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## Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1837/95  
of 27 July 1995**

**on the issuing of a standing invitation to tender for the resale on the internal market of 105 000 tonnes of durum wheat held by the Greek intervention agency**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1664/95<sup>(2)</sup>, and in particular Article 5 thereof,

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

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 105 000 tonnes of durum wheat held by the Greek intervention agency should be issued;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The Greek intervention agency shall issue pursuant to Regulation (EEC) No 2131/93 a standing invitation to

tender for the resale on the internal market of 105 000 tonnes of durum wheat held by it.

*Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 9 August 1995.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 27 September 1995.

3. Tendere must be lodged with the Greek intervention agency:

Ministry of Agriculture (YDAGEP),  
Internal Market Directorate,  
241, Acharnon Street,  
GR-10446 Athens;  
(Telex 22 17 36 YDAG GR; fax 86 29 373).

*Article 3*

Not later than Tuesday of the week following the final date for the submission of tenders, the Greek intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 4*

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

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

Done at Brussels, 27 July 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 158, 8. 7. 1995, p. 13.

<sup>(3)</sup> OJ No L 191, 31. 7. 1993, p. 76.

<sup>(4)</sup> OJ No L 21, 26. 1. 1994, p. 1.

## COMMISSION REGULATION (EC) No 1838/95

of 26 July 1995

**amending Regulation (EEC) No 1558/91 laying down detailed rules for the application of the system of production aid for products processed from fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1032/95 <sup>(2)</sup>, and in particular Article 3 (4) thereof,

Whereas the tomato processing industry must have access to a large volume of capital over a very short period in order to be able to purchase raw materials; whereas, in order to resolve its cash-flow problems, it has recourse to seasonal loans and has to bear heavy financial burdens; whereas, in these circumstances, provision should be made for advance payment of production aid; whereas such payment should be subject to the lodging of a security guaranteeing its reimbursement in cases where the conditions for obtaining advance production aid are not met; whereas, in the interests of the producers, it is appropriate to penalize processors for not submitting the definitive aid application;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

*Article 1*

Article 13 of Commission Regulation (EEC) No 1558/91 <sup>(3)</sup> is hereby replaced by the following :

*Article 13*

1. In respect of tomato-based products, the processor may submit each marketing year, between 1 September and 30 November, a provisional aid application. This application shall include, in particular :

- (a) the name and address of the applicant;
- (b) the net weight of the finished products processed before 15 November which are the subject of the provisional aid application, broken down according to products for which a given rate of aid is applicable;
- (c) the net weight of the tomatoes used for processing each of the products referred to in (b);

(d) a copy of the bank or postal orders proving the payment of a price of 50 % or more of the minimum price for the quantities of tomatoes referred to in point (c) and the references of the contracts to which they relate;

(e) a declaration in which the processor specifies that the products referred to in (b) comply with the quality requirements laid down by the Community.

The provisions of the second subparagraph of Article 12 (4) shall apply.

2. The production aid for the quantity of finished products referred to in paragraph 1 (b) shall be paid to the processor. The aid payment shall be subject to the lodging of a security guaranteeing the reimbursement of an amount equal to the aid paid out plus 10 % thereof.

Payment of the advance aid by the competent body shall take place within 30 days from the date of lodging of the application.

3. If the producer does not submit the definitive aid application referred to in Article 12 (4), the security referred to in paragraph 2 shall be forfeited in whole and the processor shall also be excluded from the production aid system provided for in Article 2 of Regulation (EEC) No 426/86 for the following marketing year.

The security shall be forfeited in proportion to the aid corresponding to the quantity of finished products included in the provisional aid application for which it is established, before the payment of production aid on the basis of the application referred to in Article 14, that the quantity concerned was not eligible for production aid on 15 November.

4. Without prejudice to the provisions of paragraph 3, the security shall be released when production aid based on the aid application referred to in Article 14 has been paid by the competent authorities.

5. Where the provisions of this Article are implemented, the information and documents referred to in Article 14 (1) and (2) must cover the entire production of the processor during the marketing year concerned and the aid applications must specify that a provision aid application has been submitted.

*Article 2*

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

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 105, 9. 5. 1995, p. 3.

<sup>(3)</sup> OJ No L 144, 8. 6. 1991, p. 11.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1839/95

of 26 July 1995

## laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal

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 Commission Regulation (EC) No 1664/95<sup>(2)</sup>, and in particular Article 12 (1) thereof,

Whereas, under the agreements concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken, as from the 1995/96 marketing year, to open reduced-tariff quotas for imports into Portugal of 500 000 tonnes of maize and into Spain of two million tonnes of maize and 300 000 tonnes of sorghum respectively; whereas, in the case of the quota for imports into Spain, the quantities of certain grain substitutes imported into Spain are to be deducted in proportion to the total quantities imported; whereas in the case of the quota opened for imports of maize into Portugal, the import duty actually paid may not exceed ECU 50 per tonne;

Whereas, in order to ensure that these quotas are applied, provision should be made for direct purchase on the world market or application of an import duty reduction system established pursuant to Commission Regulation (EC) No 1502/95<sup>(3)</sup>;

Whereas the combination of the advantages provided for under the arrangements established by Council Regulation (EEC) No 715/91<sup>(4)</sup>, as last amended by Regulation (EC) No 2484/94<sup>(5)</sup>, applicable to imports into the Community of sorghum and maize originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT) and under this Regulation is liable to create disturbances on the Spanish market in cereals; whereas that difficulty can be overcome by setting a special reduction of the levy on maize and sorghum imported under this Regulation;

Whereas, in the case of direct purchase on the world market, and with a view to enabling the operation to be carried out under optimum conditions and in particular at the lowest purchase and transport costs, an invitation to tender should be organized for supply and delivery to

warehouses designated by the intervention agency concerned; whereas provision should be made for tenders to be lodged for individual lots in line with storage capacities available in certain areas of the Member State concerned and published in the notice of invitation to tender;

Whereas detailed rules should be adopted on the organization of the invitations to tender for the import duty reduction and for direct purchase on the world market, and conditions should be defined for submitting tenders and lodging and releasing securities guaranteeing compliance with the successful tenderer's obligations;

Whereas, with a view to sound economic and financial management of the purchasing operations in question and in particular to avoid disproportionate and excessive risks for operators in view of foreseeable prices on the Spanish and Portuguese markets, provision should be made for importing onto the market, subject to a reduced duty, cereals which do not meet the quality requirements laid down in the invitation to tender; whereas in that case, however, the duty reduction may not be greater than the last amount fixed for the reduction in question;

Whereas provision should be made to cover the operations arising from this Regulation according to the mechanisms laid down by Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(6)</sup>, as last amended by Regulation (EC) No 1287/95<sup>(7)</sup>, and by Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section<sup>(8)</sup>, as last amended by Regulation (EEC) No 1571/93<sup>(9)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Quotas for imports from third countries, for free circulation in Spain, of a maximum quantity in each marketing year of two million tonnes of maize and

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

<sup>(2)</sup> OJ No L 158, 8. 7. 1995, p. 13.

<sup>(3)</sup> OJ No L 147, 30. 6. 1995, p. 13.

<sup>(4)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(5)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(6)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(7)</sup> OJ No L 125, 8. 6. 1995, p. 1.

<sup>(8)</sup> OJ No L 216, 5. 8. 1978, p. 1.

<sup>(9)</sup> OJ No L 154, 25. 6. 1993, p. 46.

300 000 tonnes of sorghum shall be opened annually. Imports under these quotas shall be effected as provided for in the following Articles.

2. A quota for imports from third countries, for free circulation in Portugal, of a maximum quantity in each marketing year of 500 000 tonnes of maize shall be opened annually. Imports under this quota shall be effected as provided for in the following Articles.

3. In the event of technical difficulties duly noted by the Commission a period of importation exceeding that time limit may be laid down in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.

#### *Article 2*

1. The quantities for importation into Spain referred to in Article 1 (1) shall be reduced in each marketing year in proportion to any quantities of residues of starch manufacture from maize falling within CN code 2303 10 19, brewing and distilling dregs and waste falling within CN code 2303 30 00 and citrus pulp residues falling within CN code 2308 90 30 imported into Spain from third countries during the year concerned. Where it is ascertained that the quantities for such products imported into Spain under the cover of documents establishing their Community status develop abnormally, the necessary action shall be taken in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.

2. At a frequency to be determined, the Commission shall record in the accounts:

- the quantities of maize and sorghum imported into Spain from third countries,
- the quantities of residues of starch manufacture from maize, brewing and distilling dregs and waste and residues of citrus pulp imported into Spain.

For this purpose, the Spanish authorities shall supply the Commission regularly with all necessary information.

#### *Article 3*

1. The quantities of maize and sorghum referred to in Article 1 (1) shall be allocated to processing or use in Spain.

2. The quantities of maize referred to in Article 1 (2) shall be allocated to processing or use in Portugal.

#### *Article 4*

Imports shall be effected, as part of these quotas and within the quantitative limits set out in Article 1, to Spain

and Portugal by applying an import duty reduction system or by direct purchase on the world market.

### CHAPTER I

#### Importation with import duty reduction

##### *Article 5*

1. Without prejudice to Article 14, for imports of maize and sorghum into Spain and imports of maize into Portugal, within the quantitative limits set in Article 1, a reduction shall be applied to the import duty fixed in accordance with Regulation (EC) No 1502/95.

2. The amount of the reduction shall be fixed on a flat-rate basis or by tendering procedure, at a level enabling, firstly, disturbance of the Spanish and Portuguese markets as a result of imports into those countries to be avoided and, secondly, the quantities referred to in Article 1 actually to be imported.

3. The amount of the flat-rate reduction and, if the reduction is fixed in accordance with the tendering procedure referred to in Article 7 (1), the amount of the latter reduction, shall be fixed in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.

In the case of imports into Portugal, the amount of the reduction referred to in paragraph 2 shall be fixed in such a way that the duty actually paid does not exceed ECU 50 per tonne.

The reduction may be differentiated for imports of maize and/or sorghum under Regulation (EEC) No 715/90.

The duty actually paid shall be converted into national currency by applying the conversion rate applicable for the currency concerned on the date of completion of the customs import formalities.

4. The import duty reduction provided for in paragraph 1 shall be applied on importation into Spain of maize falling within CN code 1005 90 00 and sorghum falling within CN code 1007 00 90 and on importation into Portugal of maize falling within CN code 1005 90 00, covered by licences issued by the Spanish and Portuguese authorities as provided for in this Regulation and with the consent of the Commission. These licences shall be valid only in the Member State in which they are issued.

##### *Article 6*

1. Where a tendering procedure is organized for the import duty reduction, interested parties shall reply to the invitation to tender either by lodging a written tender in exchange for an acknowledgement of receipt with the Spanish intervention agency or the General Directorate for Trade in Portugal or by forwarding the same to the latter by registered letter, telex, telefax or telegram.



## 2. Tenders must give :

- the reference of the invitation to tender,
- the tenderer's name and exact addresses, together with the telex or telefax number,
- the nature and quantity of the product to be imported,
- the amount per tonne of the import duty reduction proposed in ecus,
- the country of origin of the cereals to be imported.

## 3. Tenders must be accompanied :

- (a) by evidence that the tenderer has lodged a security of ECU 20 per tonne ; and
- (b) by a written undertaking by the tenderer that, within two days of receipt of notification of the award of contract, he will lodge with the competent body concerned an application for an import licence for the quantity awarded, and that he will import from the country of origin specified in the tender.

4. Tenders must specify only one country of origin ; they may not exceed the maximum quantity available for each tendering deadline.

5. Tenders not submitted in accordance with paragraphs 1, 2, 3 and 4 or containing conditions other than those laid down in the invitation to tender shall not be considered.

6. Tenders may not be withdrawn.

7. Tenders must be forwarded to the Commission by the competent body not later than two hours after the deadline for the lodging of tenders as specified in the invitation to tender. They must be forwarded in the form shown in Annex 1.

Where no tenders are submitted, the Member State concerned shall inform the Commission within the same time limit.

*Article 7*

1. On the basis of the tenders lodged and forwarded under a tendering procedure for the import duty reduction the Commission shall decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 :

- to fix a maximum import duty reduction, or
- not to pursue the tendering procedure.

Where it is decided to fix a maximum import duty reduction, any tender(s) for an amount equal to or less than the maximum reduction shall be accepted. However, where the maximum reduction fixed under the tendering procedure for a given week leads to the acceptance of quantities exceeding the quantities remaining for importation, the tenderer having lodged the tender corresponding to the

accepted maximum reduction shall be awarded a quantity equal to the difference between the quantities applied for in the other accepted tenders and the quantity available. Where the maximum reduction fixed corresponds to several tenders, the quantity to be awarded shall be shared between the tenderers in proportion to the respective quantities for which they have tendered.

2. The competent authorities of Spain or Portugal shall notify all tenderers in writing of the outcome of their tenders as soon as the Commission has taken the decision referred to in paragraph 1.

*Article 8*

1. Licence applications shall be submitted on forms printed and/or drawn up in accordance with Article 16 of Commission Regulation (EEC) No 3719/88 <sup>(1)</sup>. Where a flat-rate reduction is adopted by the Commission, applications shall be lodged on the first two working days of each week. Where the duty reduction is awarded under a tendering procedure, applications shall be lodged, for the awarded quantity, within two days of receipt of the notice of award showing the reduction proposed in the tender.

2. Licence applications and the licences themselves shall carry one of the following entries in section 24 :

- Reducción del derecho : certificado válido únicamente en España [Reglamento (CE) n° 1839/95]
- Reducción del derecho : certificado válido únicamente en Portugal [Reglamento (CE) n° 1839/95]
- Nedsættelse af tolden : licensen er kun gyldig i Spanien (Forordning (EF) nr. 1839/95)
- Nedsættelse af tolden : licensen er kun gyldig i Portugal (Forordning (EF) nr. 1839/95)
- Ermäßigte Abgabe : Lizenz nur in Spanien gültig (Verordnung (EG) Nr. 1839/95)
- Ermäßigte Abgabe : Lizenz nur in Portugal gültig (Verordnung (EG) Nr. 1839/95)
- Μείωση του δασμού : πιστοποιητικό που ισχύει μόνο στην Ισπανία [κανονισμός (ΕΚ) αριθ. 1839/95]
- Μείωση του δασμού : πιστοποιητικό που ισχύει μόνο στην Πορτογαλία [κανονισμός (ΕΚ) αριθ. 1839/95]
- Duty reduction : licence valid only in Spain [Regulation (EC) No 1839/95]
- Duty reduction : licence valid only in Portugal [Regulation (EC) No 1839/95]
- Abatement du droit : certificat valable uniquement en Espagne [règlement (CE) n° 1839/95]

<sup>(1)</sup> OJ No L 331, 2. 12. 1988, p. 1.

- Abatement du droit : certificat valable uniquement au Portugal [règlement (CE) n° 1839/95]
- Riduzione del dazio : titolo valido unicamente in Spagna [regolamento (CE) n. 1839/95]
- Riduzione del dazio : titolo valido unicamente in Portogallo [regolamento (CE) n. 1839/95]
- Korting op het invoerrecht : certificaat uitsluitend geldig in Spanje (Verordening (EG) nr. 1839/95)
- Korting op het invoerrecht : certificaat uitsluitend geldig in Portugal (Verordening (EG) nr. 1839/95)
- Redução do direito : certificado válido apenas em Espanha [Regulamento (CE) n° 1839/95]
- Redução do direito : certificado válido apenas em Portugal [Regulamento (CE) n° 1839/95]
- Tullinalennus: todistus voimassa ainoastaan Espanjassa [Asetus (EY) N:o 1839/95]
- Tullinalennus: todistus voimassa ainoastaan Portugalissa [Asetus (EY) N:o 1839/95]
- Nedsättning av tull: intyg endast gällande i Spanien (Förordning (EG) nr 1839/95)
- Nedsättning av tull: intyg endast gällande i Portugal (Förordning (EG) nr 1839/95).

3. Where a flat-rate reduction is applied, licence applications shall be taken into consideration only where evidence is provided that a security of ECU 20 per tonne has been lodged in favour of the competent authority concerned.

#### *Article 9*

1. Licence applications shall be accompanied by a written undertaking from the applicant to lodge, by the date of issue of the licence at the latest, a performance guarantee of an amount per tonne equal to the flat-rate duty reduction granted or to that of the reduction proposed in the tender.

2. The level of security provided for in Article 10 (a) of Commission Regulation (EC) No 1162/95<sup>(1)</sup> shall apply to import licences issued under this Regulation.

3. Where a flat-rate reduction is adopted by the Commission, the rate of reduction and import duty rate applied shall be those in force on the day on which the certificate of release for free circulation is accepted by the customs office.

4. Where the reduction is fixed under a tendering procedure, the rate of duty applied shall be that in force

on the day on which the certificate of release for free circulation is accepted by the customs office. In addition, the amount of the reduction granted shall be shown in section 24 of the licence.

5. Applications shall be valid only if :

- they do not exceed the maximum quantity available for each deadline for lodging applications, and
- they are accompanied by evidence that the applicant's business activity includes international cereals trading in the importing Member State. For the purpose of this Article the provision of such evidence shall consist in presentation to the competent authority of either a copy of a certificate of payment of value added tax in the Member State concerned or a copy of either a customs clearance certificate issued by the Member State concerned in respect of an import or export licence or an invoice relating to intra-Community trade in the applicant's name for an operation conducted in any of the three preceding years.

#### *Article 10*

1. Where a flat-rate reduction is adopted by the Commission, licences shall be issued, within the quantities available, no later than the Friday following the last day for submission as specified in Article 8 (1). If the Friday is not a working day, they shall be issued on the first working day thereafter.

Should the applications made in respect of a week be for quantities exceeding those for maize and sorghum still available for import into Spain, the quantities for which licences are issued shall be the quantities indicated in the applications, reduced by a uniform percentage.

2. Where a duty reduction is fixed under a tendering procedure, licences shall be issued, on condition that the tenderer has lodged an application for an import licence as referred to in Article 6 (3) (b) before the specified deadline, for the quantities awarded not later than the third working day following the final date for submitting licence applications as set out in Article 8 (1).

3. The competent authorities shall notify the Commission of the quantities for which licences have been issued each week no later than the third working day of the following week.

4. Notwithstanding Article 21 (1) of Regulation (EEC) No 3719/88 import licences shall, for the purpose of determining their period of validity, be deemed to have been issued on the day of expiry of the deadline for lodging tenders or applications.

<sup>(1)</sup> OJ No L 117, 24. 5. 1995, p. 2.

### Article 11

1. The period of validity of licences shall be :
  - the period specified in Article 6 of Regulation (EC) No 1162/95 in cases where a flat-rate reduction has been adopted by the Commission,
  - the period specified in the Regulation opening the invitation to tender, in the case of licences issued under a tendering procedure for the duty reduction.
2. In section 8 of the import licence, a cross must be marked against the word 'yes'. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation shall not exceed a maximum of 5 % of the quantity specified in sections 17 and 18 of the import licence. The figure '0' must be entered in section 19 of the licence.
3. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, the rights arising from import licences under this Regulation shall not be transferable.

### Article 12

1. Without prejudice to the surveillance measures adopted pursuant to Article 13, the security referred to in Article 6 (3) (a) shall be released :
  - (a) forthwith, where the tender is not accepted ;
  - (b) where the tender submitted for the tendering procedure is accepted, on the issue of the import licence. However, where the undertaking referred to in Article 6 (3) (b) is not fulfilled, the security shall be forfeit.
2. Without prejudice to the surveillance measures adopted pursuant to Article 13, the security referred to in Article 8 (3) shall be released :
  - (a) forthwith, in respect of quantities for which no licence has been issued ; and
  - (b) on the issue of the import licence, in respect of quantities for which a licence has been issued.
3. Without prejudice to the surveillance measures adopted pursuant to Article 13, the security referred to in Article 9 (1) shall be released where the tenderer provides evidence :
  - that the imported product has been processed or used in the importing Member States ; such evidence may consist in a sales invoice to a processor or consumer with headquarters in the importing Member State, or
  - that the product could not be imported, processed or utilized for reasons of *force majeure*, or
  - that the product has become unsuitable for any use whatsoever.

For quantities in respect of which the abovementioned evidence is not produced within 18 months of the date of acceptance of the declaration of release for free circulation the security shall be forfeit as duty.

For the purposes of this Article, the processing or utilization of the imported product shall be considered to have been effected if 95 % of the quantity released for free circulation has been processed or used.

4. Securities shall be subject to the provisions of Article 33 of Regulation (EEC) No 3719/88, except for the provision on the six-month time limit referred to in paragraph 3 (a) of the said Article.

### Article 13

1. Maize and sorghum released for free circulation with a reduced duty shall remain under the customs surveillance or under administrative control of equivalent effect until such time as it is used or processed.
2. The Member State concerned shall, if need be, take all necessary measures to ensure that the surveillance referred to in paragraph 1 is carried out. These measures shall include requiring importers to submit to any check considered necessary by the competent authorities and to keep specific records enabling the authorities to make such checks.
3. The Member State concerned shall immediately notify the Commission of the measures adopted pursuant to paragraph 2.

## CHAPTER II

### Direct purchase on the world market

### Article 14

With a view to effecting the imports referred to in Article 1, it may be decided, under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, that the Spanish or Portuguese intervention agency shall purchase on the world market quantities of maize and/or sorghum to be determined, and shall place in the Member State concerned under customs warehousing procedure as provided for in Articles 98 to 113 of Council Regulation (EEC) No 2913/92<sup>(1)</sup> establishing the Community Customs Code and Commission Regulation (EEC) No 2454/93<sup>(2)</sup> laying down provisions for the implementation of Regulation (EEC) No 2913/92.

<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 253, 11. 10. 1993, p. 1.

2. Quantities purchased pursuant to paragraph 1 shall be put up for sale on the domestic market of the Member State concerned, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, on terms enabling market disturbance to be avoided and in accordance with Article 13.

When the goods are put up for sale on the domestic market, the buyer shall lodge with the intervention agency of the Member State concerned on payment of the goods a security of ECU 15 per tonne. The security shall be released when the evidence referred to in Article 12 (3) is produced. For the purposes of the release of the security, the provisions of the second and third subparagraphs of Article 12 (3) and those of Article 12 (4) shall apply.

3. When the goods are placed in free circulation, an import duty shall be charged, equal to the average of the duties fixed pursuant to Regulation (EC) No 1502/95 for the cereals concerned during the month preceding the date of acceptance of the declaration of release for free circulation, minus an amount equal to 55 % of the intervention price for the same month.

Entry into free circulation shall be effected by the intervention agency of the Member State concerned.

When the purchasers of the goods make payment to the intervention agency, the selling prices, minus the duty referred to in the first subparagraph, shall correspond to revenue from sales within the meaning of Annex I to Council Regulation (EEC) No 3492/90<sup>(1)</sup>.

4. The purchasing operation provided for in paragraph 1 shall rank as intervention for the purpose of stabilizing the agricultural markets within the meaning of Article 1 (2) (b) of Regulation (EEC) No 729/70.

5. Payments by the intervention agency for purchases as provided for in paragraph 1 shall be borne by the Community as they arise and shall be treated in the same way as the expenditure referred to in Article 2 of Regulation (EEC) No 1883/78. The intervention agency of the Member State concerned shall record the value of the goods purchased at a price of 'zero' in the account referred to in Article 4 of Regulation (EEC) No 1883/78.

#### Article 15

1. The Spanish or Portuguese intervention agency shall arrange for the product to be bought on the world market by the award of a supply contract under a tendering procedure. The supply shall consist in the purchase of the product on the world market and the delivery, not unloaded, to warehouses designated by the abovementioned intervention agency for placing under the customs warehousing procedure provided for in Articles 98 to 113 of Regulation (EEC) No 2913/92.

The decision to purchase on the world market referred to in Article 14 (1) shall specify in particular the quantity

and quality of cereals to be imported, the dates of opening and closing of the tendering procedure and the final date for delivery of the goods.

2. A notice of invitation to tender drawn up in accordance with Annex II shall in addition be published in the 'C' series of the *Official Journal of the European Communities*. The invitation shall relate to one or more lots. 'Lot' shall be understood as meaning the quantities to be delivered as specified in the invitation.

3. The intervention agency of the Member State concerned shall adopt, as required, additional measures for implementing the purchasing operations on the world market in question.

The agency shall notify the Commission immediately of such measures and shall inform operators thereof.

#### Article 16

1. Interested parties shall reply to the invitation to tender either by lodging a written tender in exchange for an acknowledgment of receipt with the intervention agency indicated in the notice of invitation to tender, or by forwarding the same to the latter by registered letter, telex, telefax or telegram.

Tenders must reach the intervention agency before 12 noon (Brussels time) on the day on which the deadline for the submission of tenders indicated in the notice of invitation to tender expires.

2. Tenders may only be submitted in respect of whole lots. They shall give :

- the reference of the invitation to tender,
- the tenderer's name and exact address, together with the telex or telefax number,
- details of the lot concerned,
- the tender price proposed, per tonne of product, in the currency of the Member State concerned,
- the country of origin of the cereals to be imported,
- separately, the cif price, per tonne of product, in the currency of the Member State concerned, corresponding to the tender.

3. Tenders must be accompanied by evidence that the security referred to in Article 17 (1) has been lodged before expiry of the deadline for the submission of tenders.

4. Tenders not submitted in accordance with the provisions of this Article or containing conditions other than those laid down in the invitation to tender shall not be considered.

5. Tenders may not be withdrawn.

#### Article 17

1. Tenders submitted shall be considered only where there is evidence that a security of ECU 20 per tonne has been lodged.

<sup>(1)</sup> OJ No L 337, 4. 12. 1990, p. 3.

2. Securities shall be lodged in accordance with the criteria laid down in the invitation to tender referred to in Article 15 (2) by the Member State concerned, in accordance with Commission Regulation (EEC) No 2220/85<sup>(1)</sup>.

3. Securities shall be released immediately in the following cases :

- (a) where the tender is not accepted ;
- (b) where the tenderer provides evidence that the supply contract has been performed in accordance with the conditions laid down in Article 15 for the accepted tender ;
- (c) where the tenderer provides evidence that the goods could not be imported for reasons of *force majeure*.

#### *Article 18*

Tenders shall be opened and read in public. This shall be done by the intervention agency immediately after the expiry of the deadline for the submission of tenders.

#### *Article 19*

1. Without prejudice to the application of paragraphs 2 and 3, the decision to award the contract to the tenderer submitting the most favourable tender shall be notified in writing to all the tenderers not later than the second working day following the day on which the tenders are opened and read.

2. Where the tender judged most favourable is submitted simultaneously by more than one tenderer, the intervention agency shall draw lots to decide which tenderer is to be selected.

3. If the tenders submitted seem not to reflect the conditions normally applying on the markets, the intervention agency may decide to make no award. Invitations

to tender shall be renewed within one week until all the lots are awarded.

#### *Article 20*

1. At the time of supply the intervention agency shall check the quantity and quality of the goods.

Subject to the application of the price reductions provided for in the notice of invitation to tender, the goods shall be rejected if the quality is below the minimum quality laid down. However the goods may be imported with a reduced duty, obtained by applying a flat-rate reduction in accordance with Chapter I.

2. Where, pursuant to paragraph 1, delivery does not take place, the security referred to in Article 17 shall be forfeit without prejudice to any other financial consequences for breach of the supply contract.

### CHAPTER III

#### Final provisions

#### *Article 21*

Commission Regulation (EC) No 675/94<sup>(2)</sup> is hereby repealed. However, Commission Regulation (EC) No 517/95<sup>(3)</sup> shall continue to apply for the second instalment for the sale on the Portuguese market of 250 000 tonnes of maize purchased in accordance with the Commission Decision of February 1995.

#### *Article 22*

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

It shall apply from 1 July 1995.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 83, 26. 3. 1994, p. 26.

<sup>(3)</sup> OJ No L 53, 9. 3. 1995, p. 12.

## ANNEX I

**Weekly tendering procedure for the reduction in the duty on imports of ..... from third countries**

(Regulation (EC) No 1839/95)

Deadline for submission of tenders (date/time) .....

1	2	3	4	5	6
Reference number of tenderer	Quantity (in tonnes)	Aggregate quantity (in tonnes)	Amount of the import duty reduction	Green rate fixed in advance? (yes/no)	Origin of the cereal
1					
2					
3					
4					
5					
etc.					

## ANNEX II

**MODEL FOR NOTICE OF INVITATION TO TENDER**

Invitation to tender for the purchase of ..... tonnes of ..... on the world market  
by the ..... intervention agency

(Article 15 (2) of Commission Regulation (EC) No 1839/95)

1. Product to be mobilized : .....
2. Total quantity : .....
3. List of warehouses for a lot : .....
4. Characteristics of goods (quality required, minimum quality, price reductions) : .....
5. Packaging (bulk) : .....
6. Delivery period : .....
7. Deadline for submission of tenders : .....

**COMMISSION REGULATION (EC) No 1840/95  
of 26 July 1995**

**opening an invitation to tender for the reduction in the duty on sorghum  
imported into Spain from third countries**

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 Commission Regulation (EC) No 1528/95<sup>(2)</sup>, and in particular Article 12 (1) thereof,

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations the Community has undertaken to import a certain quantity of sorghum into Spain ;

Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the tariff quotas for maize and sorghum into Spain and maize into Portugal<sup>(3)</sup>, lays down the rules governing the administration of those special arrangements ; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation of tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular the obligation to process or use the imported product on the Spanish market ;

Whereas Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)<sup>(4)</sup>, as last amended by Regulation (EC) No 2484/94<sup>(5)</sup>, provides in particular for a reduction of 60 % in the duty applicable to grain sorghum up to a quota of 100 000 tonnes per calendar year and of 50 % in excess of that quota ; whereas, if that benefit is combined with the reduction provided for under this Regulation, this is likely

to disturb the Spanish market for cereals ; whereas such combined benefits should be ruled out for the sake of the satisfactory functioning of the invitation to tender ;

Whereas in the light of current market needs in Spain an invitation to tender for the reduction in the duty on imports of sorghum should be opened in the framework of these special arrangements for imports ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10 (2) of Regulation (EEC) No 1766/92 on sorghum to be imported into Spain ;
2. Under this invitation to tender, the reduction in the import duty on grain sorghum provided for in Article 11 of Regulation (EEC) No 715/90 shall not apply.
3. The invitation to tender shall be open until 14 December 1995. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
4. Regulation (EC) No 1839/95, shall apply save as otherwise provided for in this Regulation.

*Article 2*

Import licences issued under these invitations to tender shall be valid 45 days from the date they are issued, within the meaning of Article 10 (4) of Regulation (EC) No 1839/95.

*Article 3*

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

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

<sup>(2)</sup> OJ No L 158, 8. 7. 1995, p. 13.

<sup>(3)</sup> See page 4 of this Official Journal.

<sup>(4)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(5)</sup> OJ No L 265, 15. 10. 1994, p. 3.

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

Done at Brussels, 26 July 1995.

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

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## COMMISSION REGULATION (EC) No 1841/95

of 26 July 1995

## opening an invitation to tender for the reduction in the duty on maize imported into Spain from third countries

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 Commission Regulation (EC) No 1528/95<sup>(2)</sup>, and in particular Article 12 (1) thereof,

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Spain;

Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the tariff quotas for maize and sorghum into Spain and maize into Portugal<sup>(3)</sup>, lays down the rules governing the administration of those special arrangements; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation to process or use the imported product on the Spanish market;

Whereas in the light of current market needs in Spain, an invitation to tender for the reduction in the duty on imports of maize should be opened in the framework of these special arrangements for imports;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10 (2) of Regulation (EEC) No 1766/92 on maize to be imported into Spain.
2. The invitation to tender shall be open until 14 December 1995. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
3. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

*Article 2*

Import licences issued under these invitations to tender shall be valid 45 days from the date they are issued, within the meaning of Article 10 (4) of Regulation (EC) No 1839/95.

*Article 3*

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

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

Done at Brussels, 26 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 158, 8. 7. 1995, p. 13.

<sup>(3)</sup> See page 4 of this Official Journal.

**COMMISSION REGULATION (EC) No 1842/95**  
of 26 July 1995

**laying down for 1995 detailed rules for the application to live bovine animals of the tariff quotas provided for in the free trade Agreements between the Community, of the one part, and Estonia, Latvia and Lithuania, of the other part**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1275/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part<sup>(1)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1276/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia, of the other part<sup>(2)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1277/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania, of the other part<sup>(3)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(4)</sup>, as last amended by Regulation (EC) No 424/95<sup>(5)</sup>, and in particular Article 9 (2) thereof,

Whereas the Agreements on free trade and trade-related matters open an annual Community tariff quota for the import of 3 500 bovine animals weighing between 160 and 300 kilograms originating in and coming from Estonia, Latvia and Lithuania at a reduction of 75 % in the specific amounts of the customs duties fixed in the Common Customs Tariff (CCT); whereas the detailed rules for the application of this quota for 1995 should be laid down;

Whereas, while recalling the provisions of the above Agreements intended to guarantee the origin of the

product, the system should be managed through import licences; whereas, to that end, provision should be made to define, in particular, the detailed rules for submission of applications, and the information which must be included on the applications and licences, notwithstanding certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products<sup>(6)</sup>, as last amended by Regulation (EC) No 1199/95<sup>(7)</sup>, and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80<sup>(8)</sup>; whereas provision should also be made for the licences to be issued after a delay for consideration and, where necessary, with the application of a single percentage reduction;

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*

1. The tariff quota for the import of 3 500 head of live bovine animals falling within CN code 0102 90 41 and 0102 90 49 originating in and coming from Lithuania, Latvia and Estonia for 1995 shall be administered in accordance with the provisions of this Regulation.

2. The specific amounts of the customs duties fixed in the CCT shall be reduced by 75 % for the quantities indicated in paragraph 1.

*Article 2*

In order to qualify for the quota referred to in Article 1:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, must prove to the satisfaction of the competent autho-

<sup>(1)</sup> OJ No L 124, 7. 6. 1995, p. 1.

<sup>(2)</sup> OJ No L 124, 7. 6. 1995, p. 2.

<sup>(3)</sup> OJ No L 124, 7. 6. 1995, p. 3.

<sup>(4)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(5)</sup> OJ No L 45, 1. 3. 1995, p. 2.

<sup>(6)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(7)</sup> OJ No L 119, 30. 5. 1995, p. 4.

<sup>(8)</sup> OJ No L 143, 27. 6. 1995, p. 35.

rities of the Member State concerned that they have imported and/or exported during 1994 at least 50 animals falling within CN code 0102 90 and originating in or intended for countries which are considered by their authorities as third countries on 31 December 1994; applicants must be entered in a national VAT register;

(b) licence applications may be presented only in the Member State in which the applicant is registered;

(c) licence applications

- must relate to a number equal to or greater than 50 head, but
- may not relate to a quantity exceeding 10 % of the quantity available.

Where applications for import licences exceed this quantity, they shall only be considered within the limits of the said quantity;

(d) section 7 of licence applications and licences shall show the country from which the country is imported and section 8 shall show the country of origin; licences shall carry with them an obligation to import from one of the countries indicated in Article 1 (1);

(e) section 20 of licence applications and licences shall show at least one of the following:

- Reglamento (CE) n° 1842/95,
- Forordning (EF) nr. 1842/95,
- Verordnung (EG) Nr. 1842/95,
- Κανονισμός (ΕΚ) αριθ. 1842/95,
- Regulation (EC) No 1842/95,
- Règlement (CE) n° 1842/95,
- Regolamento (CE) n. 1842/95,
- Verordening (EG) nr. 1842/95,
- Regulamento (CE) n° 1842/95,
- Asetus (EY) N:o 1842/95,
- Förordning (EG) nr 1842/95;

(f) at the time of acceptance of the declaration of release for free circulation, importers shall undertake to inform the competent authorities of the importing Member State, not later than one month after the date of import of:

- the number of animals imported,
- the origin of the animals.

The authorities shall forward this information to the Commission before the beginning of each month.

#### Article 3

1. Licence applications may be lodged only from 25 to 29 September 1995.

2. Where the same applicant lodges more than one application, all applications from that person shall be inadmissible.

3. The Member States shall notify the Commission not later than 13 October 1995 of the applications lodged. Such notification shall comprise a list of applicants and quantities applied for.

All notifications, including notifications of 'nil' applications, shall be made by telex or fax, drawn up on the model in the Annex to this Regulation in cases where applications have been made.

4. The Commission shall decide to what extent quantities may be awarded in respect of licence applications. If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reduction in the quantities applied for.

5. Subject to a decision to accept applications by the Commission, licences shall be issued at the earliest opportunity.

6. Import licences shall be issued for a number equal to or greater than 50 head.

If, because of the numbers applied for, the percentage reduction results in fewer than 50 head per import licence, the Member States, shall, by drawing lots, allocate licences covering 50 head.

7. Licences issued shall be valid throughout the Community.

#### Article 4

Without prejudice to the provisions of this Regulation, Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply.

However, in the case of quantities imported under the terms of Article 8 (4) of Regulation (EEC) No 3719/88, the full customs duties shall be collected on quantities in excess of those stated on the import licence.

#### Article 5

1. Notwithstanding Article 9 (1) of Regulation (EEC) No 3719/88, the rights accruing from import licences issued pursuant to this Regulation shall not be transferrable.

2. Notwithstanding Article 3 of Commission Regulation (EC) No 1445/95, the term of validity of issued import licences shall expire on 31 December 1995.

#### Article 6

The animals shall be released for free circulation on presentation of an EUR 1 movement certificate issued by the exporting country in accordance with Protocol 3 annexed to the free trade Agreements.

*Article 7*

1. Animals imported under the arrangements referred to in Article 1 shall be identified by either:

- an indelible tattoo, or
- an official earmark or an earmark officially approved by the Member State on at least one of its ears.

2. Such tattoos or marks shall be designed in such a way that the date of release for free circulation and the identity of the importer can be established, by means of a

record made when the animal is released for free circulation.

*Article 8*

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

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

ANNEX

EC fax No (32 2) 29 66 027

Application of Regulation (EC) No 1842/95

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI D.2 — BEEF AND VEAL SECTOR

APPLICATION FOR LICENCES TO IMPORT AT REDUCED SPECIFIC AMOUNTS OF THE CUSTOMS DUTIES OF THE CCT

Date : ..... period : .....

Member State : .....

Serial number	Applicant (name and address)	Quantity (head)
Total		

Member State : Fax No .....

Tel. ....

## COMMISSION REGULATION (EC) No 1843/95

of 26 July 1995

laying down for 1995 detailed rules of application for the tariff quotas for beef provided for in the Agreements on free trade between the Community, of the one part, and Lithuania, Latvia and Estonia, of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1275/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part<sup>(1)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1276/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia, of the other part<sup>(2)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1277/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania, of the other part<sup>(3)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(4)</sup>, as last amended by Regulation (EC) No 424/95<sup>(5)</sup>, and in particular Article 9 (2) thereof,

Whereas the Agreements on free trade provide for certain annual tariff quotas for products made from beef and veal; whereas imports under these quotas qualify for a 60 % reduction in the customs duties set in the Common Customs Tariff (CCT); whereas it is necessary to lay down detailed rules of application for these quotas for 1995;

Whereas, while the provisions of the abovementioned Agreements, which are intended to guarantee the origin

of the product, should be complied with, the administration of the arrangements should be based on import licences; whereas, to that end, detailed rules should be laid down concerning in particular the submission of applications and the information which must appear in applications and licences, by way of derogation from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products<sup>(6)</sup>, as last amended by Regulation (EC) No 1199/95<sup>(7)</sup> and Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80<sup>(8)</sup>; whereas provision should also be made for the licences to be issued after a period for consideration and, where necessary, a single percentage should be applied for the reduction;

Whereas, in order to ensure proper administration of the arrangements, the security for import licences under the system should be set at ECU 12 per 100 kilograms; whereas, in view of the inherent risk under the arrangement of speculation as regards beef and veal, clear conditions should be laid down as regards access by operators;

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*

1. For 1995 the following may be imported pursuant to this Regulation under the tariff quotas provided for in the free-trade Agreements between the Community and Lithuania, Latvia and Estonia:

— 1 500 tonnes of fresh beef and veal, refrigerated or frozen and covered by CN codes 0201 or 0202 originating in Lithuania, Latvia and Estonia,

<sup>(1)</sup> OJ No L 124, 7. 6. 1995, p. 1.

<sup>(2)</sup> OJ No L 124, 7. 6. 1995, p. 2.

<sup>(3)</sup> OJ No L 124, 7. 6. 1995, p. 3.

<sup>(4)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(5)</sup> OJ No L 45, 1. 3. 1995, p. 2.

<sup>(6)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(7)</sup> OJ No L 119, 30. 5. 1995, p. 4.

<sup>(8)</sup> OJ No L 143, 27. 6. 1995, p. 35.

— 150 tonnes of products covered by CN code 1602 50 10 originating in Latvia.

2. The rates of customs duties fixed in the CCT shall be reduced by 60 % for the quantities set out in paragraph 1.

#### Article 2

1. In order to qualify under the import arrangements referred to in Article 1 :

(a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member State concerned that they have been active in trade in beef and veal during the last 12 months with countries which are considered by their authorities as third countries on 31 December 1994 ; applicants must be entered in a national VAT register ;

(b) licence applications must be submitted only in the Member State in which the applicant is registered ;

(c) licence applications must relate either to the quantity referred to in the first indent of Article 1 (1) or to the quantity referred to in the second indent of Article 1 (1) and must cover a minimum of 15 tonnes of meat by product weight without exceeding the quantity available ;

(d) section 7 of licence applications and licences shall show the country of provenance and section 8 shall show the country of origin ; licences shall carry with them an obligation to import :

— in the case of the first indent of paragraph 1 (1), from one of the countries indicated,

— in the case of the second indent of paragraph 1 (1), from the country there indicated,

(e) section 20 of licence applications and licences shall show at least one of the following :

— Reglamento (CE) n° 1843/95,

— Forordning (EF) nr. 1843/95,

— Verordnung (EG) Nr. 1843/95,

— Κανονισμός (ΕΚ) αριθ. 1843/95,

— Regulation (EC) No 1843/95,

— Règlement (CE) n° 1843/95,

— Regolamento (CE) n. 1843/95,

— Verordening (EG) nr. 1843/95,

— Regulamento (CE) n° 1843/95,

— Asetus (EY) N:o 1843/95,

— Förordning (EG) nr 1843/95.

2. Notwithstanding Article 5 of Regulation (EC) No 1445/95, section 16 of the licence applications and licences may include one or more subheadings of CN codes 0201 and 0202.

#### Article 3

1. Licence applications shall be lodged only between 27 September and 4 October 1995.

2. If the same applicant lodges more than one application relating to :

(a) the products referred to in the first indent of Article 1 (1); or

(b) the products referred to in the second indent of Article 1 (1),

all applications from that person shall be inadmissible.

3. Member States shall notify to the Commission not later than 18 October 1995 the applications that have been lodged with them. This notification will comprise a list of applicants broken down by quantity applied for and by nomenclature code and country of origin of the products.

All notifications, including notifications of nil applications, shall be made by telex or fax, drawn up in accordance with the model set out in the Annex in cases where applications have been lodged.

4. The Commission shall decide as soon as possible in respect of the products covered by each indent of Article 1 (1) above the extent to which quantities may be awarded in respect of licence applications. If the quantities for which application for a licence has been submitted exceed the quantities available, the Commission shall fix a single percentage reduction to be applied to the quantities applied for in respect of the products covered by each indent of Article 1 (1).

5. Subject to the Commission's decision to accept the applications, the licences shall be issued promptly.

6. The licences issued shall be valid throughout the Community.

#### Article 4

1. Without prejudice to the provisions of this Regulation, the provisions of Regulation (EEC) No 3719/88 and (EC) No 1445/95 shall apply.

2. In the case of quantities imported under the terms of Article 8 (4) of Regulation (EEC) No 3719/88, the full rates of customs duties fixed in the CCT shall be collected on quantities in excess of those indicated on the import licence.

3. Notwithstanding Article 9 (1) of Regulation (EEC) No 3719/88, import licences issued pursuant to this Regulation shall not be transferable.

exporting country in accordance with Protocol 3 annexed to the free-trade Agreements.

4. Notwithstanding Articles 3 and 4 of Regulation (EC) No 1445/95, the security for licences shall be ECU 12 per 100 kilograms by weight of product and the term of validity of the licences issued shall expire on 31 December 1995.

*Article 6*

*Article 5*

Products shall be released for free circulation on presentation of an EUR 1 movement certificate issued by the

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

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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*ANNEX*

Fax : (32 2) 296 60 27

**(Application of Regulation (EC) No 1843/95)**

COMMISSION OF THE EUROPEAN COMMUNITIES

DG VI/D/2 — BEEF AND VEAL

**APPLICATIONS FOR IMPORT LICENCES AT REDUCED CCT DUTIES**

Date : ..... Period : .....

Member State : .....

Country of origin	Order	Applicant (name and address)	Quantity (tonnes)	CN code number
<b>Total quantity applied for :</b>				

Member State : fax number : .....

telephone number : .....

**COMMISSION REGULATION (EC) No 1844/95**  
**of 26 July 1995**

**fixing for the 1995/96 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup and/or natural fruit juice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1023/95<sup>(2)</sup>, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1206/90<sup>(3)</sup>, as amended by Regulation (EEC) No 2202/90<sup>(4)</sup>, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetables sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries;

Whereas a system of monetary adjustment was applied to the amount of the aid of the previous marketing years, on the one hand to correct the impact of the differences exist-

ing between the agricultural conversion rate and the average of the market exchange rate during a given period and on the other hand to ensure normal competition with third countries, that, owing to measures taken as regards agri-monetary policy, it is appropriate to suspend application of it;

Whereas the Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1995/96 marketing year:

(a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for peaches;

and

(b) the production aid referred to in Article 5 of the same Regulation for peaches in syrup and/or natural fruit juice,

shall be as set out in the Annex.

*Article 2*

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

*Article 3*

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

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 105, 9. 5. 1995, p. 3.

<sup>(3)</sup> OJ No L 119, 11. 5. 1990, p. 74.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 4.

*ANNEX***Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Peaches intended for the manufactures of peaches in syrup and/or natural fruit juice	27,301

**Production aid**

Product	ECU/100 kg net
Peaches in syrup and/or natural fruit juice	8,663

**COMMISSION REGULATION (EC) No 1845/95**  
of 26 July 1995

**fixing for the 1995/96 marketing year the minimum price to be paid to producers for Williams and Rocha pears and the amount of production aid for such pears in syrup and/or natural fruit juice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1032/95 <sup>(2)</sup>, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1206/90 <sup>(3)</sup>, as amended by Regulation (EEC) No 2202/90 <sup>(4)</sup>, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetables sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries;

Whereas a system of monetary adjustment was applied to the amount of the aid of the previous marketing years, on

the one hand to correct the impact of the differences existing between the agricultural conversion rate and the average of the market exchange rate during a given period and on the other hand to ensure normal competition with third countries, that, owing to measures taken as regards agri-monetary policy, it is appropriate to suspend application of it;

Whereas the Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman.

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1995/96 marketing year:

(a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for Williams and Rocha pears;

and

(b) the production aid referred to in Article 5 of the same Regulation for Williams and Rocha pears in syrup and/or natural fruit juice,

shall be as set out in the Annex.

*Article 2*

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

*Article 3*

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

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 105, 9. 5. 1995, p. 3.

<sup>(3)</sup> OJ No L 119, 11. 5. 1990, p. 74.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 4.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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*ANNEX***Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Williams and Rocha pears intended for the manufacture of pears in syrup and/or natural fruit juice	39,259

**Production aid**

Product	ECU/100 kg net
Williams and Rocha pears in syrup and/or natural fruit juice	19,319

## COMMISSION REGULATION (EC) No 1846/95

of 26 July 1995

amending Commission Regulation (EEC) No 3886/92 of 23 December 1992  
laying down detailed rules for the application of the premium schemes provided  
for in rules on the common organization of the market in beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No 424/95<sup>(2)</sup>, and in particular Article 4b (8), Article 4e (5), Article 4f (4), and Article 4g (5) thereof,

Whereas Commission Regulation (EEC) No 3886/92<sup>(3)</sup>, as last amended by Regulation (EC) No 3269/94<sup>(4)</sup>, provides for certain rules with respect to the granting of the special premium on slaughter, the transfer of suckler cow premium rights, the utilization of rights from the reserve and the method for calculating the density factor;

Whereas in the framework of the special premium granted on slaughter, option B, as referred to in section 2 of Regulation (EEC) No 3886/92, has not been applied by any Member State; whereas it is opportune, in the interests of administrative simplification, to proceed to the deletion of the aforementioned option; whereas, in the same framework of the granting of the special premium, it may be accepted that, also in the interests of administrative simplification, Member States may reasonably accept that the statement of participation referred to in Article 9 of Regulation (EEC) No 3886/92 may remain valid as long as the producer does not wish to change it;

Whereas, in order to simplify the administration of premium rights and to allow further tolerance with regard to the current rule according to which producers who receive rights from the national reserve must avail themselves of 90 % of all their rights in the course of three calendar years, the abovementioned rule should be repealed;

Whereas, in order to ensure better mobilization of the premium rights which are available but not used by producers, the minimum percentage and frequency of use

of rights should be increased, taking into account the particular situation of small producers;

Whereas provision should be made to allow flexibility in meeting the administrative deadline for the transfer of rights when a producer can prove that he has legally inherited rights from a deceased producer;

Whereas present provisions on the temporary leasing of rights to the suckler cow premium may lead to a number of such rights remaining frozen, yet inaccessible to other producers who might need them; whereas it is opportune to encourage the mobilization of these rights, and equally to foresee measures that will lead to rights being restored to producers who will benefit from them;

Whereas, in order to avoid, as far as possible, inequality of treatment amongst producers by aligning the administration of premium rights of producers who receive rights from the national reserve with those of producers who are compensated in the form of additional rights because of their participation in a Community extensification programme, the conditions governing the rules which prevent producers previously involved in an extensification programme from transferring or temporarily leasing his rights should be modified, and the obligation on those producers to use all their rights should be repealed;

Whereas, in order to ensure a proper monitoring of the number of additional rights granted to the abovementioned producers involved in an extensification programme, it is required that Member States communicate the necessary information to the Commission, including that relating to previous marketing years;

Whereas Article 42 of Regulation (EEC) No 3886/92 provides for the determination of the number of animals that may be eligible for a premium; whereas, to facilitate controls and conversion calculations, a suckler cow should correspond to 1 LU in the same way as a dairy cow;

Whereas Regulation (EEC) No 3886/92 should be amended accordingly;

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

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 45, 1. 3. 1995, p. 2.

<sup>(3)</sup> OJ No L 391, 31. 12. 1992, p. 20.

<sup>(4)</sup> OJ No L 339, 29. 12. 1994, p. 46.

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EEC) No 3886/92 is amended as follows :

1. Article 8 is replaced by the following :

*'Article 8*

**Form of granting**

1. Member States may decide to grant the special premium at the time of slaughter or when the animals are first placed on the market with a view to being slaughtered, by granting the premium for the first age or second age bracket and by combining the granting of the premium for the two age brackets together, provided that their production structure so allows.

2. Member States which avail themselves of the system of granting premium provided for in paragraph 1 shall provide that the premium is to be granted also when eligible animals are being dispatched to another Member State or being exported to a third country.

3. Notwithstanding the provisions of Articles 2, 3 and 4 in the case of the applying the system referred to in paragraph 1, the grant of the premium shall be subject to compliance with the following-provisions.'

2. The following paragraph is added to Article 9 :

'However, where the producer does not wish to make any changes to the statement of participation, the Member State may accept that the previous statement remains valid.'

3. In Article 15 the title 'Option A' and the following words 'Where option A is applied' are replaced respectively by the title 'Details of the system of granting' and by the words 'Where applying the system of granting premium referred to in the present section'.

4. Article 16 is repealed.

5. Article 18 is replaced by the following :

*'Article 18*

**Notification**

Member States shall notify the Commission before the start of the calendar year concerned their decision to apply the system of granting premium referred to in the present section and the relevant procedures.'

6. Article 32 is replaced by the following :

*'Article 32*

**Rights obtained free of charge**

Where a producer has obtained premium rights free of charge from the national reserve and except in

duly justified exceptional cases he shall not be authorized to transfer and/or temporarily lease his rights during the three following calendar years.'

7. Article 33 is replaced by the following :

*'Article 33*

**Use of rights**

1. A producer holding rights may make use of them by either availing himself of those rights and/or leasing those rights to another producer.

2. Where a producer has not made use of at least 70 % of his rights during each calendar year, the part not used shall be transferred to the national reserve, except :

— in the case of a producer holding a maximum of seven rights to premium. Where this producer has not made use of at least 70 % of his rights during each of two consecutive calendar years, the part not used during the last calendar year shall be transferred to the national reserve,

— in the case of a producer participating in an extensification programme recognized by the Commission,

— in the case of a producer participating in an early retirement scheme recognized by the Commission in which the transfer and/or temporary lease of rights is not obligatory,

or

— in duly justified exceptional cases.

3. Temporary leasing shall only be in respect of whole calendar years and shall involve at least the minimum number of animals provided for in Article 34 (1). Over a period of five years from the first leasing a producer, except in the event of a transfer of rights, shall recover all his rights for himself, for at least two consecutive calendar years. During the abovementioned two-year period, the producer shall not be permitted to lease out any right. If the producer does not avail himself of at least 70 % of his rights during each year of this period, the Member State shall, except in duly justified exceptional cases, transfer annually to the national reserve that part of the rights not used by the producer.

However, for producers participating in early retirement schemes or who have, prior to the entry into force of Commission Regulation (EC) No 1719/94 (\*), undertaken to participate in extensification programmes recognized by the Commission, Member States may provide for an extension of the total duration of the temporary lease on the basis of such programmes.



Producers who, subsequent to the entry into force of Regulation (EC) No 1719/94, undertake to participate in an extensification programme in accordance with the measure referred to in Article 2 (1) (c) of Council Regulation (EEC) No 2078/92 (\*) shall not be authorized to temporarily lease and/or to transfer their rights throughout the period of that participation. However, this provision shall not apply:

- in cases where the extensification programme permits the transfer and/or temporary lease of rights to producers whose participation in the measures other than the extensification measure referred to in Article 2 of Regulation (EEC) No 2078/92 requires the acquisition of rights,
- to producers able to prove to the satisfaction of the competent authorities that, prior to the entry into force of Regulation (EC) No 1719/94, they had already notified those authorities of the transfer and/or temporary lease of rights in accordance with Article 34 (2).

(\*) OJ No L 181, 15. 7. 1994, p. 4.

(\*\*) OJ No L 215, 30. 7. 1992, p. 85.

8. In Article 34:

- (a) The following subparagraph is added to the end of paragraph 2:

'except in those cases where the transfer of rights takes effect through an inheritance. In that case, the producer who receives the rights must be in a position to furnish appropriate legal documents to prove that he or she is the beneficiary of the deceased producer.'

- (b) paragraph 3 is deleted.

9. Article 35 is replaced by the following:

#### *Article 35*

#### **Change of individual ceiling**

In the case of transfers or temporary leasing of premium rights, Member States shall set the new individual ceiling and shall notify the producers concerned not later than 60 days after the last day of the period during which the producer submitted his premium application, of the number of premium rights to which they are entitled.

This measure does not apply in the case where the transfer takes effect through an inheritance.'

10. Article 38 (3) is replaced by the following:

3. A producer who during the reference year chosen by the Member State participated in a programme of extensification of production pursuant to Council Regulation (EEC) No 797/85 (\*) may, at his request, be granted at the end of his participation an additional number of premium rights equal to the difference between the number of premiums granted for the reference year and the number of premiums granted for the reference year and the number of premiums granted for the preceding year during the course of which the producer commenced his participation in the said programme. In that case, except in duly justified exceptional cases, the producer shall not be authorized to transfer or temporarily lease his rights during the following three calendar years.

Member States shall notify the Commission by 30 April of each year at the latest, of the number of premium rights granted to producers who have decided to take up the additional rights available to them as a consequence of their having participated in the abovementioned extensification programme. However, for 1993, 1994 and 1995, these communications shall take place by 31 July 1995 at the latest.

(\*) OJ No L 93, 30. 3. 1985, p. 1.

11. The second subparagraph of Article 42 (4) is replaced by the following:

'For the purposes of the conversion table in Annex I to Council Regulation (EEC) No 2328/91 (\*) suckler cows and dairy cows shall count as 1,0 LU.

(\*) OJ No L 218, 6. 8. 1991, p. 1.

#### *Article 2*

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

It shall apply to premium rights relating to the 1996 and subsequent years with the exception of the measures provided for in:

- Article 1 (8) point 1 and Article 1 (9), which shall apply to premium rights relating to 1995 and subsequent years,
- Article 1 (10), which shall apply to premium rights relating to 1993 and subsequent years.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1847/95

of 26 July 1995

amending Regulation (EEC) No 3567/92 as regards detailed rules for the use and transfer of rights in the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last amended by Council Regulation (EC) No 1265/95<sup>(2)</sup>, and in particular Article 5a point 4 and Article 5b point 4 thereof,

Whereas Commission Regulation (EEC) No 3567/92<sup>(3)</sup>, as last amended by Regulation (EC) No 2527/94<sup>(4)</sup>, provides for certain rules with respect to the transfer of premium rights and the use of rights from the reserve ;

Whereas, in order to simplify the administration of premium rights and to allow further tolerance with regard to the current rule according to which producers who receive rights from the national reserve must avail themselves of 90 % of all of their rights in the course of three marketing years, the abovementioned rule should be repealed ;

Whereas, in order to ensure better mobilization of the premium rights which are available but not used by producers, the minimum percentage and the frequency of use of rights should be increased ;

Whereas the actual provisions relating to the leasing of premium rights may lead to a freezing of a certain number of rights, whilst other producers needing rights may not be able to obtain them ; whereas it is opportune to encourage the mobilization of premium rights and equally to foresee measures that will lead to rights being restored to producers who will benefit from them ;

Whereas provision should be made to allow flexibility in meeting the administrative deadlines for the transfer of

rights when a producer can prove that he has legally inherited rights from a deceased producer ;

Whereas, in order to avoid, as far as possible, inequality of treatment amongst producers by aligning the administration of premium rights of producers who receive rights from the national reserve with those of producers who are compensated in the form of additional rights because of their participation in a Community extensification programme, the conditions governing the rules which prevent producers previously involved in an extensification programme from transferring or temporarily leasing their rights should be modified, and the obligation on those producers to use all their rights should be repealed ;

Whereas, in order to ensure a proper monitoring of the number of additional rights granted to the abovementioned producers involved in an extensification programme, it is required that Member States communicate the necessary information to the Commission, including that relating to previous marketing years ;

Whereas Regulation (EEC) No 3567/92 should be amended accordingly ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EEC) No 3567/92 is hereby amended as follows :

1. Article 6 is replaced by the following :

*'Article 6*

Where a producer has obtained premium rights free of charge from the national reserve and except in duly justified exceptional cases, he shall not be authorized to transfer and/or temporarily lease his rights during the three following marketing years.'

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 123, 3. 6. 1995, p. 1.

<sup>(3)</sup> OJ No L 362, 11. 12. 1992, p. 41.

<sup>(4)</sup> OJ No L 269, 20. 10. 1994, p. 11.

2. The following Article 6a is inserted:

*'Article 6a*

1. A producer holding rights may make use of them by either availing himself of those rights and/or by leasing those rights to another producer.

2. Where a producer has not made use of at least 70 % of his rights during each marketing year, the part not used shall be transferred to the national reserve except:

— in the case a producer participating in an extensification programme recognized by the Commission,

— in the case a producer participating in an early retirement scheme recognized by the Commission in which the transfer and/or temporary lease of rights is not obligatory,

or

— in duly justified exceptional cases.

3. Temporary leasing shall only be in respect of whole marketing years and shall involve at least the minimum number of animals provided for in Article 7 (1). Over a period of five years from the first leasing a producer, except in the event of a transfer of rights, shall recover all his rights for himself, for at least two consecutive years. During the abovementioned two-year period, the producer shall not be permitted to lease out any rights. If the producer does not avail himself of at least 70 % of his rights during each year of this period, the Member State shall, except in duly justified exceptional cases, transfer annually to the national reserve that part of the rights not used by the producer.

However, for producers participating in early retirement schemes or who have, prior to the entry into force of Commission Regulation (EC) No 1720/94 (\*) undertaken to participate in extensification programmes recognized by the Commission, Member States may provide for an extension of the total duration of the temporary lease on the basis of such programmes.

Producers who, subsequent to the entry into force of Regulation (EC) No 1720/94 undertake to participate in an extensification programme in accordance with the measure referred to in Article 2 (1) (c) of Council Regulation (EEC) No 2078/92 (\*\*) shall not be authorized to temporarily lease and/or to transfer their rights throughout the period of that participation. However, this provision shall not apply:

— in cases where the extensification programme permits the transfer and/or temporary lease of rights to producers whose participation in the measures other than the extensification measure

referred to in Article 2 of Regulation (EEC) No 2078/92 requires the acquisition of rights,

— to producers able to prove to the satisfaction of the competent authorities that, prior to the entry into force of Regulation (EC) No 1720/94, they had already notified those authorities of the transfer and/or temporary lease of rights in accordance with Article 7 (2).

(\*) OJ No L 181, 15. 7. 1994, p. 6.

(\*\*) OJ No L 215, 30. 7. 1992, p. 85.

3. In Article 7:

(a) The following subparagraph is added to the end of the second paragraph:

'except in those cases where the transfer of rights takes effect through an inheritance. In that case, the producer who receives the rights must be in a position to furnish appropriate legal documents to prove that he or she is the beneficiary of the deceased producer.'

(b) Paragraph 4 is deleted.

4. Article 9 is replaced by the following:

*'Article 9*

In the case of transfers or temporary leasing of premium rights, Member States shall set the new individual limit and shall notify the producer concerned not later than 60 days after the last day of the period during which the producer submitted his premium application, of the number of premium rights to which they are entitled.

This measure does not apply in the case where the transfer takes effect through an inheritance under the conditions referred to in Article 7 (2).'

5. In Article 12 (3) is replaced by the following:

'3. A producer who during the 1991 marketing year participated in a programme of extensification of production pursuant to Council Regulation (EEC) No 797/85 (\*) may, at his request, be granted at the end of his participation an additional number of premium rights equal to the difference between the number of premiums granted for the 1991 marketing year and the number of premiums granted for the marketing year preceding the marketing year during the course of which the producer commenced his participation in the said programme. In that case, except under duly justified exceptional cases, the producer shall not be authorized to transfer or temporarily lease his rights during the following three marketing years.

Member States shall notify the Commission by 30 April of each marketing year at the latest, of the number of premium rights granted to producers who have decided to take up the additional rights available to them as a consequence of their having participated

in the abovementioned extensification programme. However, for the 1993, 1994 and 1995 marketing years, these communications shall take place by 31 July 1995 at the latest.

(\*) OJ No L 93, 30. 3. 1985, p. 1.'

*Article 2*

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

It shall apply to premium rights relating to the 1996 and subsequent marketing years with the exception of the measures provided for in :

- Article 1 (3)(a) and Article 1 (4) which shall apply to premium rights relating to the 1995 and subsequent marketing years,
- Article (1)(5) which shall apply to premium rights relating to the 1993 and subsequent marketing years.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1848/95

of 26 July 1995

fixing the buying-in prices, aids and certain other amounts applicable for the 1995/96 wine year to intervention measures in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 (1) thereof,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149 (1) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 1544/95 <sup>(2)</sup>, and in particular Articles 35 (8), 36 (6), 38 (5), 41 (10), 44, 45 (9) and 46 (5) thereof,

Whereas Article 14 of Commission Regulation (EC) No 3299/94 <sup>(3)</sup> of 21 December 1994 on transitional measures applicable in Austria in the wine-growing sector, as last amended by Regulation (EC) No 670/95 <sup>(4)</sup>, provides for Title III of Regulation (EEC) No 822/87 to apply in its entirety in Austria from the 1995/96 wine year; whereas, however, Austria should, in the interests of administrative clarity, be considered to form part of the wine-growing zone B provided for in Annex IV to Regulation (EEC) No 822/87;

Whereas Council Regulation (EC) No 1545/95 <sup>(5)</sup> fixes the guide prices for wine for the 1995/96 wine year; whereas the prices, aids and other amounts for the various intervention measures to be adopted for that wine year should accordingly be fixed on that basis;

Whereas this Regulation applies to Portugal; whereas, however, since wine-growing zones have not been delimited in that country, the oenological practices authorized in accordance with the rules laid down under Title II of Regulation (EEC) No 822/87 should be defined;

Whereas, since enrichment is an exceptional practice, the same reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 and laid down in Annex VIII should be applied as in wine-

growing zone C; whereas, in accordance with Article 341 of the Act of Accession of Spain and Portugal the derogations in force for 'vinho verde' should be extended;

Whereas the aid for the use in wine-making of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) of Regulation (EEC) No 822/87 must be fixed taking into account the difference between the cost of enrichment achieved using concentrated grape must and using sucrose; whereas, in the light of the data available to the Commission, the amount of the aid should be varied with the product used for enrichment;

Whereas distillers may, in accordance with Articles 35 (6) and 36 (4) of Regulation (EEC) No 822/87, either receive aid for the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Regulation (EEC) No 2046/89 <sup>(6)</sup>, as amended by Regulation (EC) No 1546/95 <sup>(7)</sup>;

Whereas the price of wine to be distilled under Articles 38 and 41 of Regulation (EEC) No 822/87 does not normally allow the marketing at market prices of products obtained from distillation; whereas provision must therefore be made for aid, the amount of which is to be fixed on the basis of the criteria laid down in Article 8 of Regulation (EEC) No 2046/89, account also being taken of the present uncertainty of prices on the market for distillation products;

Whereas some wine delivered for one of the distillation operations may be processed into wine fortified for distillation; whereas the amounts applicable to distillation in accordance with the rules laid down in Article 26 of Regulation (EEC) No 2046/89 should be adjusted accordingly;

Whereas experience gained in sales by invitation to tender of alcohol held by intervention agencies shows that the difference between prices which may be obtained for neutral spirits and raw alcohol does not justify the takeover of the former; whereas, moreover, quantities of neutral spirits currently available are sufficient to satisfy,

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 31.

<sup>(3)</sup> OJ No L 341, 30. 12. 1994, p. 37.

<sup>(4)</sup> OJ No L 70, 30. 3. 1995, p. 1.

<sup>(5)</sup> OJ No L 148, 30. 6. 1995, p. 33.

<sup>(6)</sup> OJ No L 202, 14. 7. 1989, p. 14.

<sup>(7)</sup> OJ No L 148, 30. 6. 1995, p. 34.

at least for one wine year, any demand for that product ; whereas under these circumstances the possibility provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 should be used by producing for the buying-in of all alcohol at the price for raw alcohol ;

Whereas Article 4 of Commission Regulation (EEC) No 3105/88 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3186/92 <sup>(2)</sup>, laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 sets a standard natural alcohol strength by volume to be applied in the various wine-growing zones for the purpose of determining the volume of alcohol to be delivered for distillation under Article 35 of Regulation (EEC) No 822/87 ; whereas it has not been possible to fix this standard natural alcoholic strength in Portugal because the wine-growing zones in that country have not yet been delimited ; whereas, therefore, a provisional standard natural alcohol strength should be fixed ;

Whereas Article 46 (3) of Regulation (EEC) No 822/87 lays down criteria for fixing the aid provided for in that Article ; whereas, as regards the aid for the use of grapes, grape must and concentrated grape must for the manufacture of grape juice, paragraph 4 of that Article stipulates that a part of the aid should be set aside for the organization of campaigns to promote the consumption of grape juice and whereas the aid may be increased to that end ; whereas, having regard to the criteria laid down and of the need to finance those campaigns, the aid should be fixed at a level permitting sufficient quantities to be obtained for the effective promotion of the product ;

Whereas the reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 depends on the average increase in the natural alcoholic strength in each wine-growing zone ; whereas experience shows that that increase corresponds on average to half the maximum increase authorized ; whereas the reduction in the buying-in price must accordingly correspond to the added alcoholic strength as a percentage of the alcoholic strength of wine delivered for distillation ;

Whereas Commission Regulation (EEC) No 3800/81 of 16 December 1981 determining the classification of vine varieties <sup>(3)</sup>, as last amended by Regulation (EC) No 3255/94 <sup>(4)</sup>, establishes the list of vine varieties recommended and authorized in Portugal ; whereas, in assessing the production of wine in Portugal, reference should be made to those vine varieties ;

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

<sup>(1)</sup> OJ No L 277, 8. 10. 1988, p. 21.

<sup>(2)</sup> OJ No L 317, 31. 10. 1992, p. 73.

<sup>(3)</sup> OJ No L 381, 31. 12. 1981, p. 1.

<sup>(4)</sup> OJ No L 346, 31. 12. 1994, p. 32.

HAS ADOPTED THIS REGULATION :

#### *Article 1*

This Regulation fixes the buying-in prices, the aids and certain other amounts applicable for the 1995/96 wine year to intervention measures in the wine sector in the Community. As regards the measures provided for in Articles 38 and 41 of Regulation (EEC) No 822/87, those amounts shall be fixed subject to a subsequent decision on the activating of those measures.

#### *Article 2*

1. The buying-in prices of the products and of wine delivered during the 1995/96 wine year for compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 and, for those products :

- aid to distillers,
- aid to fortifiers of wine of distillation,
- the buying-in prices of alcohol obtained, delivered to an intervention agency,
- the contribution from the European Agricultural Guidance and Guarantee Fund towards the taking over of that alcohol,

shall be as set out in Annexes I and II hereto.

2. In accordance with the second subparagraph of Article 35 (6), the second subparagraph of Article 36 (4) and the second subparagraph of Article 39 (7), the intervention agency shall pay the raw alcohol price for the alcohol delivered to it.

#### *Article 3*

The buying-in prices for wine delivered during the 1995/96 wine year for voluntary distillation as provided for in Articles 38 and 41 of Regulation (EEC) No 822/87 and, for those products :

- aid to distillers,
- aid to fortifiers of wine for distillation,

shall be as set out respectively in Annexes III and IV.

#### *Article 4*

The aid for utilization during the 1995/96 wine year of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) and in the first subparagraph of Article 46 (1) of Regulation (EEC) No 822/87 shall be as set out respectively in Annexes V, VI and VII hereto.

*Article 5*

The reductions provided for in Article 44 of Regulation (EEC) No 822/87 applicable to the buying-in prices for wine delivered during the 1995/96 wine year for distillation as provided for in Articles 36, 38, 39 or 42 of that Regulation and, for that wine :

- to the aid to the distiller,
- to the buying-in prices of alcohol obtained, delivered to an intervention agency,
- to the contribution from the European Agricultural Guidance and Guarantee Fund to the taking over of that alcohol,

shall be as set out in Annex VIII hereto.

For the purposes of this Article, Portugal shall be considered to form part of wine-growing zone C, and Austria of wine-growing zone B.

*Article 6*

1. The rules governing oenological practices and processes laid down in Title II of Regulation (EEC) No 822/87 shall apply to Portugal during the 1995/96 wine year subject to the following conditions :

- (a) increase in alcoholic strength shall be limited to 2 % vol. Products eligible under this measure shall have a natural alcoholic strength by volume of at least 7,5 % vol, before enrichment and total alcoholic strength by volume of not more than 13 % after enrichment.

However, products upstream of table wine originating in the 'Vinho verde' region must have an alcoholic strength by volume of at least 7 % before enrichment.

The addition of concentrated grape must or rectified concentrated grape must shall not have the effect of increasing the initial volume of fresh crushed grapes, grape must, grape must in fermentation or new wine still in fermentation by more than 6,5 % ;

- (b) fresh grapes, grape must, grape must in fermentation, new wine still in fermentation and wine may be the subject of acidification or deacidification.

2. The wine varieties which may be used to produce table wine shall be those listed in the Annex to Regulation (EEC) No 3800/81.

Without prejudice to Article 341 of the Act of Accession, 'vinho verde' may :

- be marketed with a minimum total alcoholic strength by volume 8,5 % for wines which have not been subject to enrichment,
- possess a total content of sulphine dioxide no greater than 300 milligrams per litre for white 'Vinho verde' wines with a residual sugar content not less than 5 g/l.

3. The quantity of alcohol which producers of table wine in Portugal must deliver for distillation in accordance with Article 35 of Regulation (EEC) No 822/87 shall be calculated on the basis of a standard natural alcoholic strength, to be taken into consideration for the assessment of the volume of alcohol contained in the wine produced, equal to 9 % by volume, with the exception of wines produced in the delimited 'Vinho verde' region, for which the alcoholic strength to be taken into consideration shall be 8,5 %.

*Article 7*

This Regulation shall enter into force on 1 September 1995.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*



## ANNEX I

## DISTILLATION AS PROVIDED FOR IN ARTICLE 35 OF REGULATION (EEC) No 822/87

1995/96 WINE YEAR

	<i>(ECU/% vol/hl)</i>
1. Buying-in price to be paid to the producer by the distiller	0,9902
2. Aid :	
(a) for distillation :	
1. neutral spirits :	
— flat-rate	0,6279
— of marc	0,8453
— of wine and lees	0,4106
2. spirits distilled from marc	0,3985
3. spirits distilled from wine	0,2777
4. raw spirits :	
— flat-rate	0,4951
— of marc	0,7124
— of wine and lees	0,2777
(b) for the fortification of wine for distillation	0,2657
3. Prices of raw spirits delivered <sup>(1)</sup> :	
— flat-rate	1,654
— spirits distilled from marc	1,872
— spirits distilled from wine and lees	1,437
4. EAGGF contribution for spirits <sup>(2)</sup>	0,4951
<p><sup>(1)</sup> If the distiller has received the aid under 2, these prices are to be reduced by an amount equal to the aid (third subparagraph of Article 18 (2) of Regulation (EEC) No 2046/89).</p> <p><sup>(2)</sup> For quantities of alcohol delivered to the intervention agency in respect of which aid has been paid to the distiller, this contribution is to be reduced by the amount of the flat-rate aid paid.</p>	

## ANNEX II

## DISTILLATION AS PROVIDED FOR IN ARTICLE 36 OF REGULATION (EEC) No 822/87

1995/96 WINE YEAR

	<i>(ECU/% vol/bl)</i>
1. Buying-in price to be paid to the producer by the distiller	1,340
2. Aid :	
(a) for distillation :	
1. neutral spirits	0,7728
2. spirits distilled from wine and raw spirits	0,6400
(b) for the fortification of wine for distillation	0,6158
3. Prices of raw spirits delivered <sup>(1)</sup>	1,799
4. EAGGF contribution for spirits <sup>(2)</sup>	0,6400

<sup>(1)</sup> If the distiller has received the aid under 2, these prices are to be reduced by an amount equal to the aid (third subparagraph of Article 18 (2) of Regulation (EEC) No 2046/89).

<sup>(2)</sup> For quantities of alcohol delivered to the intervention agency in respect of which aid has been paid to the distiller, this contribution is to be reduced by the amount of the flat-rate aid paid.

## ANNEX III

## DISTILLATION AS PROVIDED FOR IN ARTICLE 38 OF REGULATION (EEC) No 822/87

1995/1996 WINE YEAR

	<i>(ECU/% vol/hl)</i>
1. Buying-in price to be paid to the producer by the distiller :	
— type A I, R I and R II <sup>(1)</sup>	2,487
— type A II	5,385
— type A III	6,146
— type R III	3,852
2. Aid :	
(a) for distillation :	
1. neutral spirits :	
— type A I, R I and R II	1,884
— type A II	4,818
— type A III	5,603
— type R III	3,272
2. spirits distilled from wine and raw spirits :	
— type A I, R I and R II	1,751
— type A II	4,685
— type A III	5,470
— type R III	3,140
(b) for the fortification of wine for distillation :	
— type A I, R I and R II	1,715
— type A II	4,613
— type A III	5,373
— type R III	3,079

<sup>(1)</sup> And table wine in a close economic relationship with these types of table wine, or wines suitable for yielding table wine.

## ANNEX IV

## DISTILLATION AS PROVIDED FOR IN ARTICLE 41 OF REGULATION (EEC) No 822/87

1995/1996 YEAR

(ECU/% vol/hl)

1. Buying-in price to be paid to the producer by the distiller :	
— type A I, R I and R II (1)	3,140
— type A II	6,798
— type A III	7,752
— type R III	4,854
2. Aid :	
(a) for distillation :	
1. neutral spirits :	
— type A I, R I and R II	2,548
— type A II	6,255
— type A III	7,233
— type R III	4,287
2. spirits distilled from wine and raw spirits :	
— type A I, R I and R II	2,415
— type A II	6,122
— type A III	7,100
— type R III	4,154
(b) for the fortification of wine for distillation :	
— type A I, R I and R II	2,367
— type A II	6,025
— type A III	6,979
— type R III	4,081

(1) And table wine in a close economic relationship with these types of table wine.

## ANNEX V

**AID FOR THE USE IN WINE-MAKING OF CONCENTRATED GRAPE MUST AND  
RECTIFIED CONCENTRATED GRAPE MUST (ARTICLE 45 (1) OF REGULATION (EEC)  
No 822/87)**

1995/96 WINE YEAR

	<i>(ECU/% vol/hl)</i>
Amount of the aid :	
(a) concentrated grape must :	
— wine-growing zones C III (a) and C III (b)	1,699
— others, including Portugal	1,446
(b) rectified concentrated grape must :	
— wine-growing zones C III (a) and C III (b)	2,206
— others, if production commenced before 30 June 1982 (EUR 10) or before 1 January 1986 (Spain)	2,206
— others, including Portugal	1,953

## ANNEX VI

**AID FOR THE USE OF GRAPE MUST AND CONCENTRATED GRAPE MUST FOR THE  
PURPOSE OF MANUFACTURING CERTAIN PRODUCTS IN THE UNITED KINGDOM  
AND IN IRELAND (SECOND AND THIRD INDENTS OF ARTICLE 46 (1) OF REGULATION  
(EEC) No 822/87)**

1995/96 WINE YEAR

	<i>(ECU/kg)</i>
Flat-rate amount of the aid :	
1. Products referred to in the second indent of Article 46 (1) of Regulation (EEC) No 822/87	0,2379
2. Products referred to in the third indent of Article 46 (1) of Regulation (EEC) No 822/87	0,3103

## ANNEX VII

AID FOR THE USE OF GRAPES, GRAPE MUST AND CONCENTRATED GRAPE MUST FOR  
THE PURPOSE OF MANUFACTURING GRAPE JUICE

(FIRST INDENT OF ARTICLE 46 (1) OF REGULATION (EEC) No 822/87)

1995/96 WINE YEAR

	<i>(ECU)</i>
Flat-rate amount of the aid :	
(a) grapes (per 100 kg)	6,603
(b) grape must (per hl)	8,257
(c) concentrated grape must (per hl)	28,873
Percentage of the amount of the aid withheld for the financing of the promotion campaign	25

## ANNEX VIII

REDUCTION IN THE BUYING-IN PRICE OF WINE AS PROVIDED FOR IN ARTICLE 44 OF  
REGULATION (EEC) No 822/87

1995/96 WINE YEAR

<i>(ECU/% vol/hl)</i>		
Zone A	Zone B	Zone C and Portugal
0,3623	0,3019	0,1811

COMMISSION REGULATION (EC) No 1849/95  
of 26 July 1995

Regulation (EEC) No 3105/88 laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Council Regulation (EEC) No 822/87

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 1544/95 <sup>(2)</sup>, and in particular Articles 36 (6) and 47 (3) thereof,

Whereas Commission Regulation (EEC) No 3105/88 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3186/92 <sup>(4)</sup>, sets the deadlines before which producers who are subject to the obligation contained in Article 36 must deliver to a distiller or manufacturer of wines fortified for distillation wines which have not been exported before those deadlines;

Whereas some Community producers will be unable to export all the undistilled wines available to third countries before 31 July 1995 and are unable to deliver them to distilleries by the deadlines set; whereas the said deadlines should be postponed by one month therefore in order to enable them to comply with their obligations; whereas, however, pursuant to Article 36 (1) of Regulation (EEC) No 822/87, this derogation may not extend beyond the end of the current wine year;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Notwithstanding the provisions of Regulation (EEC) No 3105/88, for the 1994/95 wine year:

- the date '31 July' in the first paragraph of Article 7 is hereby replaced by '31 August',
- the date '31 July' in the first subparagraph of Article 8 (1) is hereby replaced by '31 August',
- the date '31 July' in the second indent of the first subparagraph of Article 8 (2) is hereby replaced by '31 August',
- the date '31 August' in Article 12 (1) is hereby replaced by '30 October',
- the date '30 November' in Article 13 (1) is hereby replaced by '31 December'.

*Article 2*

This Regulation shall enter into force on 1 August 1995.

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 31.

<sup>(3)</sup> OJ No L 277, 8. 10. 1988, p. 21.

<sup>(4)</sup> OJ No L 317, 31. 10. 1992, p. 73.

**COMMISSION REGULATION (EC) No 1850/95**  
**of 26 July 1995**  
**amending Regulation (EEC) No 3886/92 laying down detailed rules for the**  
**application of the premium schemes provided for in the beef and veal sector, in**  
**particular in respect of the payment of advances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EC) No 424/95<sup>(2)</sup>, and in particular Articles 4a (8) and 4d (8) thereof,

Whereas Commission Regulation (EEC) No 3886/92<sup>(3)</sup>, as last amended by Regulation (EC) No 1846/95<sup>(4)</sup> lays down certain rules concerning the payment of advances; whereas, given the difficult market situation, an increase in the amount of the advance payment of the special premium, as well as an earlier payment of that advance, compatible with budget forecasts, should be authorized;

Whereas the average milk yield per Member State currently applicable to determine the number of cows eligible for the premium for suckler cows has been derived from the relevant statistics for the year 1991 except in the cases of Austria, Finland and Sweden; whereas the average milk yield has increased considerably over the last few years; whereas, therefore, it is appropriate to adjust those figures to the new yields, taking 1993 as the reference year for all Member States;

Whereas Regulation (EEC) No 3886/92 should therefore be amended;

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 3886/92 is hereby amended as follows:

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 45, 1. 3. 1995, p. 2.

<sup>(3)</sup> OJ No L 391, 31. 12. 1992, p. 20.

<sup>(4)</sup> See page 28 of this Official Journal.

1. The following subparagraph is added to Article 44 (1):

'However, the advance on the special premium in respect of the 1995 calendar year may be paid from 16 October 1995 for an amount equal to 80 % of that premium.'

2. Annex III is replaced by the following:

*ANNEX III*

**Average milk yield referred to in Article 25**

Belgium	4 600 kilograms
Denmark	6 550 kilograms
Germany	5 250 kilograms
Greece	3 500 kilograms
Spain	4 300 kilograms
France	5 400 kilograms
Ireland	4 200 kilograms
Italy	4 600 kilograms
Luxembourg	5 300 kilograms
Netherlands	6 200 kilograms
Austria	4 100 kilograms
Portugal	4 400 kilograms
Finland	5 500 kilograms
Sweden	6 400 kilograms
United Kingdom	5 350 kilograms.

*Article 2*

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

It shall apply from 1 January 1996, with the exception of Article 1 (1) which shall apply from the day of its entry into force.



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

Done at Brussels, 26 July 1995.

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

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## COMMISSION REGULATION (EC) No 1851/95

of 26 July 1995

amending Regulation (EEC) No 1995/92 laying down detailed rules for the application, in respect of potato starch of the import arrangements provided for in the Interim Agreement concluded between the European Community and the European Coal and Steel Community, of the one part and the Republic of Poland, of the other part in order to implement the Agreement on Agriculture concluded during the Uruguay Round negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, in order to take account of existing import arrangements in the cereal sectors and those resulting from the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of partial exemption from the import duty on potato starch covered by CN code 1108 13 00 from the Republic of Poland;

Whereas Commission Regulation (EEC) No 1995/92 <sup>(2)</sup>, as last amended by Regulation (EEC) No 2507/93 <sup>(3)</sup>, lays down certain detailed rules of application of the reduction in the import levy for quotas open for import under preferential conditions; whereas, as a result of the agreements concluded during the Uruguay Round of multilateral trade negotiations, it is necessary to adjust these rules;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1995/96 marketing year, in Regulation (EEC) No 1995/92, 'levy' and 'levies' shall be replaced by 'import duty' and 'import duties' respectively each time that they appear.

*Article 2*

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

It shall apply from 1 July 1995 to 30 June 1996

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

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 349, 22. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 199, 18. 7. 1992, p. 14.

<sup>(3)</sup> OJ No L 231, 14. 9. 1993, p. 14.

## COMMISSION REGULATION (EC) No 1852/95

of 27 July 1995

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EC) No 1149/95<sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

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

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

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates<sup>(5)</sup>, as last amended by Regulation (EEC) No 1435/90<sup>(6)</sup>;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs<sup>(7)</sup>, as last amended by Regulation (EC) No 455/95<sup>(8)</sup>, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93<sup>(9)</sup>, as amended by Regulation (EC) No 1380/95<sup>(10)</sup>, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

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

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

*Article 2*

This Regulation shall enter into force on 28 July 1995.

<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 136, 31. 5. 1994, p. 5.

<sup>(4)</sup> OJ No L 116, 23. 5. 1995, p. 1.

<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 6.

<sup>(6)</sup> OJ No L 138, 31. 5. 1990, p. 8.

<sup>(7)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(8)</sup> OJ No L 46, 1. 3. 1995, p. 31.

<sup>(9)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(10)</sup> OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 27 July 1995.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

ANNEX

to the Commission Regulation of 27 July 1995 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	<ul style="list-style-type: none"> <li>a) On exportation of goods of CN code 3501</li> <li>b) On exportation of other goods</li> </ul>	<ul style="list-style-type: none"> <li>—</li> <li>60,00</li> </ul>
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):	
	<ul style="list-style-type: none"> <li>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</li> <li>b) On exportation of other goods</li> </ul>	<ul style="list-style-type: none"> <li>54,23</li> <li>103,21</li> </ul>
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	<ul style="list-style-type: none"> <li>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</li> <li>b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat</li> <li>c) On exportation of other goods</li> </ul>	<ul style="list-style-type: none"> <li>31,00</li> <li>167,25</li> <li>160,00</li> </ul>

COMMISSION REGULATION (EC) No 1853/95  
of 27 July 1995

adopting interim protective measures on applications for STM licences in the  
beef and veal sector submitted for trade with Spain on 27 July 1995

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas an examination of licence application lodged on 27 July 1995 shows that the quantities applied for are

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For live animals of the bovine species other than purebred breeding animals and animals for bullfights:

1. applications for STM licences lodged on 27 July 1995 and notified to the Commission shall be accepted in respect of 85 % for Spain;
2. further applications may be submitted from 30 August 1995.

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 27 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 113, 7. 5. 1993, p. 10.

<sup>(2)</sup> OJ No L 325, 17. 12. 1994, p. 42.

**COMMISSION REGULATION (EC) No 1854/95**  
**of 27 July 1995**  
**fixing the export refunds on milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

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

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

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

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

<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 144, 28. 6. 1995, p. 22.

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 27 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110, 17. 5. 1995, p. 1.

<sup>(3)</sup> OJ No L 91, 1. 4. 1984, p. 71.

<sup>(4)</sup> OJ No L 28, 1. 2. 1988, p. 1.

<sup>(5)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(6)</sup> OJ No L 138, 21. 6. 1995, p. 1.

<sup>(7)</sup> OJ No L 184, 29. 7. 1968, p. 10.

<sup>(8)</sup> OJ No L 267, 29. 9. 1990, p. 14.

<sup>(9)</sup> OJ No L 325, 17. 12. 1994, p. 17.

## ANNEX

## to the Commission Regulation of 27 July 1995 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000	+	5,586	0402 21 91 500	+	115,79
0401 10 90 000	+	5,586	0402 21 91 600	+	125,48
0401 20 11 100	+	5,586	0402 21 91 700	+	131,17
0401 20 11 500	+	8,635	0402 21 91 900	+	137,59
0401 20 19 100	+	5,586	0402 21 99 100	+	103,97
0401 20 19 500	+	8,635	0402 21 99 200	+	104,68
0401 20 91 100	+	11,50	0402 21 99 300	+	105,97
0401 20 91 500	+	13,40	0402 21 99 400	+	113,27
0401 20 99 100	+	11,50	0402 21 99 500	+	115,79
0401 20 99 500	+	13,40	0402 21 99 600	+	125,48
0401 30 11 100	+	17,20	0402 21 99 700	+	131,17
0401 30 11 400	+	26,53	0402 21 99 900	+	137,59
0401 30 11 700	+	39,85	0402 29 15 200	+	0,6000
0401 30 19 100	+	17,20	0402 29 15 300	+	0,9108
0401 30 19 400	+	26,53	0402 29 15 500	+	0,9596
0401 30 19 700	+	39,85	0402 29 15 900	+	1,0321
0401 30 31 100	+	47,46	0402 29 19 200	+	0,6000
0401 30 31 400	+	74,12	0402 29 19 300	+	0,9108
0401 30 31 700	+	81,73	0402 29 19 500	+	0,9596
0401 30 39 100	+	47,46	0402 29 19 900	+	1,0321
0401 30 39 400	+	74,12	0402 29 91 100	+	1,0397
0401 30 39 700	+	81,73	0402 29 91 500	+	1,1327
0401 30 91 100	+	93,15	0402 29 99 100	+	1,0397
0401 30 91 400	+	136,90	0402 29 99 500	+	1,1327
0401 30 91 700	+	159,76	0402 91 11 110	+	5,586
0401 30 99 100	+	93,15	0402 91 11 120	+	11,50
0401 30 99 400	+	136,90	0402 91 11 310	+	19,67
0401 30 99 700	+	159,76	0402 91 11 350	+	24,11
0402 10 11 000	+	60,00	0402 91 11 370	+	29,33
0402 10 19 000	+	60,00	0402 91 19 110	+	5,586
0402 10 91 000	+	0,6000	0402 91 19 120	+	11,50
0402 10 99 000	+	0,6000	0402 91 19 310	+	19,67
0402 21 11 200	+	60,00	0402 91 19 350	+	24,11
0402 21 11 300	+	91,08	0402 91 19 370	+	29,33
0402 21 11 500	+	95,96	0402 91 31 100	+	22,72
0402 21 11 900	+	103,21	0402 91 31 300	+	34,66
0402 21 17 000	+	60,00	0402 91 39 100	+	22,72
0402 21 19 300	+	91,08	0402 91 39 300	+	34,66
0402 21 19 500	+	95,96	0402 91 51 000	+	26,53
0402 21 19 900	+	103,21	0402 91 59 000	+	26,53
0402 21 91 100	+	103,97	0402 91 91 000	+	93,15
0402 21 91 200	+	104,68	0402 91 99 000	+	93,15
0402 21 91 300	+	105,97	0402 99 11 110	+	0,0559
0402 21 91 400	+	113,27	0402 99 11 130	+	0,1150



Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 11 150	+	0,1877	0403 90 51 100	+	5,586
0402 99 11 310	+	22,70	0403 90 51 300	+	8,635
0402 99 11 330	+	27,23	0403 90 53 000	+	11,50
0402 99 11 350	+	36,20	0403 90 59 110	+	17,20
0402 99 19 110	+	0,0559	0403 90 59 140	+	26,53
0402 99 19 130	+	0,1150	0403 90 59 170	+	39,85
0402 99 19 150	+	0,1877	0403 90 59 310	+	47,46
0402 99 19 310	+	22,70	0403 90 59 340	+	74,12
0402 99 19 330	+	27,23	0403 90 59 370	+	81,73
0402 99 19 350	+	36,20	0403 90 59 510	+	93,15
0402 99 31 110	+	0,2463	0403 90 59 540	+	136,90
0402 99 31 150	+	37,68	0403 90 59 570	+	159,76
0402 99 31 300	+	0,4746	0403 90 61 100	+	0,0559
0402 99 31 500	+	0,8173	0403 90 61 300	+	0,0864
0402 99 39 110	+	0,2463	0403 90 63 000	+	0,1150
0402 99 39 150	+	37,68	0403 90 69 000	+	0,1720
0402 99 39 300	+	0,4746	0404 90 11 100	+	59,14
0402 99 39 500	+	0,8173	0404 90 11 910	+	5,586
0402 99 91 000	+	0,9315	0404 90 11 950	+	19,50
0402 99 99 000	+	0,9315	0404 90 13 120	+	59,14
0403 10 02 000	+	—	0404 90 13 130	+	90,27
0403 10 04 200	+	—	0404 90 13 140	+	95,10
0403 10 04 300	+	—	0404 90 13 150	+	102,29
0403 10 04 500	+	—	0404 90 13 911	+	5,586
0403 10 04 900	+	—	0404 90 13 913	+	11,50
0403 10 06 000	+	—	0404 90 13 915	+	17,20
0403 10 12 000	+	—	0404 90 13 917	+	26,53
0403 10 14 200	+	—	0404 90 13 919	+	39,85
0403 10 14 300	+	—	0404 90 13 931	+	19,50
0403 10 14 500	+	—	0404 90 13 933	+	23,92
0403 10 14 900	+	—	0404 90 13 935	+	29,08
0403 10 16 000	+	—	0404 90 13 937	+	34,37
0403 10 22 100	+	5,586	0404 90 13 939	+	35,94
0403 10 22 300	+	8,635	0404 90 19 110	+	103,05
0403 10 24 000	+	11,50	0404 90 19 115	+	103,74
0403 10 26 000	+	17,20	0404 90 19 120	+	105,03
0403 10 32 100	+	0,0559	0404 90 19 130	+	112,26
0403 10 32 300	+	0,0864	0404 90 19 135	+	114,74
0403 10 34 000	+	0,1150	0404 90 19 150	+	124,35
0403 10 36 000	+	0,1720	0404 90 19 160	+	130,00
0403 90 11 000	+	59,14	0404 90 19 180	+	136,35
0403 90 13 200	+	59,14	0404 90 31 100	+	59,14
0403 90 13 300	+	90,27	0404 90 31 910	+	5,586
0403 90 13 500	+	95,10	0404 90 31 950	+	19,50
0403 90 13 900	+	102,29	0404 90 33 120	+	59,14
0403 90 19 000	+	103,05	0404 90 33 130	+	90,27
0403 90 31 000	+	0,5914	0404 90 33 140	+	95,10
0403 90 33 200	+	0,5914	0404 90 33 150	+	102,29
0403 90 33 300	+	0,9027	0404 90 33 911	+	5,586
0403 90 33 500	+	0,9510	0404 90 33 913	+	11,50
0403 90 33 900	+	1,0229	0404 90 33 915	+	17,20
0403 90 39 000	+	1,0305	0404 90 33 917	+	26,53

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0404 90 33 919	+	39,85	0404 90 99 990	+	0,9315
0404 90 33 931	+	19,50	0405 00 11 200	+	120,98
0404 90 33 933	+	23,92	0405 00 11 300	+	152,20
0404 90 33 935	+	29,08	0405 00 11 500	+	156,10
0404 90 33 937	+	34,37	0405 00 11 700	+	160,00
0404 90 33 939	+	35,94	0405 00 19 200	+	120,98
0404 90 39 110	+	103,05	0405 00 19 300	+	152,20
0404 90 39 115	+	103,74	0405 00 19 500	+	156,10
0404 90 39 120	+	105,03	0405 00 19 700	+	160,00
0404 90 39 130	+	112,26	0405 00 90 100	+	181,13
0404 90 39 150	+	114,74	0405 00 90 900	+	233,21
0404 90 51 100	+	0,5914	0406 10 20 100	+	—
0404 90 51 910	+	0,0559	0406 10 20 230	028	—
0404 90 51 950	+	22,52		400	34,33
0404 90 53 110	+	0,5914		404	—
0404 90 53 130	+	0,9027		***	42,17
0404 90 53 150	+	0,9510	0406 10 20 290	028	—
0404 90 53 170	+	1,0229		400	34,33
0404 90 53 911	+	0,0559		404	—
0404 90 53 913	+	0,1150		***	42,17
0404 90 53 915	+	0,1720	0406 10 20 610	028	11,87
0404 90 53 917	+	0,2653		037	—
0404 90 53 919	+	0,3985		039	—
0404 90 53 931	+	22,52		400	76,69
0404 90 53 933	+	27,01		404	—
0404 90 53 935	+	35,90		***	78,67
0404 90 53 937	+	37,36	0406 10 20 620	028	17,59
0404 90 59 130	+	1,0305		037	—
0404 90 59 150	+	1,1226		039	—
0404 90 59 930	+	0,5698		400	84,55
0404 90 59 950	+	0,8173		404	—
0404 90 59 990	+	0,9315		***	86,26
0404 90 91 100	+	0,5914	0406 10 20 630	028	21,10
0404 90 91 910	+	0,0559		037	—
0404 90 91 950	+	22,52		039	—
0404 90 93 110	+	0,5914		400	96,10
0404 90 93 130	+	0,9027		404	—
0404 90 93 150	+	0,9510		***	97,40
0404 90 93 170	+	1,0229	0406 10 20 640	028	—
0404 90 93 911	+	0,0559		037	—
0404 90 93 913	+	0,1150		039	—
0404 90 93 915	+	0,1720		400	114,29
0404 90 93 917	+	0,2653		404	—
0404 90 93 919	+	0,3985		***	114,29
0404 90 93 931	+	22,52	0406 10 20 650	028	24,18
0404 90 93 933	+	27,01		037	—
0404 90 93 935	+	35,90		039	—
0404 90 93 937	+	37,36		400	57,14
0404 90 99 130	+	1,0305		404	—
0404 90 99 150	+	1,1226		***	118,98
0404 90 99 930	+	0,5698			
0404 90 99 950	+	0,8173			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 10 20 660	+	—	0406 30 10 200	028	—
0406 10 20 810	028	—		037	—
	037	—		039	—
	039	—		400	38,25
	400	18,53		404	—
	404	—		...	42,80
	...	18,53	0406 30 10 250	028	—
0406 10 20 830	028	—		037	—
	037	—		039	—
	039	—		400	38,25
	400	31,62		404	—
	404	—		...	42,80
	...	31,62	0406 30 10 300	028	—
0406 10 20 850	028	—		037	—
	037	—		039	—
	039	—		400	56,17
	400	38,34		404	—
	404	—		...	62,79
	...	38,34	0406 30 10 350	028	—
0406 10 20 870	+	—		037	—
0406 10 20 900	+	—		039	—
0406 20 90 100	+	—		400	38,25
0406 20 90 913	028	—		404	—
	400	74,68		...	42,80
	404	—	0406 30 10 400	028	—
	...	74,68		037	—
0406 20 90 915	028	—		039	—
	400	99,57		400	56,17
	404	—		404	—
	...	99,57		...	62,79
0406 20 90 917	028	—	0406 30 10 450	028	—
	400	105,78		037	—
	404	—		039	—
	...	105,78		400	81,78
0406 20 90 919	028	—		404	—
	400	118,23		...	91,37
	404	—	0406 30 10 500	+	—
	...	118,23	0406 30 10 550	028	—
0406 20 90 990	+	—		037	—
0406 30 10 100	+	—		039	—
0406 30 10 150	028	—		400	38,25
	037	—		404	17,59
	039	—		...	42,80
	400	17,61	0406 30 10 600	028	—
	404	—		037	—
	...	20,07		039	—
				400	56,17
				404	24,62
				...	62,79

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)		
0406 30 10 650	028	—	0406 30 31 730	028	—		
	037	—		037	—		
	039	—		039	—		
	400	81,78		400	56,17		
	404	—		404	—		
	...	91,37		...	62,79		
0406 30 10 700	028	—	0406 30 31 910	028	—		
	037	—		037	—		
	039	—		039	—		
	400	81,78		400	38,25		
	404	—		404	—		
	...	91,37		...	42,80		
0406 30 10 750	028	—	0406 30 31 930	028	—		
	037	—		037	—		
	039	—		039	—		
	400	99,82		400	56,17		
	404	—		404	—		
	...	111,54		...	62,79		
0406 30 10 800	028	—	0406 30 31 950	028	—		
	037	—		037	—		
	039	—		039	—		
	400	99,82		400	81,78		
	404	—		404	—		
	...	111,54		...	91,37		
0406 30 10 800	028	—	0406 30 39 100	+	—		
	037	—		0406 30 39 300	028	—	
	039	—			037	—	
	400	99,82			039	—	
	404	—			400	38,25	
	...	111,54			404	17,59	
0406 30 31 100	+	—	0406 30 39 500		...	42,80	
	0406 30 31 300	028		—	0406 30 39 700	028	—
		037		—		037	—
		039		—		039	—
		400		17,61		400	56,17
		404		—		404	24,62
...		20,07	...	62,79			
0406 30 31 500	028	—	0406 30 39 930	028	—		
	037	—		037	—		
	039	—		039	—		
	400	38,25		400	81,78		
	404	—		404	—		
	...	42,80		...	91,37		
0406 30 31 710	028	—	0406 30 39 930	028	—		
	037	—		037	—		
	039	—		039	—		
	400	38,25		400	81,78		
	404	—		404	—		
	...	42,80		...	91,37		

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 39 950	028	—	0406 90 06 900	+	—
	037	—	0406 90 07 000	028	—
	039	—		037	—
	400	99,82		039	—
	404	—		400	114,29
	...	111,54		404	—
0406 30 90 000	028	—		...	140,08
	037	—	0406 90 08 100	028	—
	039	—		037	—
	400	99,82		039	—
	404	—		400	114,29
	...	111,54		404	—
0406 40 50 000	028	—		...	140,08
	400	105,52	0406 90 08 900	+	—
	404	—	0406 90 09 100	028	—
	...	111,22		037	—
0406 40 90 000	028	—		039	—
	400	105,52		400	114,29
	404	—		404	—
	...	111,22		...	140,08
0406 90 02 100	028	—	0406 90 09 900	+	—
	037	—	0406 90 12 000	028	—
	039	—		037	—
	400	114,29		039	—
	404	—		400	114,29
	...	140,08		404	—
0406 90 02 900	+	—		...	140,08
0406 90 03 100	028	—	0406 90 14 100	028	—
	037	—		037	—
	039	—		039	—
	400	114,29		400	114,29
	404	—		404	—
	...	140,08		...	140,08
0406 90 03 900	+	—	0406 90 14 900	+	—
0406 90 04 100	028	—	0406 90 16 100	028	—
	037	—		037	—
	039	—		039	—
	400	114,29		400	114,29
	404	—		404	—
	...	140,08		...	140,08
0406 90 04 900	+	—	0406 90 16 900	+	—
0406 90 05 100	028	—	0406 90 21 900	028	—
	037	—		037	—
	039	—		039	—
	400	114,29		400	114,29
	404	—		404	—
	...	140,08		...	133,36
0406 90 05 900	+	—	0406 90 23 900	028	—
0406 90 06 100	028	—		037	—
	037	—		039	—
	039	—		400	57,14
	400	114,29		404	—
	404	—		...	118,98
	...	140,08			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 90 25 900	028	—	0406 90 35 990	028	—	
	037	—		037	—	
	039	—		039	—	
	400	57,14		400	114,29	
	404	—		404	—	
	...	118,98		...	114,29	
0406 90 27 900	028	—	0406 90 37 000	028	—	
	037	—		037	—	
	039	—		039	—	
	400	49,34		400	114,29	
	404	—		404	—	
	...	100,83		...	140,08	
0406 90 31 119	028	—	0406 90 61 000	028	—	
	037	—		037	79,13	
	039	—		039	79,13	
	400	54,92		400	162,64	
	404	14,07		404	123,07	
	...	79,08		...	162,64	
0406 90 31 151	028	—	0406 90 63 100	028	—	
	037	—		037	92,33	
	039	—		039	92,33	
	400	51,33		400	186,48	
	404	13,15		404	140,66	
	...	73,71		...	186,48	
0406 90 31 159	+	—	0406 90 63 900	028	—	
0406 90 33 119	028	—		037	61,55	
	037	—		039	61,55	
	039	—		400	131,87	
	400	54,92		404	70,33	
	404	14,07		...	145,05	
	...	79,08	0406 90 69 100	+	—	
0406 90 33 151	028	—		0406 90 69 910	028	—
	037	—			037	61,55
	039	—			039	61,55
	400	51,33			400	131,87
	404	13,15			404	70,33
	...	73,71	...		145,05	
0406 90 33 919	028	—	0406 90 73 900	028	—	
	037	—		037	37,51	
	039	—		039	37,51	
	400	54,92		400	132,76	
	404	14,07		404	105,52	
	...	79,08		...	132,76	
0406 90 33 951	028	—	0406 90 75 900	028	—	
	037	—		037	—	
	039	—		039	—	
	400	51,33		400	57,14	
	404	13,15		404	—	
	...	73,71		...	110,74	
0406 90 35 190	028	—	0406 90 76 100	028	21,10	
	037	37,51		037	—	
	039	37,51		039	—	
	400	139,38		400	51,66	
	404	79,13		404	—	
	...	139,38		...	97,40	

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)		
0406 90 76 300	028	—	0406 90 85 995	028	24,18		
	037	—		037	—		
	039	—		039	—		
	400	57,14		400	57,14		
	404	—		404	—		
	...	118,98		...	118,98		
0406 90 76 500	028	—	0406 90 85 999	+	—		
	037	—		0406 90 86 100	+	—	
	039	—			0406 90 86 200	028	11,87
	400	65,94				037	—
	404	—				039	—
	...	118,98				400	78,67
0406 90 78 100	028	21,10	0406 90 86 300			404	—
	037	—		...		78,67	
	039	—		028	17,59		
	400	51,66		037	—		
	404	—		039	—		
	...	97,40		400	84,55		
0406 90 78 300	028	—	0406 90 86 400	404	—		
	037	—		...	86,26		
	039	—		028	21,10		
	400	57,14		037	—		
	404	—		039	—		
	...	118,98		400	96,10		
0406 90 78 500	028	—	0406 90 86 900	404	—		
	037	—		...	97,40		
	039	—		028	—		
	400	65,94		037	—		
	404	—		039	—		
	...	118,98		400	114,29		
0406 90 79 900	028	—	0406 90 87 100	404	—		
	037	—		...	114,29		
	039	—		0406 90 87 200	+	—	
	400	49,34			028	11,87	
	404	—			037	—	
	...	100,83			039	—	
0406 90 81 900	028	—	0406 90 87 300		400	78,67	
	037	—			404	—	
	039	—		...	78,67		
	400	114,29		028	17,59		
	404	—		037	—		
	...	114,29		039	—		
0406 90 85 910	028	—	0406 90 87 400	400	84,55		
	037	37,51		404	—		
	039	37,51		...	86,26		
	400	139,38		028	21,10		
	404	79,13		037	—		
	...	139,38		039	—		
0406 90 85 991	028	—		400	96,10		
	037	—		404	—		
	039	—		...	97,40		
	400	114,29					
	404	—					
	...	114,29					

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 87 951	028	—	2309 10 15 500	+	—
	037	37,51	2309 10 15 700	+	—
	039	37,51	2309 10 19 010	+	—
	400	132,76	2309 10 19 100	+	—
	404	79,13	2309 10 19 200	+	—
	...	132,76	2309 10 19 300	+	—
0406 90 87 971	028	24,18	2309 10 19 400	+	—
	037	—	2309 10 19 500	+	—
	039	—	2309 10 19 600	+	—
	400	65,06	2309 10 19 700	+	—
	404	—	2309 10 19 800	+	—
	...	118,98	2309 10 70 010	+	—
0406 90 87 972	028	—	2309 10 70 100	+	19,03
	400	34,33	2309 10 70 200	+	25,37
	404	—	2309 10 70 300	+	31,72
	...	42,17	2309 10 70 500	+	38,05
	028	24,18	2309 10 70 600	+	44,39
	037	—	2309 10 70 700	+	50,74
0406 90 87 979	039	—	2309 10 70 800	+	55,82
	400	65,06	2309 90 35 010	+	—
	404	—	2309 90 35 100	+	—
	...	118,98	2309 90 35 200	+	—
	028	—	2309 90 35 300	+	—
	+	—	2309 90 35 400	+	—
0406 90 88 100	+	—	2309 90 35 500	+	—
0406 90 88 200	028	11,87	2309 90 35 700	+	—
	037	—	2309 90 35 010	+	—
	039	—	2309 90 39 010	+	—
	400	78,67	2309 90 39 100	+	—
	404	—	2309 90 39 200	+	—
	...	78,67	2309 90 39 300	+	—
0406 90 88 300	028	17,59	2309 90 39 400	+	—
	037	—	2309 90 39 500	+	—
	039	—	2309 90 39 600	+	—
	400	84,55	2309 90 39 700	+	—
	404	—	2309 90 39 800	+	—
	...	86,26	2309 90 70 010	+	—
2309 10 15 010	+	—	2309 90 70 100	+	19,03
2309 10 15 100	+	—	2309 90 70 200	+	25,37
2309 10 15 200	+	—	2309 90 70 300	+	31,72
2309 10 15 300	+	—	2309 90 70 500	+	38,05
2309 10 15 400	+	—	2309 90 70 600	+	44,39
			2309 90 70 700	+	50,74
			2309 90 70 800	+	55,82

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

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

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

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



**COMMISSION REGULATION (EC) No 1855/95**  
**of 27 July 1995**  
**fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EC) No 1530/95 <sup>(2)</sup>, and in particular the first sentence of the second subparagraph of Article 14 (3) thereof,

Whereas Article 14 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 14 (4) of Regulation (EEC) No 1418/76, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 <sup>(3)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 14 (5) of Regulation (EEC) No 1418/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93 <sup>(4)</sup>, as amended by Regulation (EC) No 1380/95 <sup>(5)</sup>, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 August 1995.

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

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

<sup>(3)</sup> OJ No L 154, 15. 6. 1976, p. 11.

<sup>(4)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(5)</sup> OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 27 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

ANNEX

to the Commission Regulation of 27 July 1995 fixing the export refunds on rice and broken rice

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	246,00	1006 30 65 100	01	308,00
1006 20 13 000	01	246,00		02	314,00
1006 20 15 000	01	246,00		03	319,00
1006 20 17 000	—	—		04	308,00
1006 20 92 000	01	246,00	1006 30 65 900	01	308,00
1006 20 94 000	01	246,00		04	308,00
1006 20 96 000	01	246,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	246,00	1006 30 92 100	01	308,00
1006 30 23 000	01	246,00		02	314,00
1006 30 25 000	01	246,00		03	319,00
1006 30 27 000	—	—		04	308,00
1006 30 42 000	01	246,00	1006 30 92 900	01	308,00
1006 30 44 000	01	246,00		04	308,00
1006 30 46 000	01	246,00	1006 30 94 100	01	308,00
1006 30 48 000	—	—		02	314,00
1006 30 61 100	01	308,00		03	319,00
	02	314,00		04	308,00
	03	319,00	1006 30 94 900	01	308,00
	04	308,00		04	308,00
1006 30 61 900	01	308,00	1006 30 96 100	01	308,00
	04	308,00		02	314,00
1006 30 63 100	01	308,00		03	319,00
	02	314,00		04	308,00
	03	319,00	1006 30 96 900	01	308,00
	04	308,00		04	308,00
1006 30 63 900	01	308,00	1006 30 98 100	—	—
	04	308,00	1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87

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

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

## COMMISSION REGULATION (EC) No 1856/95

of 27 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 last amended by Regulation (EC) No 1740/95<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 unit of account and the conversion rates to be applied for 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 28 July 1995.

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

Done at Brussels, 27 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 167, 18. 7. 1995, p. 10.

<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 27 July 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
CN code	Third country code (1)	Standard import value	CN code	Third country code (1)	Standard import value
0702 00 35	052	47,7		508	77,9
	060	80,2		512	53,3
	066	41,7		524	45,8
	068	32,4		528	62,8
	204	50,9		800	99,3
	212	117,9		804	83,4
	624	75,0		999	70,2
	999	63,7			
0707 00 25	052	50,1	0808 20 51	052	84,7
	053	166,9		388	61,4
	060	39,2		512	56,2
	066	53,8		528	53,2
	068	60,4		800	55,8
	204	49,1		804	64,8
	624	207,3		999	62,7
	999	89,5			
0709 90 77	052	55,6	0809 10 40	052	64,6
	204	77,5		061	51,3
	624	196,3		064	96,5
	999	109,8		999	70,8
0805 30 30	388	62,6	0809 20 51, 0809 20 59	052	166,6
	512	77,9		061	181,8
	524	61,5		064	254,1
	528	56,6		068	262,6
	600	54,7		400	188,9
	624	78,0		624	239,5
	999	65,2		676	166,2
				999	208,5
0806 10 40	052	120,9	0809 30 31, 0809 30 39	052	59,2
	600	169,8		220	121,8
	624	160,1		624	106,8
	999	150,3		999	95,9
0808 10 71, 0808 10 73, 0808 10 79	039	79,3	0809 40 30	064	132,8
	388	65,1		624	245,1
	400	65,3		999	189,0

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

**COMMISSION REGULATION (EC) No 1857/95**  
**of 27 July 1995**  
**amending representative prices and additional duties for the import of certain**  
**products in the sugar sector**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1101/95 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses <sup>(3)</sup>, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 <sup>(4)</sup>, as last amended by Regulation (EC) No 1830/95 <sup>(5)</sup>;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 27 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 110, 17. 5. 1995, p. 1.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 16.

<sup>(4)</sup> OJ No L 150, 1. 7. 1995, p. 36.

<sup>(5)</sup> OJ No L 175, 27. 7. 1995, p. 49.

## ANNEX

to the Commission Regulation of 27 July 1995 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 <sup>(1)</sup>	26,53	3,33
1701 11 90 <sup>(1)</sup>	26,53	8,27
1701 12 10 <sup>(1)</sup>	26,53	3,19
1701 12 90 <sup>(1)</sup>	26,53	7,84
1701 91 00 <sup>(2)</sup>	35,37	7,55
1701 99 10 <sup>(2)</sup>	35,37	3,73
1701 99 90 <sup>(2)</sup>	35,37	3,73
1702 90 99 <sup>(3)</sup>	0,35	0,31

<sup>(1)</sup> For the standard quality as defined in Article 1 of Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

<sup>(2)</sup> For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

<sup>(3)</sup> By 1 % sucrose content.

**COMMISSION REGULATION (EC) No 1858/95**  
**of 27 July 1995**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EC) No 1664/95<sup>(2)</sup>, and in particular the third subparagraph of Article 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(3)</sup>, as last amended by Regulation (EC) No 1501/95<sup>(4)</sup>;

Whereas export possibilities exist for a quantity of 70 000 tonnes of common wheat flour and 10 000 tonnes of rye flour to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95<sup>(5)</sup>, as last amended by Regulation (EC) No 1617/95<sup>(6)</sup>, should be used; whereas account should be taken of this when the refunds are fixed;

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

Whereas the world market situation or the specific requirements of certain markets may make it necessary to

vary the refund for certain products according to destination;

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

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

Whereas Council Regulation (EEC) No 990/93<sup>(7)</sup>, as amended by Regulation (EC) No 1380/95<sup>(8)</sup>, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

<sup>(2)</sup> OJ No L 158, 8. 7. 1995, p. 13.

<sup>(3)</sup> OJ No L 151, 23. 6. 1993, p. 15.

<sup>(4)</sup> OJ No L 147, 30. 6. 1995, p. 7.

<sup>(5)</sup> OJ No L 117, 24. 5. 1995, p. 2.

<sup>(6)</sup> OJ No L 154, 5. 7. 1995, p. 5.

<sup>(7)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(8)</sup> OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 27 July 1995.

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

ANNEX

to the Commission Regulation of 27 July 1995 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1101 00 11 000	—	—
0712 90 19 000	—	—	1101 00 15 100	01	0 (4)
1001 10 00 200	—	—	1101 00 15 130	01	0 (4)
1001 10 00 400	—	—	1101 00 15 150	—	—
1001 90 91 000	—	—	1101 00 15 170	—	—
1001 90 99 000	—	—	1101 00 15 180	—	—
1002 00 00 000	—	—	1101 00 15 190	—	—
1003 00 10 000	—	—	1101 00 90 000	—	—
1003 00 90 000	—	—	1102 10 00 500	01	25,00 (5)
1004 00 00 200	—	—	1102 10 00 700	—	—
1004 00 00 400	—	—	1102 10 00 900	—	—
1005 10 90 000	—	—	1103 11 10 200	—	— (3)
1005 90 00 000	—	—	1103 11 10 400	—	— (3)
1005 90 00 000	—	—	1103 11 10 900	—	—
1007 00 90 000	—	—	1103 11 90 200	—	— (3)
1008 20 00 000	—	—	1103 11 90 800	—	—

(1) The destinations are identified as follows:

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

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

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

(4) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 70 000 tonnes of common wheat flour destined for third countries.

(5) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95, in respect of a quantity of 10 000 tonnes of rye flour destined for third countries.

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



**COMMISSION REGULATION (EC) No 1859/95**

of 27 July 1995

**amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92**

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 Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94<sup>(3)</sup>, as amended by Regulation (EC) No 2883/94<sup>(4)</sup>, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94<sup>(5)</sup>, as last amended by Regulation (EC) No 1658/95<sup>(6)</sup>, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 1854/95 of 27 July 1995 fixing the export refunds on milk and milk products<sup>(7)</sup>, adjusts the refunds on certain milk products; whereas the aid for certain products listed in the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments,

HAS ADOPTED THIS REGULATION :

*Article 1*

The Annex to amended Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 27 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 296, 17. 11. 1994, p. 23.

<sup>(4)</sup> OJ No L 304, 29. 11. 1994, p. 18.

<sup>(5)</sup> OJ No L 316, 9. 12. 1994, p. 11.

<sup>(6)</sup> OJ No L 156, 7. 7. 1995, p. 54.

<sup>(7)</sup> See page 51 of this Official Journal.

## ANNEX

*(in ECU/100 kg weight, if no other indication)*

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter <sup>(1)</sup> :			
0401 10	– Of a fat content, by weight, not exceeding 1 % :			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	( <sup>1</sup> )	5,586
0401 10 90	– – Other	0401 10 90 000	( <sup>1</sup> )	5,586
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 % :			
	– – Not exceeding 3 % :			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	( <sup>1</sup> )	5,586
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	( <sup>1</sup> )	8,635
0401 20 19	– – – Other :			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	( <sup>1</sup> )	5,586
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	( <sup>1</sup> )	8,635
	– – Exceeding 3 % :			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	( <sup>1</sup> )	11,50
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	( <sup>1</sup> )	13,40
0401 20 99	– – – Other :			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	( <sup>1</sup> )	11,50
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	( <sup>1</sup> )	13,40
0401 30	– Of a fat content, by weight, exceeding 6 % :			
	– – Not exceeding 21 % :			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight :			
	– Not exceeding 10 %	0401 30 11 100	( <sup>1</sup> )	17,20
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	( <sup>1</sup> )	26,53
	– Exceeding 17 %	0401 30 11 700	( <sup>1</sup> )	39,85
0401 30 19	– – – Other :			
	– Of a fat content, by weight :			
	– Not exceeding 10 %	0401 30 19 100	( <sup>1</sup> )	17,20
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	( <sup>1</sup> )	26,53
	– Exceeding 17 %	0401 30 19 700	( <sup>1</sup> )	39,85
	– – Exceeding 21 % but not exceeding 45 % :			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight :			
	– Not exceeding 35 %	0401 30 31 100	( <sup>1</sup> )	47,46
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	( <sup>1</sup> )	74,12
	– Exceeding 39 %	0401 30 31 700	( <sup>1</sup> )	81,73

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	<ul style="list-style-type: none"> <li>— — — Other :</li> <li>— Of a fat content, by weight : <ul style="list-style-type: none"> <li>— Not exceeding 35 %</li> <li>— Exceeding 35 % but not exceeding 39 %</li> <li>— Exceeding 39 %</li> </ul> </li> <li>— — Exceeding 45 % :</li> </ul>	<ul style="list-style-type: none"> <li>0401 30 39 100</li> <li>0401 30 39 400</li> <li>0401 30 39 700</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>1</sup>)</li> <li>(<sup>1</sup>)</li> <li>(<sup>1</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>47,46</li> <li>74,12</li> <li>81,73</li> </ul>
0401 30 91	<ul style="list-style-type: none"> <li>— — — In immediate packings of a net content not exceeding 2 litres :</li> <li>— Of a fat content, by weight : <ul style="list-style-type: none"> <li>— Not exceeding 68 %</li> <li>— Exceeding 68 % but not exceeding 80 %</li> <li>— Exceeding 80 %</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>0401 30 91 100</li> <li>0401 30 91 400</li> <li>0401 30 91 700</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>1</sup>)</li> <li>(<sup>1</sup>)</li> <li>(<sup>1</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>93,15</li> <li>136,90</li> <li>159,76</li> </ul>
0401 30 99	<ul style="list-style-type: none"> <li>— — — Other :</li> <li>— Of a fat content, by weight : <ul style="list-style-type: none"> <li>— Not exceeding 68 %</li> <li>— Exceeding 68 % but not exceeding 80 %</li> <li>— Exceeding 80 %</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>0401 30 99 100</li> <li>0401 30 99 400</li> <li>0401 30 99 700</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>1</sup>)</li> <li>(<sup>1</sup>)</li> <li>(<sup>1</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>93,15</li> <li>136,90</li> <li>159,76</li> </ul>
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter :			
0402 10	<ul style="list-style-type: none"> <li>— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (<sup>7</sup>) :</li> <li>— — Not containing added sugar or other sweetening matter (<sup>2</sup>) :</li> </ul>			
0402 10 11	<ul style="list-style-type: none"> <li>— — — In immediate packings of a net content not exceeding 2,5 kg</li> </ul>	0402 10 11 000	( <sup>2</sup> )	60,00
0402 10 19	<ul style="list-style-type: none"> <li>— — — Other</li> <li>— — Other (<sup>3</sup>) :</li> </ul>	0402 10 19 000	( <sup>2</sup> )	60,00
0402 10 91	<ul style="list-style-type: none"> <li>— — — In immediate packings of a net content not exceeding 2,5 kg</li> </ul>	0402 10 91 000	( <sup>3</sup> )	0,6000
0402 10 99	<ul style="list-style-type: none"> <li>— — — Other</li> <li>— In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (<sup>7</sup>) :</li> </ul>	0402 10 99 000	( <sup>3</sup> )	0,6000
0402 21	<ul style="list-style-type: none"> <li>— — Not containing added sugar or other sweetening matter (<sup>2</sup>) :</li> <li>— — — Of a fat content, by weight, not exceeding 27 % :</li> </ul>			
0402 21 11	<ul style="list-style-type: none"> <li>— — — — In immediate packings of a net content not exceeding 2,5 kg : <ul style="list-style-type: none"> <li>— Of a fat content, by weight : <ul style="list-style-type: none"> <li>— Not exceeding 11 %</li> <li>— Exceeding 11 % but not exceeding 17 %</li> <li>— Exceeding 17 % but not exceeding 25 %</li> <li>— Exceeding 25 %</li> </ul> </li> </ul> </li> <li>— — — — Other :</li> </ul>	<ul style="list-style-type: none"> <li>0402 21 11 200</li> <li>0402 21 11 300</li> <li>0402 21 11 500</li> <li>0402 21 11 900</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>60,00</li> <li>91,08</li> <li>95,96</li> <li>103,21</li> </ul>
0402 21 17	<ul style="list-style-type: none"> <li>— — — — — Of a fat content, by weight, not exceeding 11 %</li> </ul>	0402 21 17 000	( <sup>2</sup> )	60,00
0402 21 19	<ul style="list-style-type: none"> <li>— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 % : <ul style="list-style-type: none"> <li>— Not exceeding 17 %</li> <li>— Exceeding 17 % but not exceeding 25 %</li> <li>— Exceeding 25 %</li> </ul> </li> <li>— — — — Of a fat content, by weight, exceeding 27 % :</li> </ul>	<ul style="list-style-type: none"> <li>0402 21 19 300</li> <li>0402 21 19 500</li> <li>0402 21 19 900</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>3</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>91,08</li> <li>95,96</li> <li>103,21</li> </ul>

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 21 91	<ul style="list-style-type: none"> <li>— — — — In immediate packings of a net content not exceeding 2,5 kg :</li> <li>— Of a fat content, by weight :</li> <li>— Not 28 %</li> <li>— Exceeding 28 % but not exceeding 29 %</li> <li>— Exceeding 29 % but not exceeding 41 %</li> <li>— Exceeding 41 % but not exceeding 45 %</li> <li>— Exceeding 45 % but not exceeding 59 %</li> <li>— Exceeding 59 % but not exceeding 69 %</li> <li>— Exceeding 69 % but not exceeding 79 %</li> <li>— Exceeding 7 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 21 91 100</li> <li>0402 21 91 200</li> <li>0402 21 91 300</li> <li>0402 21 91 400</li> <li>0402 21 91 500</li> <li>0402 21 91 600</li> <li>0402 21 91 700</li> <li>0402 21 91 900</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>103,97</li> <li>104,68</li> <li>105,97</li> <li>113,27</li> <li>115,79</li> <li>125,48</li> <li>131,17</li> <li>137,59</li> </ul>
0402 21 99	<ul style="list-style-type: none"> <li>— — — — Other :</li> <li>— Of a fat content, by weight :</li> <li>— Not exceeding 28 %</li> <li>— Exceeding 28 % but not exceeding 29 %</li> <li>— Exceeding 29 % but not exceeding 41 %</li> <li>— Exceeding 41 % but not exceeding 45 %</li> <li>— Exceeding 45 % but not exceeding 59 %</li> <li>— Exceeding 59 % but not exceeding 69 %</li> <li>— Exceeding 69 % but not exceeding 79 %</li> <li>— Exceeding 79 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 21 99 100</li> <li>0402 21 99 200</li> <li>0402 21 99 300</li> <li>0402 21 99 400</li> <li>0402 21 99 500</li> <li>0402 21 99 600</li> <li>0402 21 99 700</li> <li>0402 21 99 900</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> <li>(<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>103,97</li> <li>104,68</li> <li>105,97</li> <li>113,27</li> <li>115,79</li> <li>125,48</li> <li>131,17</li> <li>137,59</li> </ul>
ex 0402 29	<ul style="list-style-type: none"> <li>— — Other (<sup>3</sup>) :</li> <li>— — — Of a fat content, by weight, not exceeding 27 % :</li> <li>— — — — Other :</li> </ul>			
0402 29 15	<ul style="list-style-type: none"> <li>— — — — — In immediate packings of a net content not exceeding 2,5 kg :</li> <li>— Of a fat content, by weight :</li> <li>— Not exceeding 11 %</li> <li>— Exceeding 11 % but not exceeding 17 %</li> <li>— Exceeding 17 % but not exceeding 25 %</li> <li>— Exceeding 25 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 29 15 200</li> <li>0402 29 15 300</li> <li>0402 29 15 500</li> <li>0402 29 15 900</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>3</sup>)</li> <li>(<sup>3</sup>)</li> <li>(<sup>3</sup>)</li> <li>(<sup>3</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>0,6000</li> <li>0,9108</li> <li>0,9596</li> <li>1,0321</li> </ul>
0402 29 19	<ul style="list-style-type: none"> <li>— — — — — Other :</li> <li>— Of a fat content, by weight :</li> <li>— Not exceeding 11 %</li> <li>— Exceeding 11 % but not exceeding 17 %</li> <li>— Exceeding 17 % but not exceeding 25 %</li> <li>— Exceeding 25 %</li> </ul>	<ul style="list-style-type: none"> <li>0402 29 19 200</li> <li>0402 29 19 300</li> <li>0402 29 19 500</li> <li>0402 29 19 900</li> </ul>	<ul style="list-style-type: none"> <li>(<sup>3</sup>)</li> <li>(<sup>3</sup>)</li> <li>(<sup>3</sup>)</li> <li>(<sup>3</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>0,6000</li> <li>0,9108</li> <li>0,9596</li> <li>1,0321</li> </ul>
	<ul style="list-style-type: none"> <li>— — — Of a fat content, by weight, exceeding 27 % :</li> </ul>			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 29 91	-- -- -- In immediate packings of a net content not exceeding 2,5 kg :			
	-- Of a fat content, by weight :			
	-- Not exceeding 41 %	0402 29 91 100	( <sup>2</sup> )	1,0397
	-- Exceeding 41 %	0402 29 91 500	( <sup>2</sup> )	1,1327
0402 29 99	-- -- -- Other :			
	-- Of a fat content, by weight :			
	-- Not exceeding 41 %	0402 29 99 100	( <sup>2</sup> )	1,0397
	-- Exceeding 41 %	0402 29 99 500	( <sup>2</sup> )	1,1327
	-- Other :			
0402 91	-- -- Not containing added sugar or other sweetening matter ( <sup>2</sup> ) :			
	-- -- Of a fat content, by weight, not exceeding 8 % :			
0402 91 11	-- -- -- In immediate packings of a net content not exceeding 2,5 kg :			
	-- Of a non-fat lactic dry matter content :			
	-- Of less than 15 % and of a fat content, by weight :			
	-- Not exceeding 3 %	0402 91 11 110	( <sup>2</sup> )	5,586
	-- Exceeding 3 %	0402 91 11 120	( <sup>2</sup> )	11,50
	-- Of 15 % or more and of a fat content, by weight :			
	-- Not exceeding 3 %	0402 91 11 310	( <sup>2</sup> )	19,67
	-- Exceeding 3 % but not exceeding 7,4 %	0402 91 11 350	( <sup>2</sup> )	24,11
	-- Exceeding 7,4 %	0402 91 11 370	( <sup>2</sup> )	29,33
0402 91 19	-- -- -- Other :			
	-- Of a non-fat lactic dry matter content :			
	-- Of less than 15 % and of a fat content, by weight :			
	-- Not exceeding 3 %	0402 91 19 110	( <sup>2</sup> )	5,586
	-- Exceeding 3 %	0402 91 19 120	( <sup>2</sup> )	11,50
	-- Of 15 % or more and of a fat content, by weight :			
	-- Not exceeding 3 %	0402 91 19 310	( <sup>2</sup> )	19,67
	-- Exceeding 3 % but not exceeding 7,4 %	0402 91 19 350	( <sup>2</sup> )	24,11
	-- Exceeding 7,4 %	0402 91 19 370	( <sup>2</sup> )	29,33
	-- -- Of a fat content, by weight, exceeding 8 % but not exceeding 10 % :			
0402 91 31	-- -- -- In immediate packings of a net content not exceeding 2,5 kg :			
	-- Of a non-fat lactic dry matter content :			
	-- Of less than 15 %	0402 91 31 100	( <sup>2</sup> )	22,72
	-- Of 15 % or more	0402 91 31 300	( <sup>2</sup> )	34,66
0402 91 39	-- -- -- Other :			
	-- Of a non-fat lactic dry matter content :			
	-- Of less than 15 %	0402 91 39 100	( <sup>2</sup> )	22,72
	-- Of 15 % or more	0402 91 39 300	( <sup>2</sup> )	34,66
	-- -- Of a fat content, by weight, exceeding 10 % but not exceeding 45 % :			
0402 91 51	-- -- -- In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 000	( <sup>2</sup> )	26,53
0402 91 59	-- -- -- Other	0402 91 59 000	( <sup>2</sup> )	26,53
	-- -- Of a fat content, by weight, exceeding 45 % :			
0402 91 91	-- -- -- In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 000	( <sup>2</sup> )	93,15
0402 91 99	-- -- -- Other	0402 91 99 000	( <sup>2</sup> )	93,15

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 99	-- Other :			
	-- -- Of a fat content, by weight, not exceeding 9,5 % :			
0402 99 11	-- -- -- In immediate packings of a net content not exceeding 2,5 kg :			
	-- -- -- -- Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight <sup>(1)</sup> :			
	-- -- -- -- -- Not exceeding 3 %	0402 99 11 110	( <sup>2</sup> )	0,0559
	-- -- -- -- -- Exceeding 3 % but not exceeding 6,9 %	0402 99 11 130	( <sup>2</sup> )	0,1150
	-- -- -- -- -- Exceeding 6,9 %	0402 99 11 150	( <sup>2</sup> )	0,1877
	-- -- -- -- Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight <sup>(4)</sup> :			
	-- -- -- -- -- Not exceeding 3 %	0402 99 11 310	( <sup>4</sup> )	22,70
	-- -- -- -- -- Exceeding 3 % but not exceeding 6,9 %	0402 99 11 330	( <sup>4</sup> )	27,23
	-- -- -- -- -- Exceeding 6,9 %	0402 99 11 350	( <sup>4</sup> )	36,20
0402 99 19	-- -- -- -- Other :			
	-- -- -- -- -- Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight <sup>(1)</sup> :			
	-- -- -- -- -- -- Not exceeding 3 %	0402 99 19 110	( <sup>2</sup> )	0,0559
	-- -- -- -- -- -- Exceeding 3 % but not exceeding 6,9 %	0402 99 19 130	( <sup>2</sup> )	0,1150
	-- -- -- -- -- -- Exceeding 6,9 %	0402 99 19 150	( <sup>2</sup> )	0,1877
	-- -- -- -- -- Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight <sup>(4)</sup> :			
	-- -- -- -- -- -- Not exceeding 3 %	0402 99 19 310	( <sup>4</sup> )	22,70
	-- -- -- -- -- -- Exceeding 3 % but not exceeding 6,9 %	0402 99 19 330	( <sup>4</sup> )	27,23
	-- -- -- -- -- -- Exceeding 6,9 %	0402 99 19 350	( <sup>4</sup> )	36,20
	-- -- -- -- Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 % :			
0402 99 31	-- -- -- -- In immediate packings not exceeding 2,5 kg :			
	-- -- -- -- -- Of a fat content, by weight, not exceeding 21 % :			
	-- -- -- -- -- -- Of a non-fat lactic dry matter content, by weight, of less than 15 % <sup>(1)</sup>	0402 99 31 110	( <sup>2</sup> )	0,2463
	-- -- -- -- -- -- Of a non-fat lactic dry matter content, by weight, of 15 % or more <sup>(4)</sup>	0402 99 31 150	( <sup>4</sup> )	37,68
	-- -- -- -- -- -- Of a fat content, by weight, exceeding 21 % but not exceeding 39 % <sup>(1)</sup>	0402 99 31 300	( <sup>2</sup> )	0,4746
	-- -- -- -- -- -- Of a fat content, by weight, exceeding 39 % <sup>(3)</sup>	0402 99 31 500	( <sup>2</sup> )	0,8173
0402 99 39	-- -- -- -- Other :			
	-- -- -- -- -- Of a fat content, by weight, not exceeding 21 % :			
	-- -- -- -- -- -- Of a non-fat lactic dry matter content, by weight, of less than 15 % <sup>(1)</sup>	0402 99 39 110	( <sup>2</sup> )	0,2463
	-- -- -- -- -- -- Of a non-fat lactic dry matter content, by weight, of 15 % or more <sup>(4)</sup>	0402 99 39 150	( <sup>4</sup> )	37,68
	-- -- -- -- -- -- Of a fat content, by weight, exceeding 21 % but not exceeding 39 % <sup>(1)</sup>	0402 99 39 300	( <sup>2</sup> )	0,4746
	-- -- -- -- -- -- Of a fat content, by weight, exceeding 39 % <sup>(3)</sup>	0402 99 39 500	( <sup>2</sup> )	0,8173
	-- -- -- -- Of a fat content, by weight, exceeding 45 % :			
0402 99 91	-- -- -- -- In immediate packings not exceeding 2,5 kg <sup>(2)</sup>	0402 99 91 000	( <sup>2</sup> )	0,9315
0402 99 99	-- -- -- -- Other <sup>(3)</sup>	0402 99 99 000	( <sup>2</sup> )	0,9315

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0405 00	Butter and other fats and oils derived from milk :			
0405 00 11	– Of a fat content, by weight, not exceeding 85 % :			
	– – In immediate packings of a net content not exceeding 1 kg			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 11 000		—
	– Of 62 % or more but less than 78 %	0405 00 11 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 11 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 11 500		156,10
	– Of 82 % or more	0405 00 11 700		160,00
0405 00 19	– – Other :			
	– Of a fat content, by weight, not exceeding 85 % :			
	– Of less than 62 %	0405 00 19 100		—
	– Of 62 % or more but less than 78 %	0405 00 19 200		120,98
	– Of 78 % or more but less than 80 %	0405 00 19 300		152,20
	– Of 80 % or more but less than 82 %	0405 00 19 500		156,10
	– Of 82 % or more	0405 00 19 700		160,00
0405 00 90	– Other :			
	– Of a fat content, by weight :			
	– Not exceeding 99,5 %	0405 00 90 100		181,13
	– Exceeding 99,5 %	0405 00 90 900		233,21
0406	– Cheese :			
0406 30	– Processed, cheese, not grated or powdered <sup>(6)</sup> :			
0406 30 10	– – In the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger); put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 % :			
	– – – In the blending of which only Emmentaler and Gruyere have been used of a fat content by weight in the dry matter, not exceeding 56 % :			
	– – – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :			
	– – – – – Not exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 27 %	0406 30 10 100		—
	– Of 27 % or more but less than 33 %	0406 30 10 150		20,07
	– Of 33 % or more but less than 38 %	0406 30 10 200		42,80
	– Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 10 250		42,80
	– Of 20 % or more	0406 30 10 300		62,79
	– Of 43 % or more and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 10 350		42,80
	– Of 20 % or more but less than 40 %	0406 30 10 400		62,79
	– Of 40 % or more	0406 30 10 450		91,37
	– – – – – Exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 33 %	0406 30 10 500		—
	– Of 33 % or more but less than 38 %	0406 30 10 550		42,80
	– Of 38 % or more but less than 43 %	0406 30 10 600		62,79

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 30 10 (cont'd)	– Of 43 % or more but less than 46 %	0406 30 10 650		91,37
	– Of 46 % or more and of a fat content, by weight, in the dry matter :			
	– Of less than 55 %	0406 30 10 700		91,37
	– Of 55 % or more	0406 30 10 750		111,54
	– – – – Of a fat content, by weight, exceeding 36 %	0406 30 10 800		111,54
	– – – Other	0406 30 10 900		—
	– – Other :			
	– – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :			
0406 30 31	– – – – Not exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 27 %	0406 30 31 100		—
	– Of 27 % or more but less than 33 %	0406 30 31 300	( <sup>9</sup> )	20,07
	– Of 33 % or more but less than 38 %	0406 30 31 500	( <sup>9</sup> )	42,80
	– Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 31 710	( <sup>9</sup> )	42,80
	– Of 20 % or more	0406 30 31 730	( <sup>9</sup> )	62,79
	– Of 43 % or more and of a fat content, by weight, in the dry matter :			
	– Of less than 20 %	0406 30 31 910	( <sup>9</sup> )	42,80
	– Of 20 % or more but less than 40 %	0406 30 31 930	( <sup>9</sup> )	62,79
	– Of 40 % or more	0406 30 31 950	( <sup>9</sup> )	91,37
0406 30 39	– – – – Exceeding 48 % :			
	– Of a dry matter content, by weight :			
	– Of less than 33 %	0406 30 39 100		—
	– Of 33 % or more but less than 38 %	0406 30 39 300	( <sup>9</sup> )	42,80
	– Of 38 % or more but less than 43 %	0406 30 39 500	( <sup>9</sup> )	62,79
	– Of 43 % or more but less than 46 %	0406 30 39 700	( <sup>9</sup> )	91,37
	– Of 46 % or more and of a fat content, by weight, in the dry matter :			
	– Of less than 55 %	0406 30 39 930	( <sup>9</sup> )	91,37
	– Of 55 % or more	0406 30 39 950	( <sup>9</sup> )	111,54
0406 30 90	– – – Of a fat content, by weight, exceeding 36 %	0406 30 90 000	( <sup>9</sup> )	111,54
0406 90 23	– – – Edam :			
	– Of a fat content, by weight, in the dry matter :			
	– Of less than 39 %	0406 90 23 100		—
	– Of 39 % or more	0406 90 23 900	( <sup>9</sup> )	118,98
0406 90 25	– – – Tilsit :			
	– Of a fat content, by weight, in the dry matter :			
	– Of less than 39 %	0406 90 25 100		—
	– Of 39 % or more	0406 90 25 900	( <sup>9</sup> )	118,98



(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 27	--- Butterkäse :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 39 %	0406 90 27 100		—
	- Of 39 % or more	0406 90 27 900	( <sup>9</sup> )	100,83
0406 90 76	----- Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø :			
	- Of a fat content, by weight, in the dry matter of less than 39 %	0406 90 76 100	( <sup>9</sup> )	97,40
	- Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 %	0406 90 76 300	( <sup>9</sup> )	118,98
	- Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 76 500	( <sup>9</sup> )	118,98
0406 90 78	----- Gouda :			
	- Of a fat content, by weight, in the dry matter of less than 39 %	0406 90 78 100	( <sup>9</sup> )	97,40
	- Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 %	0406 90 78 300	( <sup>9</sup> )	118,98
	- Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 78 500	( <sup>9</sup> )	118,98
	----- Other cheeses, of a water content, calculated by weight, of the non-fatty matter			
0406 90 79	----- Estrom, Italice, Kernhem, Saint-Nectaire, Saint-Paulin and Taleggio :			
	- Of a fat content, by weight, in the dry matter of less than 39 %	0406 90 79 100		—
	- Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 79 900	( <sup>9</sup> )	100,83
0406 90 81	----- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby and Monterey :			
	- Of a fat content, by weight, in the dry matter of less than 39 %	0406 90 81 100		—
	- Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 81 900	( <sup>9</sup> )	114,29
0406 90 86	----- Exceeding 47 % but not exceeding 52 % :			
	- Cheeses produced from whey	0406 90 86 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 86 200	( <sup>9</sup> )	78,67
	- Of 5 % or more but less than 19 %	0406 90 86 300	( <sup>9</sup> )	86,26
	- Of 19 % or more but less than 39 %	0406 90 86 400	( <sup>9</sup> )	97,40
	- Of more than 39 %	0406 90 86 900	( <sup>9</sup> )	114,29

*(in ECU/100 kg weight, if no other indication)*

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 87	----- Exceeding 52 % but not exceeding 62 % :			
	- Cheeses produced from whey	0406 90 87 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 87 200	( <sup>1</sup> )	78,67
	- Of 5 % or more but less than 19 %	0406 90 87 300	( <sup>1</sup> )	86,26
	- Of 19 % or more but less than 39 %	0406 90 87 400	( <sup>1</sup> )	97,40
	- Of more than 39 % :			
	- Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk	0406 90 87 951	( <sup>1</sup> )	132,76
	- Maasdam	0406 90 87 971	( <sup>1</sup> )	118,98
	- Manouri, of a fat content, by weight, of 30 % or more	0406 90 87 972	( <sup>1</sup> )	42,17
	- Other	0406 90 87 979	( <sup>1</sup> )	118,98
0406 90 88	----- Exceeding 62 % but not exceeding 72 % :			
	- Cheeses produced from whey	0406 90 88 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 200	( <sup>1</sup> )	78,67
	- Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 300	( <sup>1</sup> )	86,26
	- Other	0406 90 88 900		—

(<sup>1</sup>) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(<sup>2</sup>) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(<sup>3</sup>) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product ;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of amended Regulation (EEC) No 1098/68 (OJ No L 184, 29. 7. 1968, p. 10).  
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
  - the lactose content of the added whey.
- (\*) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements :
- (a) the amount per 100 kilograms shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be :
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
  - divided by the weight of the lactic part contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.  
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
  - the lactose content of the added whey.
- (5) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (6) Where the product contains casein and/or caseinates, the part corresponding to the casein and/or the added caseinates will not be taken into account for the purpose of calculating the aid.  
When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.
- (7) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.
-

**COMMISSION REGULATION (EC) No 1860/95**  
**of 27 July 1995**  
**amending Regulation (EEC) No 2219/92 laying down detailed rules for the**  
**application of the specific supply arrangements for Madeira relating to milk**  
**products regarding the amounts of aid**

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 Commission Regulation (EEC) No 1696/92<sup>(3)</sup>,  
as last amended by Regulation (EEC) No 2596/93<sup>(4)</sup>, lays  
down in particular the detailed rules for the application of  
the specific arrangements for the supply of certain agri-  
cultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30  
July 1992 laying down detailed rules for the application  
of the specific supply arrangements for Madeira relating  
to milk products and establishing the forecast supply  
balance<sup>(5)</sup>, as last amended by Regulation (EC) No  
1622/95<sup>(6)</sup>, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 1854/95 of 27  
July 1995 fixing the export refunds on milk and milk  
products<sup>(7)</sup>, adjusts the refunds on certain milk products;  
whereas the aid for certain products listed in Annex II to  
Regulation (EEC) No 2219/92 should be adapted in order  
to take account of those adjustments,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EEC) No 2219/92 is hereby  
replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 27 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<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 179, 1. 7. 1992, p. 6.

<sup>(4)</sup> OJ No L 238, 23. 9. 1993, p. 24.

<sup>(5)</sup> OJ No L 218, 1. 8. 1992, p. 75.

<sup>(6)</sup> OJ No L 154, 5. 7. 1995, p. 15.

<sup>(7)</sup> See page 51 of this Official Journal.

## ANNEX

## ANNEX II

*(in ECU/100 kg weight, if no other indication)*

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter <sup>(1)</sup> :			
0401 10	– Of a fat content, by weight, not exceeding 1 % :			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	( <sup>1</sup> )	5,586
0401 10 90	– – Other	0401 10 90 000	( <sup>1</sup> )	5,586
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 % :			
	– – Not exceeding 3 % :			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	( <sup>1</sup> )	5,586
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	( <sup>1</sup> )	8,635
0401 20 19	– – – Other :			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	( <sup>1</sup> )	5,586
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	( <sup>1</sup> )	8,635
	– – Exceeding 3 % :			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	( <sup>1</sup> )	11,50
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	( <sup>1</sup> )	13,40
0401 20 99	– – – Other :			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	( <sup>1</sup> )	11,50
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	( <sup>1</sup> )	13,40
0401 30	– Of a fat content, by weight, exceeding 6 % :			
	– – Not exceeding 21 % :			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight :			
	– Not exceeding 10 %	0401 30 11 100	( <sup>1</sup> )	17,20
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	( <sup>1</sup> )	26,53
	– Exceeding 17 %	0401 30 11 700	( <sup>1</sup> )	39,85
0401 30 19	– – – Other :			
	– Of a fat content, by weight :			
	– Not exceeding 10 %	0401 30 19 100	( <sup>1</sup> )	17,20
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	( <sup>1</sup> )	26,53
	– Exceeding 17 %	0401 30 19 700	( <sup>1</sup> )	39,85
	– – Exceeding 21 % but not exceeding 45 % :			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres :			
	– Of a fat content, by weight :			
	– Not exceeding 35 %	0401 30 31 100	( <sup>1</sup> )	47,46
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	( <sup>1</sup> )	74,12
	– Exceeding 39 %	0401 30 31 700	( <sup>1</sup> )	81,73

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	— — — Other :			
	— Of a fat content, by weight :			
	— Not exceeding 35 %	0401 30 39 100	(1)	47,46
	— Exceeding 35 % but not exceeding 39 %	0401 30 39 400	(1)	74,12
	— Exceeding 39 %	0401 30 39 700	(1)	81,73
	— — Exceeding 45 % :			
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres :			
	— Of a fat content, by weight :			
	— Not exceeding 68 %	0401 30 91 100	(1)	93,15
	— Exceeding 68 % but not exceeding 80 %	0401 30 91 400	(1)	136,90
	— Exceeding 80 %	0401 30 91 700	(1)	159,76
0401 30 99	— — — Other :			
	— Of a fat content, by weight :			
	— Not exceeding 68 %	0401 30 99 100	(1)	93,15
	— Exceeding 68 % but not exceeding 80 %	0401 30 99 400	(1)	136,90
	— Exceeding 80 %	0401 30 99 700	(1)	159,76
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 000 0402 10 19 000	(2)	60,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 900 0402 21 19 900	(2)	103,21
0405 00	Butter and other fats and oils derived from milk :			
0405 00 11	— Of a fat content, by weight, not exceeding 85 % :			
	— — In immediate packings of a net content not exceeding 1 kg			
	— Of a fat content, by weight, not exceeding 85 % :			
	— Of less than 62 %	0405 00 11 100		—
	— Of 62 % or more but less than 78 %	0405 00 11 200		120,98
	— Of 78 % or more but less than 80 %	0405 00 11 300		152,20
	— Of 80 % or more but less than 82 %	0405 00 11 500		156,10
	— Of 82 % or more	0405 00 11 700		160,00
0405 00 19	— — Other :			
	— Of a fat content, by weight, not exceeding 85 % :			
	— Of less than 62 %	0405 00 19 100		—
	— Of 62 % or more but less than 78 %	0405 00 19 200		120,98
	— Of 78 % or more but less than 80 %	0405 00 19 300		152,20
	— Of 80 % or more but less than 82 %	0405 00 19 500		156,10
	— Of 82 % or more	0405 00 19 700		160,00
0405 00 90	— Other :			
	— Of a fat content, by weight :			
	— Not exceeding 99,5 %	0405 00 90 100		181,13
	— Exceeding 99,5 %	0405 00 90 900		233,21
ex 0406	Cheeses :			
0406 90 23	Edam	0406 90 23 900		118,98
0406 90 25	Tilsit	0406 90 25 900		118,98
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø	0406 90 76 100		97,40



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- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.
- (2) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.
- When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
  - the lactose content of the added whey.
- (3) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
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## COMMISSION REGULATION (EC) No 1861/95

of 27 July 1995

**amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EC) No 1664/95<sup>(2)</sup>, and in particular Articles 9 (2), 12 (4) and 13 (11) thereof,Whereas Commission Regulation (EC) No 1162/95<sup>(3)</sup>, as last amended by Regulation (EC) No 1617/95<sup>(4)</sup>, lays down special detailed rules for the application of the system of import and export licences for cereals and rice ;Whereas where no refund has been fixed the period of validity of licences for all the products referred to in Article 1 of Council Regulation (EEC) No 1766/92 and (EEC) No 1418/76<sup>(5)</sup>, as last amended by Regulation (EC) No 1530/95<sup>(6)</sup>, should be reduced to avoid jeopardizing the sound management of the market at a time when it is particularly sensitive ; whereas a precise period of validity should therefore be laid down ;

Whereas it is essential for all applications for licences, with or without refund, to be notified to the Commission so that it can draw up the statistical tables which are essential for market management and the monitoring of export commitments ;

Whereas Regulation (EC) No 1162/95 should be amended ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EC) No 1162/95 is hereby amended as follows :

1. The following paragraph 2a is added to Article 7 :

'2a. In cases where no refund has been fixed, export licences for the products referred to in Article 1 of Regulation (EEC) No 1766/92 and Article 1 of Regulation (EEC) No 1418/76 shall be valid 30 days from the day of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88.'

2. The first indent of point 1 (a) (i) of Article 13 is replaced by the following :

'— of all applications for licences, or the absence of applications for licences.'

*Article 2*

The Member States shall notify the Commission as soon as possible of all licences issued between 1 July 1995 and the entry into force of this Regulation.

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

However, Article 2 shall apply from 1 July 1995.

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

Done at Brussels, 27 July 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 158, 8. 7. 1995, p. 13.  
<sup>(3)</sup> OJ No L 117, 24. 5. 1995, p. 2.  
<sup>(4)</sup> OJ No L 154, 5. 7. 1995, p. 5.  
<sup>(5)</sup> OJ No L 166, 25. 6. 1976, p. 1.  
<sup>(6)</sup> OJ No L 148, 30. 6. 1995, p. 5.

**COMMISSION REGULATION (EC) No 1862/95**  
**of 27 July 1995**  
**fixing production refunds on cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EC) No 1664/95<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 Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize, wheat and barley changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, potatoes, rice or broken rice, shall be ECU 58,64 per tonne.

2. The refund referred to in Article 3 (2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from barley and oats, shall be ECU 52,06 per tonne.

*Article 2*

This Regulation shall enter into force on 28 July 1995.

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

Done at Brussels, 27 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 158, 8. 7. 1995, p. 13.

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

<sup>(4)</sup> OJ No L 148, 30. 6. 1995, p. 5.

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

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