour	Wheat	1,78
1107 10 91 000	Not roasted, other, in the form of flour	Barley	1,78
1108	Starches ; inulin :		
1108 11 00 200	Wheat starch, of a dry matter content of not less than 87 % and a purity in the dry matter of not less than 97 %	Wheat	2,00
1108 11 00 300	Wheat starch, of a dry matter content of not less than 84 % but less than 87 % and a purity in the dry matter of not less than 97 %	Wheat	2,00
1108 12 00 200	Maize (corn) starch, of a dry matter content of not less than 87 % and a purity in the dry matter of not less than 97 %	Maize	1,60
1108 12 00 300	Maize (corn) starch, of a dry matter content of not less than 84 % but less than 87 % and a purity in the dry matter of not less than 97 %	Maize	1,60
1108 13 00 200	Potato starch, of a dry matter content of not less than 80 % and a purity in the dry matter of not less than 97 %	Maize	1,60
1108 13 00 300	Potato starch, of a dry matter content of not less than 77 % but less than 80 % and a purity in the dry matter of not less than 97 %	Maize	1,60
1108 19 10 200	Rice starch, of a dry matter content of not less than 87 % and a purity in the dry matter of not less than 97 %	Rice	1,52
1108 19 10 300	Rice starch, of a dry matter content of not less than 84 % but less than 87 % and a purity in the dry matter of not less than 97 %	Rice	1,52
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel		
1702 30 51 000	Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose, Containing in the dry state 99 % or more by weight of glucose, in the form of white crystalline powder, whether or not agglomerated	Maize	2,09
1702 30 59 000	Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose, containing in the dry state 99 % or more by weight of glucose, other	Maize	1,60
1702 30 91 000	Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose, other, in the form of white crystalline powder, whether or not agglomerated	Maize	2,09
1702 30 99 000	Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose, other	Maize	1,60
1702 40 90 000	Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose, other	Maize	1,60
1702 90 50 100	Maltodextrine, in the form of white crystalline powder, whether or not agglomerated	Maize	2,09
1702 90 50 900	Maltodextrine and maltodextrine syrup, other	Maize	1,60
1702 90 75 000	Caramel, in the form of powder, whether or not agglomerated	Maize	2,19
1702 90 79 000	Caramel, other	Maize	1,52
2106 90 55 000	Food preparations not elsewhere specified or included, flavoured or coloured sugar syrups, glucose syrup and maltodextrine syrup	Maize	1,60

COMMISSION REGULATION (EC) No 1519/95
of 29 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 by Regulation (EC) No 3290/94 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 502/95 ⁽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 28 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 ;

Whereas the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations terminates, from 1 July 1995, the arrangements for levies,

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 30 June 1995.

It shall apply from 30 June 1995.

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

Done at Brussels, 29 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 50, 7. 3. 1995, p. 15.

ANNEX

to the Commission Regulation of 29 June 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	109,20 ⁽²⁾ ⁽³⁾
0712 90 19	109,20 ⁽²⁾ ⁽³⁾
1001 10 00	47,20 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	76,98
1001 90 99	76,98 ⁽⁸⁾ ⁽¹¹⁾
1002 00 00	122,71 ⁽⁶⁾
1003 00 10	102,30
1003 00 90	102,30 ⁽⁸⁾
1004 00 00	103,27
1005 10 90	109,20 ⁽²⁾ ⁽³⁾
1005 90 00	109,20 ⁽²⁾ ⁽³⁾
1007 00 90	111,24 ⁽⁴⁾
1008 10 00	60,58 ⁽⁸⁾
1008 20 00	65,17 ⁽⁴⁾ ⁽⁸⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 11	153,36 ⁽⁸⁾
1101 00 15	153,36 ⁽⁸⁾
1101 00 90	153,36 ⁽⁸⁾
1102 10 00	217,38
1103 11 10	116,49
1103 11 90	180,95
1107 10 11	150,16
1107 10 19	115,52
1107 10 91	195,23 ⁽¹⁰⁾
1107 10 99	149,20 ⁽⁸⁾
1107 20 00	171,71 ⁽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 1520/95

of 29 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, as a result of the market situation refunds are not to be fixed;

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 30 June 1995.

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

Done at Brussels, 29 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission.

ANNEX

to the Commission Regulation of 29 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)	—	1104 23 10 100	—
1102 20 10 400 (2)	—	1104 23 10 300	—
1102 20 90 200 (2)	—	1104 29 11 000	—
1102 90 10 100	—	1104 29 51 000	—
1102 90 10 900	—	1104 29 55 000	—
1102 90 30 100	—	1104 30 10 000	—
1103 12 00 100	—	1104 30 90 000	—
1103 13 10 100 (2)	—	1107 10 11 000	—
1103 13 10 300 (2)	—	1107 10 91 000	—
1103 13 10 500 (2)	—	1108 11 00 200	—
1103 13 90 100 (2)	—	1108 11 00 300	—
1103 19 10 000	—	1108 12 00 200	—
1103 19 30 100	—	1108 12 00 300	—
1103 21 00 000	—	1108 13 00 200	—
1103 29 20 000	—	1108 13 00 300	—
1104 11 90 100	—	1108 19 10 200	—
1104 12 90 100	—	1108 19 10 300	—
1104 12 90 300	—	1109 00 00 100	—
1104 19 10 000	—	1702 30 51 000 (3)	—
1104 19 50 110	—	1702 30 59 000 (3)	—
1104 19 50 130	—	1702 30 91 000	—
1104 21 10 100	—	1702 30 99 000	—
1104 21 30 100	—	1702 40 90 000	—
1104 21 50 100	—	1702 90 50 100	—
1104 21 50 300	—	1702 90 50 900	—
1104 22 10 100	—	1702 90 75 000	—
1104 22 30 100	—	1702 90 79 000	—
1104 22 99 100	—	2106 90 55 000	—

(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 1521/95
of 29 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 1 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 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 30 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, 29 June 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 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	—
Cereal products ⁽²⁾ excluding maize and maize products	—

⁽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 REGULATION (EC) No 1522/95
of 29 June 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 by Regulation (EC) No 3290/94⁽³⁾, 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⁽⁴⁾, as last amended by Regulation (EC) No 3125/94⁽⁵⁾, 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, as a result of the market situation, refunds are not to be fixed;

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 0,00 per tonne.

2. The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley and oats, shall be ECU 0,00 per tonne.

Article 2

This Regulation shall enter into force on 30 June 1995.

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

Done at Brussels, 29 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 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 112.

⁽⁵⁾ OJ No L 330, 21. 12. 1994, p. 39.

COMMISSION REGULATION (EC) No 1523/95

of 29 June 1995

adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Spain on 29 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 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 July and August 1995;

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take the interim protective 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 29 June 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 29 June 1995 and notified to the Commission shall be accepted in respect of 87 % for Spain;
2. further applications may be submitted from 27 July 1995.

Article 2

This Regulation shall enter into force on 30 June 1995.

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

Done at Brussels, 29 June 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 1524/95

of 29 June 1995

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 13 (4) thereof,

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

Whereas Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 3304/94⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1766/92 ; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93 ;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 1053/95⁽⁸⁾ ;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 29 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 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 48.

⁽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.

ANNEX

to the Commission Regulation of 29 June 1995 fixing 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
		7	8	9	10	11	12	1
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	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	01	0	0	0	0	0	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	01	0	0	0	0	0	—	—
1101 00 15 130	01	0	0	0	0	0	—	—
1101 00 15 150	01	0	0	0	0	0	—	—
1101 00 15 170	01	0	0	0	0	0	—	—
1101 00 15 180	01	0	0	0	0	0	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	—	—	—	—	—	—	—	—
1103 11 10 400	—	—	—	—	—	—	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	—	—	—	—	—	—	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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 1525/95

of 29 June 1995

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾, as last amended by Regulation (EC) No 3304/94⁽³⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾, are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁶⁾, as last amended by Regulation (EC) No 1053/95⁽⁷⁾;

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

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾, as amended by Regulation (EC) No 1380/95⁽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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 June 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 48.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 107, 12. 5. 1995, p. 4.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁹⁾ 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, 29 June 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1995 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

<i>(ECU / tonne)</i>			<i>(ECU / tonne)</i>		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1101 00 11 000	—	—
0712 90 19 000	—	—	1101 00 15 100	—	—
1001 10 00 200	—	—	1101 00 15 130	—	—
1001 10 00 400	—	—	1101 00 15 150	—	—
1001 90 91 000	—	—	1101 00 15 170	—	—
1001 90 99 000	—	—	1101 00 15 180	—	—
1002 00 00 000	03	10,00	1101 00 15 190	—	—
	04	8,00	1101 00 90 000	—	—
	02	0	1102 10 00 500	01	0
1003 00 10 000	—	—	1102 10 00 700	—	—
1003 00 90 000	03	10,00	1102 10 00 900	—	—
	04	8,00	1103 11 10 200	01	— ⁽³⁾
	02	0	1103 11 10 400	01	— ⁽³⁾
1004 00 00 200	—	—	1103 11 10 900	—	—
1004 00 00 400	—	—	1103 11 90 200	01	— ⁽³⁾
1005 10 90 000	—	—	1103 11 90 800	—	—
1005 90 00 000	—	—			
1007 00 90 000	—	—			
1008 20 00 000	—	—			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein, Ceuta and Melilla,
- 04 Slovenia, Hungary, the Czech Republic and the Slovak Republic.

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

(3) No refund is granted when this product contains compressed meal.

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 1526/95
of 29 June 1995
fixing the export refunds on 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 Regulation (EC) No 1866/94⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93⁽³⁾, as last amended by Regulation (EC) No 3304/94⁽⁴⁾, laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EEC) No 1533/93;

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⁽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 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 990/93⁽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 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 in follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (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 30 June 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 48.

⁽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, 29 June 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1995 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund (1)
1107 10 19 000	—
1107 10 99 000	—
1107 20 00 000	—

(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.

CORRIGENDA

Corrigendum to Council Regulation (EC) No 3282/94 of 19 December 1994 extending into 1995 the application of Regulations (EEC) No 3833/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences in respect of certain agricultural products originating in developing countries

(Official Journal of the European Communities No L 348 of 31 December 1994)

On page 58, in Article 6 (2), second line:

for: '... products of Annex II ...',

read: '... products of Annexes I and II ...';

on page 59, in the Annex, the third entry:

'In Annex II, column 2 opposite Series No 52.0510:

— delete: "0307 49 11".

should be deleted;

on page 66 of the Annex add:

'To Annex V,

— add: "336 Eritrea".

Corrigendum to 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

(Official Journal of the European Communities No L 140 of 23 June 1995)

On page 18, in the Annex, against CN code 1001 10 00 in the column headed 'Rate of refund per 100 kg of basic product':

for: '3,644',

read: '3,544';

on page 19, against CN code 1004 00 00 in the column headed 'Rate of refund per 100 kg of basic product':

for: '5,860',

read: '5,650';

against CN code 1005 90 00:

for: '6,245',

read: '5,245';

for: '6,994',

read: '5,994';

for: '4,498',

read: '4,496';

against CN code 1101 10 00:

for: '10,537',

read: '10,531'.
