

English edition

## Legislation

### Contents

#### I Acts whose publication is obligatory

- \* **Council Regulation (EC) No 1661/95 of 29 June 1995 establishing certain concessions in the form of Community tariff quotas in 1995 for certain agricultural products including processed products, opened for Israel and Turkey** ..... 1
- \* **Commission Regulation (EC) No 1662/95 of 7 July 1995 laying down certain detailed arrangements for implementing the Community decision-making procedures in respect of marketing authorizations for products for human or veterinary use** ..... 4
- \* **Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section** ..... 6
- \* **Commission Regulation (EC) No 1664/95 of 7 July 1995 amending Regulations in the sector of cereals, oilseeds and protein crop fixing before 1 February 1995 certain prices and amounts whose values in ecus have been adjusted because of the abolition of the corrective factor in agricultural conversion rates** ..... 13
- Commission Regulation (EC) No 1665/95 of 7 July 1995 on the supply of cereals as food aid ..... 16
- Commission Regulation (EC) No 1666/95 of 7 July 1995 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty ..... 24
- \* **Commission Regulation (EC) No 1667/95 of 7 July 1995 establishing a forecast balance for the supply to the Canary Islands of live bovine animals and beef and veal products** ..... 26
- \* **Commission Regulation (EC) No 1668/95 of 7 July 1995 amending Regulations (EEC) No 1913/92 and (EEC) No 2255/92 laying down detailed rules for implementing the specific arrangements for supplying the Azores and Madeira with beef and veal sector products** ..... 28

* Commission Regulation (EC) No 1669/95 of 7 July 1995 amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with live bovine animals and breeding horses .....	31
Commission Regulation (EC) No 1670/95 of 7 July 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables .....	34
Commission Regulation (EC) No 1671/95 of 7 July 1995 correcting Regulation (EC) No 1653/95 fixing production refunds on cereals and rice .....	36
Commission Regulation (EC) No 1672/95 of 7 July 1995 on the issue of import licences for garlic originating in China .....	37

---

II *Acts whose publication is not obligatory*

**Council**

95/237/EC :

* Council Decision of 29 June 1995 on the extension of the legal protection of topographies of semiconductor products to persons from the United States of America .....	38
--	----

EUROPEAN ECONOMIC AREA

**The EEA Joint Committee**

* Decision of the EEA Joint Committee No 19/95 of 5 April 1995 amending Annex IV (Energy) to the EEA Agreement .....	40
* Decision of the EEA Joint Committee No 20/95 of 5 April 1995 amending Annex XIII (Transport) to the EEA Agreement .....	42
* Decision of the EEA Joint Committee No 21/95 of 5 April 1995 amending Annex XV (State aid) to the EEA Agreement .....	43
* Decision of the EEA Joint Committee No 22/95 of 5 April 1995 amending Annex XX (Environment) to the EEA Agreement .....	46

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 1661/95**

of 29 June 1995

**establishing certain concessions in the form of Community tariff quotas in 1995 for certain agricultural products including processed products, opened for Israel and Turkey**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the Act of Accession of Austria, Finland and Sweden,

Having regard to the proposal from the Commission,

Whereas, under the preferential agreements between the European Economic Community of the one part, and Israel and Turkey of the other part (hereinafter called 'third countries'), concession regarding certain agricultural products including processed products have been granted to those countries;

Whereas, as a result of the accession of Austria, Finland and Sweden, those concessions should be adjusted to take into account the arrangements for trade in agricultural products including processed products which existed between Austria, Finland and Sweden of the one part, and Israel and Turkey of the other part;

Whereas to that and exploratory talks are in progress with those third countries with a view to the conclusion of additional protocols to the abovementioned agreements;

Whereas, however, because of the excessively tight deadline, the additional protocols could not enter into force on 1 January 1995;

Whereas in these circumstances and pursuant to Articles 76, 102 and 128 of the 1994 Act of Accession the Community must adopt the measures required to remedy the situation; whereas those measures must take the form of autonomous Community tariff quotas covering the conventional preferential tariff concessions applied by Austria, Finland and Sweden;

Whereas the new Member States must apply the import arrangements applicable in the Community with effect from 1 January 1995,

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the import arrangements in the Community applicable to certain agricultural products including processed products pursuant to agreements concluded between the Community and Israel and Turkey, existing Community tariff quotas shall be increased or, as necessary, new tariff quotas shall be opened autonomously in accordance with Annexes I and II to this Regulation.

*Article 2*

Articles 4 to 8 of Regulation (EC) No 1981/94<sup>(1)</sup> shall apply to the tariff concessions referred to in Annex I. Article 16 of Regulation (EC) No 3448/93<sup>(2)</sup> shall apply to products referred to in Annex II.

*Article 3*

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

It shall apply with effect from 1 January 1995.

<sup>(1)</sup> OJ No L 199, 2. 8. 1994, p. 1. Regulation as amended by Regulation (EC) No 298/95 (OJ No L 35, 15. 2. 1995, p. 6).

<sup>(2)</sup> OJ No L 318, 20. 12. 1993, p. 18.

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

Done at Luxembourg, 29 June 1995.

*For the Council*

*The President*

J. BARROT

ANNEX I

Preferential tariff quotas opened for 1995

ISRAEL

Order Number	CN code	Description	Conventional <sup>(1)</sup> quotas (t)	Autonomous quotas (t)	Rate of duty applicable
09 1306	0603 10	Fresh cut flowers and flower buds of a kind suitable for ornamental purposes	19 040	130	Free
09 1311	ex 0704 90 90	Chinese cabbage, from 1 November to 31 December	540	100	Free
09 1303	0709 60 10	Sweet peppers	8 880	320	Free
09 1325	0805 20	Mandarines (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	15 904	2 130	Free <sup>(2)</sup>
09 5623	2204	Wine		1 610 hl	Free

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

<sup>(2)</sup> The reduction only concerns the *ad valorem* component of the duty.

TURKEY

Order Number	CN code	Description	Conventional <sup>(1)</sup> quotas (t)	Autonomous quotas (t)	Rate of duty applicable
09 0201	0802 21 00 0802 22 00	Hazelnuts, in shells or shelled	25 000	9 060	Free

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

## ANNEX II

## ISRAEL

Order No	CN code	Quotas 1995 (tonnes)	Preference
09.5625	0710 40 00 2001 90 30 2005 80 00	420	0 + MOB (R) (1)

(1) Agricultural component applied to third countries reduced by 30 %.

## TURKEY

Order No	CN code	Quotas 1995 (tonnes)	Preference
09.5631	2001 90 30 2008 99 85	810	0 + MOB (R) (1)

(1) Agricultural component applied to third countries reduced by 30 %.

## COMMISSION REGULATION (EC) No 1662/95

of 7 July 1995

laying down certain detailed arrangements for implementing the Community decision-making procedures in respect of marketing authorizations for products for human or veterinary use

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products<sup>(1)</sup>, and in particular Articles 10 (3) and 32 (3) thereof,

Whereas under Regulation (EEC) No 2309/93 the Commission is required to adopt the provisions necessary for the purposes of the written procedure in Articles 10 (3) and 32 (3) thereof;

Whereas the measures laid down in this Regulation are in accordance with the opinion of the Standing Committee on Medicinal Products for Human Use and the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

This Regulation establishes, within the framework of decisions relating to marketing authorizations for medicinal products, certain detailed arrangements by which the Standing Committee on Medicinal Products for Human Use and the Standing Committee on Veterinary Medicinal Products (hereinafter collectively referred to as 'the Committee') shall implement the procedure laid down in Article 73 of Regulation (EEC) No 2309/93, Article 37 (b) of Council Directive 75/319/EEC<sup>(2)</sup> and Article 42 (k) of Directive 81/851/EEC<sup>(3)</sup>.

*Article 2*

Matters shall be referred to the Committee by the chairman pursuant to the relevant provisions of Regulation (EEC) No 2309/93, Directive 75/319/EEC or Directive 81/851/EEC.

Except in exceptional cases where the draft decision prepared by the Commission is not in accordance with

the opinion of the European Agency for the Evaluation of Medicinal Products, a written procedure shall be used as described in Article 3.

*Article 3*

Where the opinion of the Committee is obtained by written procedure the following provisions shall apply:

The chairman shall send to the members of the Committee the draft decision on which its opinion is requested in the manner set out in Article 7.

Within 30 days following the dispatch of the draft decision, Member States shall communicate to the chairman their decision to accept or to refuse the draft, or to abstain. Member States may include written comments with their decision. Any Member State which has not made known its opposition or its intention to abstain within the 30-day period shall be deemed to have agreed to the draft.

However, if within the 30 days a Member State addresses a duly reasoned written request for the draft decision to be examined in the course of a meeting of the Committee, the written procedure shall thereupon terminate and the chairman shall convene the Committee as soon as possible.

*Article 4*

Where, in the opinion of the Commission, written comments put forward by a Member State under the procedure laid down in Article 3 raise important new questions of a scientific or technical nature which have not been dealt with in the opinion delivered by the European Agency for the Evaluation of Medicinal Products, the chairman shall suspend the procedure and the Commission shall refer the matter to the Agency for further examination. The chairman shall inform the members of the Committee thereof.

A new procedure shall be initiated in the 30 days following reception by the Commission of the Agency's reply.

*Article 5*

Where a Member State has applied the emergency procedure laid down in Articles 18 (4) or 40 (4) of Regulation (EEC) No 2309/93 to suspend the use of a medicinal product on its territory, the period laid down in Article 3 shall be reduced to 15 days.

<sup>(1)</sup> OJ No L 214, 24. 8. 1993, p. 1.

<sup>(2)</sup> OJ No L 147, 9. 6. 1975, p. 13.

<sup>(3)</sup> OJ No L 317, 6. 11. 1981, p. 1.

*Article 6*

Where the draft decision needs to be examined at a meeting of the Committee, the notice convening the meeting, the agenda and, in the circumstances referred to in the second paragraph of Article 2, the draft decision on which the Committee's opinion is requested shall be sent by the chairman to the members of the Committee in the manner set out in Article 7.

These documents must reach the addresses no later than 10 days before the scheduled date of the meeting or, in the circumstances referred to in the second paragraph of Article 2, one month before that date.

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

Done at Brussels, 7 July 1995.

*Article 7*

Correspondence to members of the Committee, where the Committee in its deliberation is following the procedure referred to in Article 1, shall be addressed by written or electronic telecommunication to the competent national departments designated by each Member State; a copy shall be sent to the Office of the Permanent Representative of the Member State concerned.

*Article 8*

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

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

---

**COMMISSION REGULATION (EC) No 1663/95**  
**of 7 July 1995**

**laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(1)</sup>, as last amended by Regulation (EC) No 1287/95<sup>(2)</sup>, and in particular Articles 4 (6) and 5 (3) thereof,

Whereas the reform of the procedure for the clearance of the accounts, put into effect by Council Regulation (EC) No 1287/95, provides for the establishment of detailed rules regarding the certification and clearance of the annual accounts of accredited paying agencies;

Whereas changes in the number and nature of measures financed by the EAGGF Guarantee Section, together with changes in techniques for recording and transmitting information, are such as to require a revision of the nature and content of the information to be provided to the Commission for the purpose of the clearance of accounts;

Whereas Commission Regulation (EEC) No 1723/72<sup>(3)</sup>, as last amended by Regulation (EEC) No 295/88<sup>(4)</sup>, should therefore be repealed;

Whereas the EAGGF Committee has not delivered an opinion within the time limit set by the chairman,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The limit to the number of paying agencies accredited by each Member State, pursuant to Article 4 (2) of Regulation (EEC) No 729/70, shall be set by the Member State after consulting the Commission. The Commission may in particular make known any obstacle which this number presents to compliance with the time limit laid down in Article 5 (2) (b) of that Regulation, and to the transparency of checks on the operation of the Fund. The Commission shall inform the Fund Committee of the paying agencies accredited in all Member States.

2. For each paying agency, the Member State shall inform the Commission of the authorities ('the competent authority') which issue and withdraw accreditation, and which set the period allowed for any necessary adjustments within the meaning of Article 4 (4) of Regulation (EEC) No 729/70.

3. Before accrediting any paying agency, the competent authority shall be satisfied that the administrative and accounting arrangements of the body concerned offer the guarantees referred to in Article 4 (1) (a) of Regulation (EEC) No 729/70. The criteria shall be established by the Member State and applied by the competent authority for the purpose of accreditation, taking account of the Commission's guidelines for those criteria as set out in the Annex. Failure to meet any criteria of significant relevance to the paying agency's operations shall lead to the application of Article 4 (4) of the abovementioned Regulation.

The decision on accreditation shall be taken on the basis of an examination covering the administrative and accounting conditions, including those adopted to protect the Community's interests regarding advances paid, guarantees obtained, intervention stocks and amounts to be collected. The examination shall include, in particular, the arrangements regarding the execution of payments, the safeguarding of the treasury, the security of computer systems, the maintenance of accounting records, the division of duties and the adequacy of internal and external controls, in respect of transactions financed by the Guarantee Section of the EAGGF.

4. If the competent authority is satisfied that the paying agency examined complies with all relevant requirements, it shall proceed with its accreditation. Otherwise, it shall address to the paying agency instructions relating to the administrative and accounting arrangements, and in particular to any conditions the paying agency is required to fulfil before accreditation may be granted. Accreditation may be provisionally granted for a period to be fixed in relation to the seriousness of the problem pending the implementation of any requisite changes to the administrative and accounting arrangements.

5. If accreditation is withdrawn, the Member State shall designate another paying agency in accordance with the conditions in Article 4 of Regulation (EEC) No 729/70 and in paragraphs 3 and 4 of this Article and ensures that payments to beneficiaries are not interrupted.

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(2)</sup> OJ No L 125, 8. 6. 1995, p. 1.

<sup>(3)</sup> OJ No L 186, 16. 8. 1972, p. 1.

<sup>(4)</sup> OJ No L 30, 2. 2. 1988, p. 7.



6. The act of accreditation shall consist of a written confirmation that the body meets the criteria for accreditation, and when relevant shall set out the instructions as to changes and the period set. It shall be communicated to the Commission.

7. The communication provided for under Article 4 (3) of Regulation (EEC) No 729/70 shall be provided when the paying agency is first accredited, and shall be accompanied by the following information in respect of each paying agency :

- the responsibilities vested in it,
- the allocation of responsibilities between its departments,
- its relationship with other bodies, public or private, which also hold some of the responsibilities for executing the measures under which it charges expenditure to the Fund,
- the procedures by which claims by beneficiaries are received, verified, and validated, and by which expenditure is authorized and paid and accounted for,
- the provisions for internal audits.

The information to be provided where Article 4 (4) of Regulation (EEC) No 729/70 applies shall include all instructions relating to the administrative and accounting arrangements, and to the adaptations the paying agency is required to carry out in order to avoid withdrawal of accreditation, and the period allowed for implementation.

#### Article 2

1. The 'coordinating body' referred to in Article 4 (1) (b) of Regulation (EEC) No 729/70 shall act as the sole representative of the Member State before the Commission for all questions relating to the EAGGF Guarantee Section concerning :

- distributing Community texts and guidelines relating thereto to the various paying agencies and to those bodies responsible for their implementation,
- promoting their harmonized application,
- communicating to the Commission the information stipulated in this Regulation and in Regulation (EEC) No 729/70,
- holding at the disposal of the Commission a full record of all accounting information required for statistical and control purposes.

It shall not be necessary to send to the Commission the information held in documentary form by paying agencies or authorizing bodies: this information shall, however, be kept available by paying agencies or authorizing bodies. A paying agency may fulfil the role of coordinating body provided that the two responsibilities are kept apart. In performing its tasks, the coordinating body may, in accordance with national procedures, call on other administrative bodies or departments, in particular those with accounting or technical expertise.

2. The Member State shall communicate to the Commission information concerning the name and the written constitution of the coordinating body, and the administrative, accounting and internal control conditions relating to its operation.

3. The form and content of the accounting information referred to in paragraph 1 shall be established by the Commission after consulting the Fund Committee, and transmitted to the Member States within three months of the entry into force of this Regulation. Any modification shall be communicated to the Member States within three months of the event occasioning such modification and the Member States shall implement any modification required to their information systems within a time limit to be fixed by the Commission after consulting the Fund Committee.

#### Article 3

1. The certificate referred to in Article 5 (1) (b) of Regulation (EEC) No 729/70 shall be established by a department or body which is operationally independent of the paying and coordinating agencies and which has the technical vocation (certifying body).

The certificate shall be based on examination of procedures and of a sample of transactions. It shall cover compliance of payments with Community rules only as regards the capability of the paying agencies' administrative structures to ensure that such compliance has been checked before a payment is made.

The certifying body shall conduct its examination according to internationally accepted auditing standards. The checks shall be undertaken both during and after the end of each financial year. Before 31 January of the following year, the certifying body shall draw up the certificate and also a report of its findings which shall in particular state whether it has gained reasonable assurance that the accounts to be transmitted to the Commission are true, complete and accurate, and that the internal control procedures have operated satisfactorily.

2. Where more than one paying agency is accredited, the Member State may rely on the attestations issued by the departments or bodies which certified the accounts of the respective paying agencies, provided that it receives assurances that the scope and the standards of the audits performed were equivalent to the requirements laid down in paragraph 1.

3. The report referred to in paragraph 1 shall state :

- whether the paying agencies' procedures, with particular regard to the accreditation criteria, are such as to give reasonable assurance that the operations charged to the Fund comply with Community rules, and what recommendations have been made for the improvement of systems,
- whether the annual accounts referred to in Article 4 (1) (a) of this Regulation are in accordance with the books and records of the paying agencies,

- whether the statements of expenditure and of intervention operations provided for in Article 5 are a materially true, complete and accurate record of the operations charged to the Fund,
- whether the financial interests of the Community are properly protected as regards advances paid, guarantees obtained, intervention stocks and amounts to be collected,
- whether recommendations on the improvement of systems addressed to the paying agency have been followed up.

The report shall be accompanied by the information on the number and qualifications of staff undertaking the audit, on the work done, on the number of transactions examined, on the level of materiality and confidence obtained, on the weakness found and recommendations made for improvement, and on the operations of both the certifying body and other audit bodies, internal and external to the paying agencies, from which all or part of the certifying body's assurance on the matters reported was gained.

#### Article 4

1. For the purpose of the clearance of the accounts pursuant to Article 5 (2) (b) of Regulation (EEC) No 729/70, the Member States shall send to the Commission :

- (a) the annual accounts of the expenditure charged to the Guarantee Section of the Fund and reports established pursuant to Article 5 (1) of that Regulation by each department or body ;
- (b) the certificates and reports established by the certifying body or bodies.

2. The documents referred to in paragraph 1 shall be sent in four copies to the Commission by 10 February of the year following the end of the financial year which it concerns.

3. At the request of the Commission, or on the initiative of the Member State, further information relating to the clearance of the accounts concerned may be sent to the Commission up to a deadline which the Commission shall set, taking account of the amount of work required to provide that information. In the absence of this information, the Commission may clear accounts on the basis of such information as is in its possession at that deadline.

4. The Commission may accept a request for a delay in sending information in justified cases, if it is addressed to it before the deadline.

#### Article 5

1. The accounts referred to in Article 4 (1) (a) shall include :

- (a) the expenditure summarized by item and subitem of the Community budget ;
- (b) a summary of intervention operations and a statement of the quantity and location of stocks at the end of the financial year ;
- (c) information regarding expenditure, or confirmation that the detail of each transaction is held on computer file at the disposal of the Commission ;
- (d) confirmation that the details of each movement of intervention storage is held on the paying agency's files ;
- (e) explanations of differences between the expenditure declared in the annual accounts and that declared for the same period in the documents referred to in Article 3 (5) of Commission Regulation (EEC) No 2776/88 <sup>(1)</sup>, as corrected pursuant to Article 9 (7) of that Regulation.

2. The reports referred to in Article 4 (1) (a) of this Regulation shall contain the following information concerning the coordinating body and each paying agency :

- any exceptional transactions or technical difficulties experienced regarding the financial year concerned,
- any significant modification since the previous report of the information in Article 1 (7).

#### Article 6

The supporting documents regarding the expenditure financed and the amounts to be recovered by the EAGGF Guarantee Section, shall be kept at the disposal of the Commission for at least three years following that in which the Commission clears the accounts of the financial year concerned and, in the case where the clearance of accounts decision is the subject of proceedings before the Court of Justice of the European Communities, up to one year after the conclusion of those proceedings.

#### Article 7

1. The accounts clearance decision pursuant to Article 5 (2) (b) of Regulation (EEC) No 729/70 shall determine the amount of expenditure effected in each Member State during the financial year in question which shall be recognized as being chargeable to the EAGGF, without prejudice to decisions taken subsequently in accordance with paragraph 2 (c) of that Article.

<sup>(1)</sup> OJ No L 249, 8. 9. 1988, p. 9.

The amounts which, as a result of the above decision, are recoverable from, or payable to, each Member State shall be established by deducting the advances paid in respect of the financial year concerned from the expenditure recognized for the same year according to the first subparagraph. These amounts shall be deducted from, or added to, the advances payable from the second month following the month in which the clearance of accounts decision took effect.

2. The Commission shall communicate to the Member State concerned the results of its verifications of the information supplied, together with any amendments it proposes, before 31 March following the end of the financial year.

3. If, for reasons attributable to the Member State concerned, the Commission is unable to clear the accounts of a Member State before 30 April of the following year, the Commission shall notify the Member State of those further enquiries it proposes to undertake pursuant to Article 9 of Regulation (EEC) No 729/70.

#### *Article 8*

1. When, as a result of any enquiry, the Commission considers that expenditure was not effected according to Community rules, it shall communicate to the Member State concerned its findings, the corrective measures to be taken to ensure future compliance, and an evaluation of any expenditure which it may propose to exclude pursuant to Article 5 (2) (c) of Regulation (EEC) No 729/70. The communication shall make reference to this Regulation. The Member State shall reply within two months, and the Commission may modify its position in consequence. In justified cases the Commission may agree to extend this period for reply.

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

Done at Brussels, 7 July 1995.

After expiry of the period allowed for reply, the Commission shall initiate a bilateral discussion, and both parties shall endeavour to come to an agreement as to the measures to be taken. The Commission shall then formally communicate its conclusions to the Member State, referring to Commission Decision 94/442/EC<sup>(1)</sup>.

2. The decisions referred to in Article 5 (2) (c) of Regulation (EEC) No 729/70 shall be taken after an examination of any report drawn up by the Conciliation body according to the provisions laid down in Directive 94/442/EC.

3. The deductions from the Community financing as referred to in Article 5 (2) (c) of Regulation (EEC) No 729/70 shall be made from the advances relating to the expenditure of the second month following the decision pursuant to that Article. However, at the Member State's request and where warranted by the materiality of the deductions, and after consulting the Fund Committee, the Commission may appoint some other date.

#### *Article 9*

Regulation (EEC) No 1723/72 is hereby repealed with effect from 16 October 1995.

However, it shall remain applicable to the clearance of the accounts of the Guarantee Fund up to those of its financial year 1995.

#### *Article 10*

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 the financial year beginning 16 October 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

<sup>(1)</sup> OJ No L 182, 16. 7. 1994, p. 45.

## ANNEX

**Guidelines for criteria for accreditation as a paying agency**

The criteria for accreditation are such that the paying agency provides sufficient assurance concerning the proper functioning of its administrative organization and of the system of internal control, and the maintenance of documents pursuant to Article 4 of Regulation (EEC) No 729/70. Only the small scale of operations of a paying agency can justify the application of simplified criteria. The non-respect of any criteria of significant relevance to the paying agency's operations shall lead to the application of Article 4 (4) of that Regulation.

1. The establishment of a paying agency ('agency') shall take the form of a formal act which lays down the agency's powers, obligations and responsibilities, particularly in relation to EAGGF-Guarantee expenditure, as defined in Article 2 and 3 of Regulation (EEC) No 729/70, and which sets out the agency's administrative structure.
2. The agency shall execute three principal functions in respect of EAGGF-Guarantee expenditure :
  - (i) Authorization of payments : the objective of this function is the establishment of the amount that shall be paid to a claimant in conformity with Community rules.
  - (ii) Execution of payments : the objective of this function is the issuing of an instruction to the agency's bankers, or, in appropriate cases, a governmental payments office, to pay the authorized amount of the claimant (or his assignee).
  - (iii) Accounting for payment : the objective of this function is the recording of the payment in the agency's separate books of account of EAGGF expenditure, which will normally be in the form of an electronic data processing system, and the preparation of periodic summaries of expenditure, including the monthly and annual declarations to the European Commission. The books of account also record the assets financed by the Fund, in particular concerning intervention stocks, uncleared advances and debtors.
3. Without prejudice to the delegations provided for in point 4, the agency shall normally dispose of two services :
  - (i) The internal audit service : the objective of this service or equivalent procedure is to ensure that the agency's system of internal control operates effectively ; the internal audit service shall be independent of the agency's other departments and shall report directly to the agency's top management.
  - (ii) The technical service : the objective of this service is to verify the facts on which payments to claimants are based ; for example the facts on such matters as the quality and characteristics of products, livestock, land etc., the date of delivery, the transformation into another product and other checks of a technical nature.

The verification of these facts is assured through the operation of a control and inspection system. A major role of the technical service is the monitoring of this control system.

4. Part or all of the authorization function and/or the technical service may be delegated to other bodies provided that the following conditions are fulfilled ;
  - (i) The responsibilities and obligations of these other bodies, notably concerning the control and verification of the compliance with Community rules, are clearly defined.
  - (ii) The bodies dispose of effective systems for ensuring that they fulfil their responsibilities in a satisfactory manner.
  - (iii) The bodies explicitly confirm to the agency that they in fact fulfil their responsibilities and describe the means employed.
  - (iv) The agency is informed on a regular and timely basis of the results of controls effected, so that the sufficiency of these controls may always be taken into account before a claim is settled. The work performed shall be described in detail in a report accompanying each claim, batch of claims or, when appropriate, in a report covering one marketing year. The report, shall be accompanied by an attestation of the eligibility of the approved claims and of the nature, scope and limits of the work done. If any physical or administrative checks are not exhaustive, but performed on a sample of claims, the claims selected shall be identified, the sampling method described, the results of all inspections and the measures taken in respect of discrepancies and irregularities reported upon. The supporting documents submitted to the agency shall be sufficient to provide assurance that all the required checks on the eligibility of the authorized claims have been performed.

(v) Where documents relating to the claims authorized and controls effected are retained by the other bodies, both these bodies and the agency shall set up procedures to ensure that the location of all such documents that are relevant to specific payments made by the agency is recorded, and that these documents may be made available for inspection at the agency's offices at the request of the persons and bodies who would normally have the right to inspect such documents, which include :

- the agency's staff who deal with the claim,
- the agency's internal audit service,
- the body that attests the agency's annual declaration,
- mandated officials of the European Union.

5. The agency's administrative structure shall provide for separation of the three functions of authorization, execution and accounting for payments, each of which shall be the responsibility of a separate administrative subunit, the responsibilities of which are defined in an organization chart. The administrative structure may provide for the function of the technical service to be performed by the authorization department in appropriate cases.

6. The agency shall adopt the following procedures or those offering equivalent guarantees :

- (i) The agency shall lay down detailed written procedures for the receipt, recording and processing of claims inclusive of a description of all documents to be used.
- (ii) The division of duties shall be such that no official has responsibility for more than one of the responsibilities for authorizing, paying or accounting for sums charged to EAGGF, and that no official performs one of those tasks without his work coming under the supervision of a second official.

The responsibilities of each official shall be defined in writing, including the setting of financial limits to his authority. Staff training shall be appropriate, and there shall be a policy for rotating staff in sensitive positions, or alternatively for increased supervision.

- (iii) Each official responsible for authorization shall have at his disposal a detailed check-list of the verifications he is required to undertake, and shall include in the supporting documents of the claim his attestation that these checks have been performed. This attestation may be made by electronic means subject to the conditions referred to in subparagraph (vi). There shall be evidence of review of the work by more senior member of staff.
- (iv) A claim shall be authorized for payment only after sufficient checks have been made to verify that it complies with Community regulations. These checks shall include those required by the regulation governing the specific measure under which aid is claimed, and those required pursuant to Article 8 of Regulation (EEC) No 729/70 to prevent and detect fraud and irregularity with particular regard to the risks presented. The checks to be undertaken shall be specified in a check-list, and their performance shall be attested for each claim, or for each batch of claims.
- (v) Procedures should ensure that payment is made only to the claimant, to his bank account or to his assignee. The payment shall be executed by the agency's banker, or, as appropriate, a governmental payments office, or the cheque mailed, within five working days of the date of charge to the EAGGF. Procedures shall be adopted to ensure that all payments for which transfers are not executed, or cheques not cashed, are recredited to the Fund. No payments shall be made in cash. The approval of the authorizing official and/or his supervisor may be made by electronic means, provided an appropriate level of security over these means is ensured, and the identity of the signatory is entered in the electronic records.
- (vi) Where claims are processed using a computer system, access to the computer system shall be protected and controlled in such a way that :
  - all information entered into the system is properly validated to ensure that input errors are detected and corrected,
  - no data may be entered, modified, or validated, except by authorized officials to whom individual passwords are attributed,
  - the identity of each official entering, or modifying, data or programmes is recorded in an operations log.

Passwords shall be changed regularly to avoid misuse. Computer systems shall be protected from unauthorized access by physical controls, and the data shall be backed up by copies stored in a separate, safeguarded location. Data entry shall be checked by logical checks aimed at detecting inconsistent or extraordinary data.

- (vii) The agency's procedures shall ensure that every change in the Community's regulations, and in particular the rates of aid applicable, are recorded and the instructions, databases and checklists updated in good time.
7. Payments of advances shall be identified in the accounting records, and procedures adopted to ensure that :
- (i) Guarantees are obtained only from financial institutions, which fulfill the conditions of Regulation (EEC) No 2220/85 <sup>(1)</sup> and which are approved by appropriate authorities, and deliver guarantees which remain valid until cleared or called upon, and are met on the simple request of the agency.
  - (ii) The advances are cleared within the stipulated time limits, and that those overdue for clearing are promptly identified and the guarantees promptly called upon.
  - (iii) The clearing of advances is subject to the same controls by authorizing officers as are payments.
8. The accounting for intervention storage shall ensure that the quantities, and associated costs, are correctly and promptly processed and recorded per identifiable lot and in the correct account at each stage from the acceptance of an offer to the physical disposal of the product, in compliance with the scheme regulations, and ensure that the quantity and nature of stocks at every location may be determined at any time. Stocks shall be physically verified on a regular basis by persons, bodies or departments independent of the stockkeepers.
9. Accounting procedures shall ensure that montly and annual declarations are complete, accurate and timely, and that any errors or omissions are detected and corrected, in particular through checks and reconciliations performed at intervals not exceeding three months.
10. The internal audit service shall verify that procedures adopted by the agency are adequate to ensure that compliance with Community regulations is verified, and that accounts are accurate, complete and timely. Verifications may be limited to selected measures and to samples of transactions provided that an audit plan ensures that all significant areas, including the departments responsible for authorization, are covered over a period not exceeding five years. The service's work shall be performed according to internationally accepted standards, shall be recorded in working papers and shall result in reports and recommendations addressed to the agency's top management. The audit plans and reports shall be made available to the certifying body and to officials of the European Union mandated to undertake financial audits and for the sole purpose of appraising the effectiveness of the internal audit function.
11. All the above paragraphs apply, *mutatis mutandis*, to 'negative expenditure' (levies, forfeited guarantees, reimbursed payments, etc.) that the agency is required to collect on behalf of the Guarantee Section of the EAGGF. In particular, the agency shall set up a system for the recognition of all amounts due to the EAGGF and for the recording in a debtors ledger of all such debts prior to their receipt. The debtors ledger shall be inspected at regular intervals with the aim of taking action to collect debts that are overdue.
- The agency may delegate the responsibility for collecting certain categories of negative expenditure to other bodies, subject to the conditions set out in point 4, adapted as appropriate, and to the additional condition that the other body reports to the agency on a regular and timely basis, not less than monthly, on all revenues recognized and monies received.
12. The agency shall ensure that all claims received are dealt with expeditiously.

---

<sup>(1)</sup> OJ No L 205, 3. 8. 1985, p. 5.

**COMMISSION REGULATION (EC) No 1664/95  
of 7 July 1995**

**amending Regulations in the sector of cereals, oilseeds and protein crop fixing before 1 February 1995 certain prices and amounts whose values in ecus have been adjusted because of the abolition of the corrective factor in agricultural conversion rates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(1)</sup>, as last amended by Regulation (EC) No 150/95<sup>(2)</sup>, and in particular Article 13 (1) thereof,

Whereas with effect from 1 February 1995, Article 13 (2) of Regulation (EEC) No 3813/92 alters the value in ecus of certain prices and amounts in order to neutralize the effects of the abolition of the corrective factor of 1,207509 which until 31 January 1995 affected the conversion rates used for agriculture ;

Whereas the new values in ecus of the prices and amounts concerned have been established as of 1 February 1995 according to the rules laid down in Article 13 (2) of Regulation (EEC) No 3813/92 and Article 18 (1) of Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates<sup>(3)</sup>, as last amended by Regulation (EC) No 1053/95<sup>(4)</sup>;

Whereas, in accordance with Article 18 (2) of Regulation (EEC) No 1068/93, in order to avoid confusion and to

facilitate the application of the common agricultural policy, replacement prices and values in ecu should be fixed to apply at least from :

- 1 January 1996 for amounts which are not affected by a marketing year,
- from the beginning of the 1996 marketing year in the case of prices or amounts for which the marketing year begins in January 1996, and
- from the beginning of the 1995/96 marketing year in the other cases,

which are among the legal instruments coming into force before 1 February 1995 ;

Whereas guarantees under Council Regulation (EEC) No 1766/92<sup>(5)</sup>, as last amended by Regulation (EC) No 1528/95<sup>(6)</sup>, and its implementing Regulations are already at an appropriate level to ensure that obligation ; whereas it is therefore not necessary to apply the conversion factor of 1,207509 to such guarantees ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

As a consequence of the adjustment of certain prices and amounts in ecus in the sector of cereals, oilseeds and protein crops coming into effect from 1 February 1995, pursuant to Article 13 (2) of Regulation (EEC) No 3813/92 and of Article 18 (1) of Regulation (EEC) No 1068/93, the legal instruments referred to in Article 2 shall be amended as laid down therein.

*Article 2*

1. The amounts of the specific aids applicable to Portugal, provided for in Council Regulation (EEC) No 3653/90<sup>(7)</sup>, are replaced by the following amounts :

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

<sup>(2)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(3)</sup> OJ No L 108, 1. 5. 1993, p. 106.

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

<sup>(5)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(6)</sup> OJ No L 148, 30. 6. 1995, p. 3.

<sup>(7)</sup> OJ No L 362, 27. 12. 1990, p. 28.

	<i>(in ecus/tonne)</i>							
	1995/ 1996	1996/ 1997	1997/ 1998	1998/ 1999	1999/ 2000	2000/ 2001	2001/ 2002	2002/ 2003
'Common wheat	96,54	86,12	75,40	64,38	53,00	41,13	28,67	15,27
Maize	49,89	43,66	37,42	31,18	24,95	18,72	12,47	6,23
Barley, triticale, rye	63,19	55,28	47,39	39,48	31,60	23,69	15,79	7,90
Grain sorghum	43,37	37,95	32,53	27,11	21,69	16,25	10,84	5,42'

2. In Council Regulation (EEC) No 1765/92<sup>(1)</sup>:

- in Article 4 (2), third indent, the amount of ECU 45 is replaced by the amount of ECU 54,34,
- in Article 4 (3), last indent, the amount of ECU 297 is replaced by the amount of ECU 358,6,
- in Article 4 (5) the amount of ECU 115 is replaced by the amount of ECU 138,9,
- in Article 5 (1) (a), the price of ECU 163 is replaced by the price of ECU 196,8,
- in Article 5 (1) (b), the amount of ECU 359 is replaced by the amount of ECU 433,50,
- in Article 6, the amount of ECU 65 is replaced by the amount of ECU 78,49,
- in Article 7 (5), the amount of ECU 57 is replaced by the amount of ECU 68,83,
- in Article 7 (6), the amount of ECU 40 is replaced by the amount of ECU 48,30.

3. In Regulation (EEC) No 1766/92:

- in Article 3 (3), the price of ECU 98,71 is replaced by the price of ECU 119,19,
- in Article 8 (1) third indent, the price of ECU 173,73 is replaced by the price of ECU 209,78,
- in Article 8 (2) third indent, the amount of ECU 72 is replaced by the amount of ECU 86,94.

4. The table in the Annex of Commission Regulation (EC) No 762/94<sup>(2)</sup> is replaced by the following table:

	<i>(in ecus)</i>							
Marketing year	1995/ 1996	1996/ 1997	1997/ 1998	1998/ 1999	1999/ 2000	2000/ 2001	2001/ 2002	2002/ 2003
Supplementary compensation	24,09	21,28	18,43	15,54	12,62	9,64	6,57	3,41

5. In Article 5 of Council Regulation (EC) No 1868/94<sup>(3)</sup> the amount of ECU 18,43 is replaced by the amount of ECU 22,25.

6. In Article 1 of Council Regulation (EC) No 1872/94<sup>(4)</sup> the amount of ECU 87 is replaced by amount of ECU 105,1.

7. The guarantees fixed on application of Regulation (EEC) No 1765/92 and its application regulations are not affected by the conversion factor of 1,207509.

(1) OJ No L 181, 1. 7. 1992, p. 12.

(2) OJ No L 90, 7. 4. 1994, p. 8.

(3) OJ No L 197, 30. 7. 1994, p. 4.

(4) OJ No L 197, 30. 7. 1994, p. 10.



*Article 3*

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

It shall apply, for each amount and prices mentioned in Article 2 (1) to (6), from the date on which an agricultural conversion rate fixed on or after 1 February 1995 is first applied.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

**COMMISSION REGULATION (EC) No 1665/95**  
**of 7 July 1995**  
**on the supply of cereals as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management<sup>(1)</sup>, as last amended by Regulation (EEC) No 1930/90<sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management<sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain beneficiaries 33 747 tonnes of cereals;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(4)</sup>, as amended by Regulation (EEC) No 790/91<sup>(5)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of

destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

*Article 1*

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annexes, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

For lots C and D, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

*Article 2*

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

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

Done at Brussels, 7 July 1995.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 174, 7. 7. 1990, p. 6.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

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

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

## ANNEX I

## LOT A

1. **Operation Nos** (1): 1587/94
2. **Programme**: 1994
3. **Recipient** (2): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (telex 626675 WFP I)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: durum wheat
7. **Characteristics and quality of the goods** (3) (7): OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (b))
8. **Total quantity**: 21 000 tonnes
9. **Number of lots**: 1
10. **Packaging and marking** (8): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 a and II.A.3) in bulk + 441 000 sacks + 210 needles and sufficient twine (2 m/bag) (9)  
Language to be used for the marking: English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed and trimmed (10)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 21. 8 — 10. 9. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 25. 7. 1995
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 8. 1995
  - (b) period for making the goods available at the port of shipment: 4 — 24. 9. 1995
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (11): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** (12): refund applicable on 21. 7. 1995, fixed by Commission Regulation (EC) No 1578/95 (OJ No L 150, 1. 7. 1995, p. 68)

## LOT B

1. **Operation Nos** <sup>(1)</sup>: see Annex II
2. **Programme**: 1995
3. **Recipient** <sup>(2)</sup>: Euronaid, PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** <sup>(3)</sup>: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: oat flakes
7. **Characteristics and quality of the goods** <sup>(4)</sup> <sup>(7)</sup>: OJ No C 114, 29. 4. 1991, p. 1 (under II.B. (1)(e))
8. **Total quantity**: 132 tonnes (227 tonnes of cereals)
9. **Number of lots**: 1 (see Annex II)
10. **Packaging and marking** <sup>(6)</sup> <sup>(8)</sup> <sup>(9)</sup> <sup>(10)</sup>: OJ No C 114, 29. 4. 1991, p. 1 (under II.B (2) (f) and II.B (3))  
Language to be used for the marking: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 21. 8 — 10. 9. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 25. 7. 1995
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 8. 1995
  - (b) period for making the goods available at the port of shipment: 4 — 24. 9. 1995
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** <sup>(1)</sup>: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** <sup>(4)</sup>: refund applicable on 21. 7. 1995 fixed by Commission Regulation (EC) No 1578/95 (OJ No L 150, 1. 7. 1995, p. 68)

## LOT C

1. **Operation No** <sup>(1)</sup>: see Annex II
2. **Programme**: 1994 and 1995
3. **Recipient** <sup>(2)</sup>: Euronaid PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 euron nl)
4. **Representative of the recipient** <sup>(13)</sup>: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** <sup>(3)</sup> <sup>(7)</sup>: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.1 (a))
8. **Total quantity**: 273 tonnes (374 tonnes of cereals)
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking** <sup>(6)</sup> <sup>(8)</sup> <sup>(9)</sup> <sup>(12)</sup>: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (d) and II.B.3)  
Language to be used for the marking: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment <sup>(11)</sup>
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 21. 8 — 10. 9. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 25. 7. 1995
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 8. 1995
  - (b) period for making the goods available at the port of shipment: 4 — 24. 9. 1995
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** <sup>(1)</sup>: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** <sup>(4)</sup>: refund applicable on 21. 7. 1995, fixed by Commission Regulation (EC) No 1578/95 (OJ No L 150, 1. 7. 1995, p. 68)

## LOT D

1. **Operation No** (1): see Annex II
2. **Programme** : 1995
3. **Recipient** (2) : Euronaid, PO box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757 ; telefax 36 41 701 ; telex 30960 euron nl)
4. **Representative of the recipient** (13) : to be designated by the recipient
5. **Place or country of destination** : see Annex II
6. **Product to be mobilized** : common wheat
7. **Characteristics and quality of the goods** (3) (7) : see OJ No C 114, 29. 4. 1991, p. 1 (under IIA.1 (a))
8. **Total quantity** : 866 tonnes
9. **Number of lots** : one ; see Annex II
10. **Packaging and marking** (6) (8) (9) (12) : see OJ No C 114, 29. 4. 1991, p. 1 (under IIA.2 (c) and IIA.3)  
Language to be used for the marking : see Annex II
11. **Method of mobilization** : the Community market
12. **Stage of supply** : free at port of shipment (11)
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : —
16. **Address of the warehouse and, if appropriate, port of landing** : —
17. **Period for making the goods available at the port of shipment** : 7 — 27. 8. 1995
18. **Deadline for the supply** : —
19. **Procedure for determining the costs of supply** : invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon (Brussels time) on 25. 7. 1995
21. **In the case of a second invitation to tender** :
  - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 8. 8. 1995
  - (b) period for making the goods available at the port of shipment : 21. 8 — 10. 9. 1995
  - (c) deadline for the supply : —
22. **Amount of the tendering security** : ECU 5 per tonne
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1) : Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex 22037 AGREC B ; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** (4) : refund applicable on 21. 7. 1995, fixed by Commission Regulation (EC) No 1578/95 (OJ No L 150, 1. 7. 1995, p. 68)

## LOT E

1. **Operation No** <sup>(1)</sup>: 1577/94
2. **Programme**: 1994
3. **Recipient** <sup>(2)</sup>: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (telex 626675 WFP I)
4. **Representative of the recipient**: to be designed by the recipient
5. **Place or country of destination**: Liberia
6. **Product to be mobilized**: maize meal
7. **Characteristics and quality of the goods** <sup>(3)</sup> <sup>(7)</sup>: OJ No C 114, 29. 4. 1991, p. 1 (under II.B (1) (d))
8. **Total quantity**: 5 866 tonnes (11 280 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** <sup>(8)</sup> <sup>(9)</sup>: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B (2) (a) and II.B (3))  
Markings in English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed <sup>(14)</sup>
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 28. 8 — 17. 9. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 25. 7. 1995
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 8. 1995
  - (b) period for making the goods available at the port of shipment: 11. 9 — 1. 10. 1995
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** <sup>(1)</sup>: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037, AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** <sup>(4)</sup>: refund applicable on 21. 7. 1995, fixed by Commission Regulation (EC) No 1578/95 (OJ No L 150, 1. 7. 1995, p. 68)

*Notes :*

- (<sup>1</sup>) The operation number should be mentioned in all correspondence.
- (<sup>2</sup>) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (<sup>3</sup>) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (<sup>4</sup>) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 157/95 (OJ No L 24, 1. 2. 1995, p. 1) shall not apply to this amount.
- (<sup>5</sup>) For the twine : 60 % polyester, 40 % cotton, 20/4, knotted free yarn, 5 000 mg/kg, on spools of 3 kg.
- (<sup>6</sup>) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.
- (<sup>7</sup>) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- phytosanitary certificate,
  - lots B, C and D fumigation certificate : (the cargo shall be fumigated with alumine phosphine).
- (<sup>8</sup>) Notwithstanding OJ No C 114, point II.A. (3)(c) or II.B. (3)(c) is replaced by the following : 'the words "European Community"'.
- (<sup>9</sup>) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (<sup>10</sup>) See fourth amendment to OJ No C 114 published in OJ No C 272, 21. 10. 1992, p. 6.
- (<sup>11</sup>) For lots C and D, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
- (<sup>12</sup>) See second amendment to OJ No C 114 published in OJ No C 135, 26. 5. 1992, p. 20.
- (<sup>13</sup>) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (<sup>14</sup>) Notwithstanding Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include all loading, handling, stowage (lot A : and trimming) costs.



ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II —  
ANEXO II — LIITE II — BILAGA II

Lote Parti Partie Παρτίδα Lot Lot Lotto Partij Lote Erä Parti	Cantidad total (en toneladas) Totalmængde (tons) Gesamtmenge (in Tonnen) Συνολική ποσότητα (σε τόνους) Total quantity (in tonnes) Quantité totale (en tonnes) Quantità totale (in tonnellate) Totale hoeveelheid (in ton) Quantidade total (em toneladas) Kokonaismäärä (tonnia) Total kvantitet (ton)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoevelheden (in ton) Quantidades parciais (em toneladas) Osittaismäärä (tonnia) Delkvantitet (ton)	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº Toimi N:o Aktion nr	Pais de destino Bestemmelsesland Bestimmungsland Χώρα προορισμού Country of destination Pays de destination Paese di destinazione Land van bestemming País de destino Määrämaa Bestämmelseland	Lengua que se debe utilizar en la rotulación Mærkning på følgende sprog Kennzeichnung in folgender Sprache Γλώσσα που πρέπει να χρησιμοποιηθεί για τη σήμανση Language to be used for the marking Langue à utiliser pour le marquage Lingua da utilizzare per la marcatura Taal te gebruiken voor de opschriften Língua a utilizar na rotulagem Merkinnäissä käytettävä kieli Märkning på följande språk
B	132	B 1 : 24 B 2 : 108	70/95 90/95	Perú Togo	Español Français
C	273	C 1 : 173 C 2 : 100	1602/94 69/95	Haiti Perú	Français Español
D	866	D 1 : 126 D 2 : 360 D 3 : 380	71/95 72/95 83/95	Perú India India	Español English English

## COMMISSION REGULATION (EC) No 1666/95

of 7 July 1995

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EC) No 1538/95<sup>(2)</sup>, and in particular Article 17 (3) thereof,

Whereas Commission Regulation (EC) No 1560/95<sup>(3)</sup> has fixed the rates of the refunds applicable from 1 July 1995 to certain dairy products exported in the form of goods not covered by Annex II to the Treaty;

Whereas it follows from applying the rules and criteria contained in Commission Regulation (EC) No 1222/94 of 30 May 1994, laying down common detailed rules for the application of the system of 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<sup>(4)</sup>, as last amended by Regulation (EC) No 1149/95<sup>(5)</sup>, in particular Article 4 (2) (b) thereof, to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to certain milk products exported in the form of the products which appear in the Annex to Regulation (EC) No 1560/95 are hereby altered as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 8 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 17.

<sup>(3)</sup> OJ No L 150, 1. 7. 1995, p. 9.

<sup>(4)</sup> OJ No L 136, 31. 5. 1994, p. 5.

<sup>(5)</sup> OJ No L 116, 23. 5. 1995, p. 1.

## ANNEX

to the Commission Regulation of 7 July 1995 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 64,60
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	54,41 103,21
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat c) On exportation of other goods	24,00 167,25 160,00

COMMISSION REGULATION (EC) No 1667/95  
of 7 July 1995

establishing a forecast balance for the supply to the Canary Islands of live bovine  
animals and beef and veal products

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 concerning specific measures for the  
Canary Islands with regard to certain agricultural  
products<sup>(1)</sup>, as last amended by Regulation (EC) No  
3290/94<sup>(2)</sup>, and in particular Articles 3 (4), 4 (4) and 5 (2)  
thereof,

Whereas in application of Regulation (EEC) No 1601/92,  
the quantities of the forecast supply balances for the beef  
and veal sector should be determined for the period 1  
July 1995 to 30 June 1996 for supplies to the Canary  
Islands of beef and veal and male bovine fattening  
animals as well as pure-bred breeding bovines;

Whereas the quantities of the forecast supply balance for  
those products is fixed in Commission Regulation (EC)  
No 2883/94<sup>(3)</sup>, as last amended by Regulation (EC) No  
1590/95<sup>(4)</sup>, for the period 1 July 1994 to 30 June 1995;  
whereas, in order to continue to satisfy requirements for  
beef and veal products, the abovementioned quantities  
should be fixed for the period 1 July 1995 to 30 June  
1996;

Whereas, in application of Regulation (EEC) No 1601/92,  
the supply arrangements will apply from 1 July; whereas

the provisions of this Regulation should therefore apply  
immediately;

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*

For the purposes of Articles 2, 3, 4 and 5 of Regulation  
(EEC) No 1601/92, the quantities of the forecast supply  
balance in the beef and veal sector benefiting, as appro-  
priate from exemption from import duties for products  
from third countries or for Community aid for products  
from the Community market shall be as set out in the  
Annex hereto.

*Article 2*

This Regulation shall enter into force on the day follo-  
wing its publication in the *Official Journal of the Euro-  
pean Communities*.

It shall apply from 1 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.

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

<sup>(3)</sup> OJ No L 304, 29. 11. 1994, p. 18.

<sup>(4)</sup> OJ No L 150, 1. 7. 1995, p. 89.

## ANNEX

**FORECAST SUPPLY BALANCE FOR LIVE BOVINE ANIMALS AND BEEF AND VEAL FOR  
THE CANARY ISLANDS FOR THE PERIOD 1 JULY 1995 TO 30 JUNE 1996**

CN code	Description of goods	Number (*) (head) or quantity (in tonnes)
0102 10 00	Pure-bred breeding bovines (*)	4 300 (*)
ex 0102 90	Bovine animals for fattening	8 000 (*)
0201	Meat of bovine animals, fresh or chilled	11 500
0202	Meat of bovine animals, frozen	28 500
1602 50	Other prepared or preserved meat, meat offal or blood of bovine animals	2 500

(\*) Entry under this heading is subject to the conditions laid down in the relevant Community provisions.

(\*) Per head.

## COMMISSION REGULATION (EC) No 1668/95

of 7 July 1995

amending Regulations (EEC) No 1913/92 and (EEC) No 2255/92 laying down detailed rules for implementing the specific arrangements for supplying the Azores and Madeira with beef and veal sector products

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 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Article 10 thereof,

Whereas Regulation (EEC) No 1600/92 provides for the establishment, for the beef and veal sector and for the period 1 July 1995 to 30 June 1996, of the quantities of the specific supply balances for the Azores and Madeira regarding beef and veal, male bovines for fattening and pure-bred breeding animals;

Whereas the quantities in the forecast supply balance for those products were fixed by Commission Regulations (EEC) No 1913/92<sup>(3)</sup> and (EEC) No 2255/92<sup>(4)</sup>, as last amended by Regulation (EC) No 798/95<sup>(5)</sup>, for the period from 1 July 1994 to 30 June 1995;

Whereas, in order to continue to meet the needs of these remote regions for products of the beef and veal sector, those quantities should be fixed for the period from 1 July 1995 to 30 June 1996;

Whereas technical amendments should be made following application from 1 July 1995 of the new import arrangements to implement the agreements concluded during the Uruguay Round;

Whereas, pursuant to Regulation (EEC) No 1600/92, the supply arrangements apply from 1 July; whereas this Regulation should therefore apply immediately;

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*

Regulation (EEC) No 1913/92 is hereby amended as follows:

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 1.

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

<sup>(3)</sup> OJ No L 192, 11. 7. 1992, p. 35.

<sup>(4)</sup> OJ No L 219, 4. 8. 1992, p. 37.

<sup>(5)</sup> OJ No L 80, 8. 4. 1995, p. 21.

1. Article 1 is replaced by:

*Article 1*

Pursuant to Article 2 of Regulation (EEC) No 1600/92, the quantities of the forecast supply balance for Madeira for products of the beef and veal sector which benefit from exemption from customs duties on imports from third countries or which benefit from Community aid are fixed in Annex I.'

2. Annex I is replaced by Annex I to this Regulation.

3. Annex III is replaced by Annex III to this Regulation.

*Article 2*

Regulation (EEC) No 2255/92 is hereby amended as follows:

1. Article 1 is replaced by:

*Article 1*

Pursuant to Article 5 of Regulation (EEC) No 1600/92, the number of live male bovine animals intended for fattening and consumption in Madeira eligible for exemption from customs duties on imports or for Community aid is fixed in Annex I.'

2. In Article 2:

(a) in paragraph 1, the text of (b) is replaced by:  
'provision by the importer of a security for an amount equivalent to the customs duty applicable on the day of importation';

(b) in paragraph 3, the last subparagraph is replaced by:

'Amounts not released shall be applied to the payment of customs duties.'

3. Annex I is replaced by Annex II to this Regulation.

*Article 3*

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

It shall apply from 1 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

---

## ANNEX I

## ANNEX I

**Madeira : Forecast supply balance for beef and veal sector products  
from 1 July 1995 to 30 June 1996**

(tonnes)

CN code	Description of goods	Quantity
0201	Meat of bovine animals, fresh or chilled	3 000
0202	Meat of bovine animals, frozen	3 000'

## ANNEX II

## ANNEX I

**Madeira : Supply balance for male bovine animals for fattening  
from 1 July 1995 to 30 June 1996**

CN code	Description of goods	Number of animals
ex 0102 90	Bovine animals for fattening	1 600'

## ANNEX III

## ANNEX III

## PART 1

**Azores : Supply of pure-bred breeding bovines originating in the Community from 1 July  
1995 to 30 June 1996**

CN code	Description of goods	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (¹)	1 150	603,8

## PART 2

**Madeira : Supply of pure-bred breeding bovines originating in the Community from 1 July  
1995 to 30 June 1996**

CN code	Description of goods	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (¹)	200	784,9

(¹) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.



**COMMISSION REGULATION (EC) No 1669/95**

of 7 July 1995

**amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with live bovine animals and breeding horses**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Articles 4 (5) thereof,

Whereas for the purposes of Article 4 of Regulation (EEC) No 3763/91, the number should be determined for bovine animals and pure-bred breeding horses originating in the Community and eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FOD);

Whereas the quantities of the forecast supply balance for those products are fixed by Commission Regulation (EEC) No 2312/92<sup>(3)</sup> and (EEC) No 1148/93<sup>(4)</sup>, as last amended by Regulation (EC) No 798/95<sup>(5)</sup>, whereas the Annexes to those Regulations should therefore be amended;

Whereas, pursuant to Regulation (EEC) No 3763/91, the supply arrangements are applicable from 1 July; whereas the provisions of this Regulation should therefore apply immediately;

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*

Annex III to Regulation (EEC) No 2312/92 is hereby replaced by Annex I to this Regulation.

*Article 2*

The Annex to Regulation (EEC) No 1148/93 is hereby replaced by Annex II to this Regulation.

*Article 3*

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

It shall apply from 1 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

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

<sup>(3)</sup> OJ No L 222, 7. 8. 1992, p. 32.

<sup>(4)</sup> OJ No L 116, 12. 5. 1993, p. 15.

<sup>(5)</sup> OJ No L 80, 8. 4. 1995, p. 21.

## ANNEX I

## ANNEX III

## PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (1)	180	1 207,5

## PART 2

Supply to Guyana of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (1)	350	1 207,5

## PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (1)	40	1 207,5

## PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the  
period 1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (1)	50	1 207,5

(1) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

## ANNEX II

## ANNEX

## PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses <sup>(1)</sup>	16	1 207,5

## PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses <sup>(1)</sup>	10	1 207,5

<sup>(1)</sup> Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 18. 8. 1990, p. 55).

**COMMISSION REGULATION (EC) No 1670/95**  
**of 7 July 1995**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the 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 8 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 132, 16. 6. 1995, p. 8.

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

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

## ANNEX

to the Commission Regulation of 7 July 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code <sup>(1)</sup>	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	50,1
	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	55,6
	204	77,5
	624	196,3
0805 30 30	999	109,8
	388	64,9
	524	65,5
	528	49,6
	600	54,7
	624	78,0
0808 10 71, 0808 10 73, 0808 10 79	999	62,5
	039	91,5
	388	65,2
	400	72,1
	508	94,4
	512	52,4
	528	64,0
	800	99,1
	804	81,8
	999	77,6
	0808 20 47	388
512		62,6
528		65,9
800		67,6
804		56,0
999		66,5
0809 10 40	052	106,3
	064	133,6
	999	120,0
0809 20 41, 0809 20 49	052	221,7
	061	170,0
	064	177,6
	068	241,6
	400	204,9
	624	239,5
	676	166,2
	999	203,1
	0809 30 31, 0809 30 39	052
220		121,8
624		106,8
999		114,0
0809 40 30	624	223,7
	999	223,7

<sup>(1)</sup> 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 1671/95**  
**of 7 July 1995**  
**correcting Regulation (EC) No 1653/95 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<sup>(1)</sup>, as last amended by Regulation (EC) No 1528/95<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EC) No 1530/95<sup>(4)</sup>, 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<sup>(5)</sup>, as last amended by Regulation (EC) No 1516/95<sup>(6)</sup>, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 1653/95 of 6 July 1995 fixing the production refunds on cereals and rice<sup>(7)</sup>, following a calculation error, contains an incorrect figure in Article 1 (2);

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

Done at Brussels, 7 July 1995.

Whereas the necessary corrections should be made;

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*

Article 1 (2) of Regulation (EC) No 1653/95 is replaced by the following:

'2. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley of oats, shall be ECU 53,68 per tonne.'

*Article 2*

This Regulation shall enter into force on 8 July 1995.

It shall apply with effect from 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 148, 30. 6. 1995.

<sup>(5)</sup> OJ No L 159, 1. 7. 1993, p. 112.

<sup>(6)</sup> OJ No L 147, 30. 6. 1995, p. 49.

<sup>(7)</sup> OJ No L 156, 7. 7. 1995, p. 41.

**COMMISSION REGULATION (EC) No 1672/95**  
**of 7 July 1995**  
**on the issue of import licences for garlic originating in China**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1363/95<sup>(2)</sup>,

Having regard to Council Regulation (EC) No 1153/95 of 22 May 1995 concerning a protective measure applicable to imports of garlic from China<sup>(3)</sup>, and in particular Article 1 (3) thereof,

Whereas Council Regulation (EEC) No 2707/72<sup>(4)</sup> lays down the conditions for applying protective measures for fruit and vegetables ;

Whereas pursuant to Commission Regulation (EEC) No 1859/93<sup>(5)</sup>, as amended by Regulation (EC) No 1662/94<sup>(6)</sup>, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence ;

Whereas Article 1 (1) of Commission Regulation (EC) No 1153/95, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1995 to 31 May 1996 ;

Whereas, given the criteria laid down in Article 1 (2) of that Regulation and the import licences already issued, the quantity applied for at 5 July 1995 is in excess of the maximum monthly quantity for July 1995 ; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications ; whereas the issue of licences in response to these applications ; whereas the issue of licences in response to applications lodged after 5 July 1995 and before 7 August 1995 should be refused,

HAS ADOPTED THIS REGULATION :

*Article 1*

Import licences applied for under Article 1 of Regulation (EEC) No 1859/93 at 5 July 1995 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,80823 % of the quantity applied for, having regard to the information available to the Commission on 7 July 1995.

For the abovementioned products applications for import licences lodged after 5 July 1995 and before 7 August 1995 shall be refused.

*Article 2*

This Regulation shall enter into force on 8 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 132, 16. 6. 1995, p. 8.

<sup>(3)</sup> OJ No L 116, 23. 5. 1995, p. 23.

<sup>(4)</sup> OJ No L 291, 28. 12. 1972, p. 3.

<sup>(5)</sup> OJ No L 170, 13. 7. 1993, p. 10.

<sup>(6)</sup> OJ No L 176, 9. 7. 1994, p. 1.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 29 June 1995

on the extension of the legal protection of topographies of semiconductor products to persons from the United States of America

(95/237/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products<sup>(1)</sup>, and in particular Article 3 (7) thereof,

Having regard to the proposal from the Commission,

Whereas the right to legal protection of topographies of semiconductor products in the Community applies to persons qualifying for protection under Article 3 (1) to (5) of Directive 87/54/EEC;

Whereas this right can be extended by Council Decision to persons who do not benefit from protection under the said provisions;

Whereas the extension of the protection in question should, as far as possible, be decided by the Community as a whole;

Whereas that protection has, since 7 November 1987, been extended to the United States of America by succes-

sive Council Decisions taken on an interim basis<sup>(2)</sup>, the latest of which is Decision 94/373/EC of 27 June 1994;

Whereas that Decision applies until 1 July 1995;

Whereas the United States of America has appropriate legislation on the protection of topographies of semiconductor products and the President of that country extended that protection to persons from the Member States of the European Community as from 1 July 1995 in his Proclamation of 23 March 1995;

Whereas the Agreement on trade-related aspects of intellectual property rights, which forms part of the results of the Uruguay Round of multilateral trade negotiations embodied in the Marrakesh Final Act of 15 April 1994, requires Members to grant protection to integrated-circuit topographies in compliance with its own provisions and with those of the Treaty on Intellectual Property in Respect of Integrated Circuits to which it refers;

Whereas that Agreement, together with that establishing the World Trade Organization (to which it is annexed), entered into force in the Community on 1 January 1995; whereas the developed countries which are Members of the Agreement establishing the World Trade Organization have one year following the entry into force of that Agreement in which to implement the Agreement on trade-related aspects of intellectual property rights;

<sup>(1)</sup> OJ No L 24, 27. 1. 1987, p. 36.

<sup>(2)</sup> Decision 87/532/EEC (OJ No L 313, 4. 11. 1987, p. 22); Decision 90/511/EEC (OJ No L 285, 17. 10. 1990, p. 31); Decision 93/16/EEC (OJ No L 11, 19. 1. 1993, p. 20); Decision 94/4/EC (OJ No L 16, 8. 1. 1994, p. 23); Decision 94/373/EC (OJ No L 170, 5. 7. 1994, p. 34).



Whereas Council Decision 94/824/EC of 22 December 1994 on the extension of the legal protection of topographies of semiconductor products to persons from a Member of the World Trade Organization<sup>(1)</sup> is to apply from 1 January 1996; whereas the United States of America is a Member of the World Trade Organization;

Whereas in view of the extension of the protection provided for by United States legislation to persons from the Member States of the European Community the right to protection under Directive 87/54/EEC should be extended to natural and legal persons from the United States of America with effect from 2 July 1995 and until Decision 94/824/EC applies, namely 1 January 1996,

HAS ADOPTED THIS DECISION:

*Article 1*

Member States shall extend the right to legal protection under Directive 87/54/EEC as follows:

- (a) natural persons who are nationals of the United States of America or who have their habitual residence in the territory of the United States of America shall be treated in the same way as nationals of a Member State;
- (b) companies or other legal persons from the United States of America which have a real and effective industrial or commercial establishment in that

country shall be treated as if they had a real and effective industrial or commercial establishment in the territory of a Member State.

*Article 2*

This Decision shall apply from 2 July 1995.

Member States shall extend the right to legal protection under this Decision to the persons referred to in Article 1 until 1 January 1996.

Any exclusive rights acquired under Decisions 87/532/EEC, 90/511/EEC, 93/16/EEC, 94/4/EC, 94/373/EC or under this Decision shall continue to produce their effects for the period laid down under Directive 87/54/EEC.

*Article 3*

This Decision is addressed to the Member States.

Done at Luxembourg, 29 June 1995.

*For the Council*

*The President*

J. BARROT

---

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 201.

## EUROPEAN ECONOMIC AREA

## THE EEA JOINT COMMITTEE

## DECISION OF THE EEA JOINT COMMITTEE

No 19/95

of 5 April 1995

amending Annex IV (Energy) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas Annex IV to the Agreement was last amended by Decision of the EEA Joint Committee No 7/94 of 21 March 1994 amending Protocol 47 and certain Annexes to the EEA Agreement<sup>(1)</sup>;

Whereas Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons<sup>(2)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following point shall be inserted after point 11 (Council Directive 92/75/EEC) in Annex IV to the Agreement:

- '12. 394 L 0022 : Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ No L 164, 30. 6. 1994, p. 3).'

*Article 2*

The texts of Directive 94/22/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

<sup>(1)</sup> OJ No L 160, 28. 6. 1994, p. 1.

<sup>(2)</sup> OJ No L 164, 30. 6. 1994, p. 3.

*Article 3*

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

*Article 4*

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

Done at Brussels, 5 April 1995.

*For the EEA Joint Committee*

*The President*

P. BENAVIDES

---

**DECISION OF THE EEA JOINT COMMITTEE**

No 20/95

of 5 April 1995

**amending Annex XIII (Transport) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

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

Whereas Annex XIII to the Agreement was last amended by Decision of the EEA Joint Committee No 29/94 of 2 December 1994 amending Annex XIII (Transport) to the EEA Agreement <sup>(1)</sup>;

Whereas the Seventh Directive of the European Parliament and of the Council 94/21/EC of 30 May 1994 on summer-time arrangements <sup>(2)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following heading and point shall be inserted after point 68a (Council Directive 91/670/EEC) in Annex XIII to the Agreement:

**‘VII. OTHER**

68b. 394 L 0021 : Seventh Directive of the European Parliament and of the Council 94/21/EC of 30 May 1994 on summer-time arrangements (OJ No L 164, 30. 6. 1994, p. 1)‘.

*Article 2*

The texts of the Seventh Directive 94/21/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

*Article 3*

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

*Article 4*

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

Done at Brussels, 5 April 1995.

*For the EEA Joint Committee**The President*

P. BENAVIDES

---

<sup>(1)</sup> OJ No L 339, 29. 12. 1994, p. 89.

<sup>(2)</sup> OJ No L 164, 30. 6. 1994, p. 1.

**DECISION OF THE EEA JOINT COMMITTEE**

No 21/95

of 5 April 1995

**amending Annex XV (State aid) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

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

Having regard to the Joint Statement on Shipbuilding made in the context of Decision of the EEA Joint Committee No 7/94 of 21 March 1994 amending Protocol 47 and certain Annexes to the EEA Agreement,

Whereas Annex XV to the Agreement was last amended by Decision of the EEA Joint Committee No 7/94 of 21 March 1994 amending Protocol 47 and certain Annexes to the EEA Agreement <sup>(1)</sup>,

Whereas Council Directive 90/684/EEC of 21 December 1990 <sup>(2)</sup> on aid to shipbuilding as amended by Directive 93/115/EEC <sup>(3)</sup> and Directive 94/73/EC <sup>(4)</sup> is to be integrated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The following new heading and new point shall be added after point 1a (Commission Decision No 3855/91/ECSC) of Annex XV to the Agreement:

**'Aid to shipbuilding**

1b. 390 L 0684 : Council Directive 90/684/EEC of 21 December 1990 on aid to shipbuilding (OJ No L 380, 31. 12. 1990, p. 27), as amended by:

— 393 L 0115 : Council Directive 93/115/EEC of 16 December 1993 (OJ No L 326, 28. 12. 1993, p. 62),

— 394 L 0073 : Council Directive 94/73/EC of 19 December 1994 (OJ No L 351, 31. 12. 1994, p. 10).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the term "Member States" shall read "EC Member States or EFTA States";
- (b) the term "Member State" shall read "EC Member State or EFTA State";
- (c) the term "Commission" shall read "competent surveillance authority as defined in Article 62 of the EEA Agreement";

<sup>(1)</sup> OJ No L 160, 28. 6. 1994, p. 1.

<sup>(2)</sup> OJ No L 380, 31. 12. 1990, p. 27.

<sup>(3)</sup> OJ No L 326, 28. 12. 1993, p. 62.

<sup>(4)</sup> OJ No L 351, 31. 12. 1994, p. 10.

- (d) in Article 1 (d), first subparagraph, the phrase "State aid within the meaning of Articles 92 and 93 of the Treaty" shall read "State aid within the meaning of Articles 61 and 62 of the EEA Agreement";
- (e) in Article 3 (2) the term "Community shipyards" shall read "Community shipyards or EFTA States' shipyards";
- (f) in Article 3 (4) the term "Community rules" shall read "rules under the EFTA Agreement";
- (g) in Article 4 (1) the term "common market" shall read "functioning of the EEA Agreement";
- (h) in Article 4 (2), first subparagraph, the term "Community yards" shall read "yards within the territory covered by the EEA Agreement";
- (i) the following shall be added at the end of the first subparagraph of Article 4 (2):

"Before fixing the ceiling the competent surveillance authorities as defined in Article 62 of the EEA Agreement shall, in order to obtain uniform application in the EEA context, exchange information and consult each other closely.";
- (j) in Article 4 (3) the phrase "contrary to Community interests" shall read "contrary to common interests";
- (k) the following shall be added after the second sentence in the first subparagraph of Article 4 (3):

"Before reviewing the ceiling the competent surveillance authorities as defined in Article 62 of the EEA Agreement shall, in order to obtain uniform application in the EEA context, exchange information and consult each other closely.";
- (l) Article 4 (5), second subparagraph, shall read:

"However, where there is competition between yards in different States within the territory covered by the EEA Agreement, the competent surveillance authorities as defined in Article 62 of the EEA Agreement shall require prior notification of the relevant aid proposals at the request of any State. In such cases the competent surveillance authority shall adopt its decision, after consulting the other surveillance authority, within 30 days of notification; such proposals may not be implemented before the competent surveillance authority has given its authorization. By its decision the competent surveillance authority shall ensure that the planned aid does not affect trading conditions within the territory covered by the EEA Agreement to an extent contrary to the common interest.";
- (m) in Article 6 (2) the phrase "in a Member State's only existing yard, provided that the effect of the yard in question on the Community market is minimal" shall read "in an EC Member State's or EFTA State's only existing yard, provided that the effect of the yard in question on the EEA market is minimal";
- (n) in Article 6 (4) the term "Community objectives" shall read "common objectives";
- (o) in Article 7 (1), fourth subparagraph, the term "Commission's prior approval" shall read "prior approval by the competent surveillance authority as defined in Article 62 of the EEA Agreement";
- (p) in Article 7 (1) fifth subparagraph, the term "Commission's decision" shall read "decision of the competent surveillance authority as defined in Article 62 of the EEA Agreement";
- (q) in Article 7 (3) the term "Community legislation and rules" shall read "rules under the EEA Agreement";

- (r) in Article 8 (2) the phrase "as defined by the Commission in Annex I to the Community framework for State aids for research and development" shall read "as defined by the Commission in Annex I to the Community framework for State aids for research and development (\*) and by the EFTA Surveillance Authority in Section 14 of its Procedural and Substantive Rules in the Field of State Aid (\*\*);

(\*) OJ No C 83, 11. 4. 1986, p. 2.

(\*\*) OJ No L 231, 3. 9. 1994, p. 25."

- (s) in Article 11 (1) the term "Articles 92 and 93 of the Treaty" shall read "Articles 61 and 62 of the EEA Agreement".

#### *Article 2*

The texts of Council Directive 90/684/EEC, the Council Directive 93/115/EEC and Council Directive 94/73/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

#### *Article 3*

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

#### *Article 4*

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

Done at Brussels, 5 April 1995.

*For the EEA Joint Committee*

*The President*

P. BENAVIDES

---

**DECISION OF THE EEA JOINT COMMITTEE****No 22/95****of 5 April 1995****amending Annex XX (Environment) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

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

Whereas Annex XX to the Agreement was last amended by Decision 23/94 of the EEA Joint Committee of 28 October 1994, amending Annex XX (Environment) of the EEA Agreement <sup>(1)</sup>;

Whereas Council Directive 94/31/EC of 27 June 1994 amending Directive 91/689/EEC on hazardous waste <sup>(2)</sup> is to be integrated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following shall be added in Annex XX to the Agreement in point 32a (Council Directive 91/689/EEC) before the adaptation:

‘, as amended by:

— 394 L 0031: Council Directive 94/31/EC (OJ No L 168, 2. 7. 1994, p. 28)’.

*Article 2*

The texts of Directive 94/31/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

*Article 3*

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

*Article 4*

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

Done at Brussels, 5 April 1995.

*For the EEA Joint Committee*

*The President*

P. BENAVIDES

---

<sup>(1)</sup> OJ No L 325, 17. 12. 1994, p. 76.

<sup>(2)</sup> OJ No L 168, 2. 7. 1994, p. 28.