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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1895/95

of 31 July 1995

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 1149/95⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

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

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 August 1995.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 116, 23. 5. 1995, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ 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, 31 July 1995.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1995 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg —
White sugar :	38,52
Raw sugar :	35,44
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$38,52^{(*)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	
Molasses :	—
Isoglucose ⁽²⁾ :	38,52 ⁽³⁾

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

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

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

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

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

COMMISSION REGULATION (EC) No 1896/95

of 31 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⁽¹⁾, as last amended by Regulation (EC) No 1538/95⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 1149/95⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in 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⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

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⁽⁷⁾, as last amended by Regulation (EC) No 455/95⁽⁸⁾, 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⁽⁹⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas 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 1 August 1995.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 17.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 116, 23. 5. 1995, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 46, 1. 3. 1995, p. 31.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 31 July 1995.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

ANNEX

to the Commission Regulation of 31 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"> a) On exportation of goods of CN code 3501 b) On exportation of other goods 	<ul style="list-style-type: none"> — 60,00
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"> a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods 	<ul style="list-style-type: none"> 54,23 103,21
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	<ul style="list-style-type: none"> a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat c) On exportation of other goods 	<ul style="list-style-type: none"> 31,00 167,25 160,00

COMMISSION REGULATION (EC) No 1897/95

of 31 July 1995

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1863/95⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1530/95⁽⁴⁾, and in particular Article 14 (3) thereof,

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1149/95⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

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

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

America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾, as amended by Regulation (EC) No 1380/95⁽⁹⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 August 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 148, 30. 6. 1995.

⁽⁵⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ No L 116, 23. 5. 1995, p. 1.

⁽⁷⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁹⁾ OJ No L 138, 21. 6. 1995, p. 1.

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

Done at Brussels, 31 July 1995.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1995 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : – used unprocessed : – – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – – in all other cases – used in the form of : – – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – – hulled grains of CN code 1104 and starch of CN code 1108 – – germ of CN code 1104 – – gluten of CN code 1109 – – other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — — —
1001 90 99	Common wheat and meslin : – used unprocessed : – – on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America – – in all other cases – used in the form of : – – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – – hulled grains of CN code 1104 and starch of CN code 1108 – – germ of CN code 1104 – – gluten of CN code 1109 – – other (except flours of CN code 1101, and groats and meal of CN code 1103)	— — — — — — — —
1002 00 00	Rye : – used unprocessed – used in the form of : – – groats, meal and pellets of CN code 1103, or pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germ of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other (except flours of CN code 1102)	5,959 3,575 5,363 2,625 7,501 — 5,959

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1003 00 90	Barley : – used unprocessed	3,467
	– used in the form of :	
	– – flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104	2,427
	– – pellets of CN code 1103	2,080
	– – germs of CN code 1104	2,625
	– – starch of CN code 1108 19 90	7,501
	– – gluten of CN code 2303 10 90	—
	– – other	3,467
1004 00 00	Oats : – used unprocessed	3,725
	– used in the form of :	
	– – pellets of CN code 1103, and pearled grains of CN code 1104	2,235
	– – rolled or flaked grains and hulled grains of CN code 1104	3,353
	– – germs of CN code 1104	2,625
	– – starch of CN code 1108 19 90	7,501
	– – gluten of CN code 2303 10 90	—
	– – other	3,725
1005 90 00	Maize (Corn) : – used unprocessed	7,501
	– used in the form of :	
	– – flours of CN codes 1102 20 10 and 1102 20 90	5,251
	– – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104	6,001
	– – pellets of CN code 1103	4,501
	– – hulled or perled grains of CN code 1104	6,751
	– – germs of CN code 1104	2,625
	– – starch of CN code 1108 12 00	7,501
	– – starch pursuant to Article 4(5) point (b) of Regulation (EC) No 1222/94 when goods listed in Annex I to amended Commission Regulation (EEC) No 1722/93 are exported (*)	6,802
	– – starch pursuant to Article 7(2) of Regulation (EC) No 1222/94 when goods listed in Annex I to amended Regulation (EEC) No 1722/93 are exported	—
	– – gluten of CN code 2303 10 11	3,000
	– – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾	3,914
	– – other ⁽³⁾	7,501
1006 20	Round grain husked rice	24,955
	Medium grains husked rice	22,218
	Long grain husked rice	22,218
ex 1006 30	Round grain wholly-milled rice	32,200
	Medium grain wholly-milled rice	32,200
	Long grain wholly-milled rice	32,200

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1006 40 00	Broken rice : – used unprocessed – used in the form of : – – flour of CN code 1102 30, groats and meal or pellets of CN code 1103 – – flaked grains of CN 1104 19 91 – – starch of CN code 1108 19 10 – – other	7,100 7,100 4,260 7,100 —
1007 00 90	Sorghum	3,467
1101 00	Wheat or meslin flour : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	— —
1102 10 00	Rye flour	8,164
1103 11 10	Groats and durum wheat meal : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	— —
1103 11 90	Common wheat groats and spelt : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	— —

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

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

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

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 112.

COMMISSION REGULATION (EC) No 1898/95

of 31 July 1995

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾, and in particular Article 19 (4) thereof,

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

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

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, last amended by Commission Regulation (EC) No 1101/95, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No

1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

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

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88⁽⁹⁾; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 13b of Regulation (EEC) No 394/70;

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 269, 20. 10. 1994, p. 14.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁸⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas Council Regulation (EEC) No 990/93⁽¹⁾, as amended by Regulation (EC) No 1380/95⁽²⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1995.

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

Done at Brussels, 31 July 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽²⁾ OJ No L 138, 21. 6. 1995, p. 1.

ANNEX

to the Commission Regulation of 31 July 1995 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	38,52 ⁽¹⁾ ⁽²⁾
1702 60 10 000	38,52 ⁽²⁾ ⁽³⁾
1702 60 90 200	73,18 ⁽³⁾ ⁽⁵⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 800	0,3852 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	38,52 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3852 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3852 ⁽¹⁾ ⁽³⁾
1702 90 99 900	0,3852 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	38,52 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3852 ⁽¹⁾ ⁽³⁾

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1899/95
of 31 July 1995
fixing the aid for cotton for the 1995/96 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 laying down the general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81⁽²⁾, and in particular Article 5 (1) thereof,

Whereas pursuant to Article 5 of Regulation (EC) No 1554/95, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price of unginned cotton for the 1995/96 marketing year is laid down in paragraph 8 of the abovementioned Protocol 4;

Whereas the third sentence of Article 7 (1) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton⁽³⁾, as last amended by Regulation (EEC) No 2046/93⁽⁴⁾, provides that an application for aid may be lodged from 1 June 1995 for the 1995/96 marketing year; whereas the aid for that marketing year should therefore be fixed;

Whereas, pursuant to Article 2 (3) and (4) of Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusted the system of aid for cotton introduced by Protocol 4 and annexed to the Act of Accession of Greece⁽⁵⁾, as last amended by Regulation (EC) No 1553/95, the aid for cotton for the 1995/96 marketing year is adjusted by the reduction fixed to take account of the expected overrun of the maximum guaranteed quantity and the national guaranteed quantities fixed in that Article and also taking

account of budget funding available following the application of that reduction; whereas, in these circumstances, the abovementioned amount of aid has provisionally been calculated on the basis of a provisional overall reduction of ECU 18,284 per 100 kilograms for Greece and without reduction for Spain;

Whereas Regulation (EC) No 1554/95 provides for amendments to the methods of determining the world market price of unginned cotton which will apply to the 1995/96 marketing year; whereas, pending the adoption by the Commission of detailed rules of application for the implementation of that new method, the method referred to in Article 4 of Council Regulation (EEC) No 2169/81⁽⁶⁾, as last amended by Regulation (EC) No 1554/95, should be used, following the procedures referred to in Commission Regulation (EC) No 1234/95⁽⁷⁾, as last amended by Regulation (EC) No 1583/95⁽⁸⁾; whereas, when the abovementioned detailed rules of application have been adopted the amount of aid will have to be replaced by an amount calculated in accordance with the new rules,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EC) No 1554/95 shall be fixed for the 1995/96 marketing year at:

- ECU 74,855 per 100 kilograms for Spain,
- ECU 56,571 per 100 kilograms for Greece.

2. However, the amount of the aid will be replaced with effect from 1st August 1995 to take account of the consequences of the stabilizer system as well as any adaptations to the aid arrangements.

Article 2

This Regulation shall enter into force on 1 August 1995.

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁴⁾ OJ No L 185, 28. 7. 1993, p. 19.

⁽⁵⁾ OJ No L 184, 3. 7. 1987, p. 14.

⁽⁶⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽⁷⁾ OJ No L 121, 1. 6. 1995, p. 21.

⁽⁸⁾ OJ No L 150, 1. 7. 1995, p. 79.

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

Done at Brussels, 31 July 1995.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

COMMISSION REGULATION (EC) No 1900/95
of 31 July 1995
altering the corrective amount applicable to the refund on cereals

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended Regulation (EC) No 1863/95⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1655/95⁽³⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1995.

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

Done at Brussels, 31 July 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 156, 7. 7. 1995, p. 45.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 107, 12. 5. 1995, p. 4.

ANNEX

to the Commission Regulation of 31 July 1995 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		8	9	10	11	12	1	2
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	—	—	—	—	—	—	—	—
1002 00 00 000	—	—	—	—	—	—	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	—	—	—	—	—	—	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	01	0	0	0	-5,00	-5,00	—	—
1101 00 15 130	01	0	0	0	-5,00	-5,00	—	—
1101 00 15 150	—	—	—	—	—	—	—	—
1101 00 15 170	—	—	—	—	—	—	—	—
1101 00 15 180	—	—	—	—	—	—	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	-25,00	-25,00	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	—	—	—	—	—	—	—	—
1103 11 10 400	—	—	—	—	—	—	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	—	—	—	—	—	—	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 1901/95
of 31 July 1995
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1101/95 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1811/95 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1811/95 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1811/95 are hereby altered to the amounts shown in the Annex hereto.

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, 31 July 1995.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 175, 27. 7. 1995, p. 8.

ANNEX

to the Commission Regulation of 31 July 1995 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	35,44 ⁽¹⁾
1701 11 90 910	35,44 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,44 ⁽¹⁾
1701 12 90 910	35,44 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3852
	— ECU/100 kg —
1701 99 10 100	38,52
1701 99 10 910	38,52
1701 99 10 950	38,52
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3852

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

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

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

COMMISSION REGULATION (EC) No 1902/95
of 31 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⁽¹⁾, as last amended by Regulation (EC) No 1740/95⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1995.

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

Done at Brussels, 31 July 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 167, 18. 7. 1995, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 31 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	0808 10 92, 0808 10 94, 0808 10 98	039	79,3
	060	80,2		388	63,5
	066	41,7		400	63,5
	068	32,4		508	89,0
	204	50,9		512	48,6
	212	117,9		524	45,8
	624	75,0		528	56,9
	999	63,7		800	101,2
0707 00 25	052	50,1	0808 20 57	804	85,9
	053	166,9		999	70,4
	060	39,2		052	77,7
	066	53,8		388	70,2
	068	60,4		512	33,7
	204	49,1		528	53,2
	624	207,3		800	55,8
	999	89,5		804	64,8
0709 90 79	052	55,6	0809 20 69	999	59,2
	204	77,5		052	224,2
	624	196,3		061	182,0
	999	109,8		064	254,1
0805 30 30	388	64,3	0809 30 41, 0809 30 49	068	262,6
	512	77,7		400	175,0
	524	57,8		624	239,5
	528	49,0		676	166,2
	600	54,7		999	214,8
	624	78,0		052	59,2
	999	63,6		220	121,8
	0806 10 40	052		120,9	0809 40 30
400		132,4	999	95,9	
412		132,4	064	106,8	
600		104,7	624	202,5	
624		122,1	999	154,7	
999		122,5			

⁽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.'

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 13 July 1995

appointing an alternate member of the Committee of the Regions

(95/283/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 198 a thereof,

Having regard to Council Decision 94/65/EC of 26 January 1994 appointing members and alternate members of the Committee of the Regions for the period 26 January 1994 to 25 January 1998 ⁽¹⁾,

Whereas an alternate member's seat has become vacant on the Committee of the Regions following the resignation of Mrs Hinz, of which the Council was informed on 4 May 1995;

Having regard to the proposal from the German Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mrs Kristiane Weber-Hassemer is hereby appointed an alternate member of the Committee of the Regions in place of Mrs Hinz for the remainder of the latter's term of office, which runs until 25 January 1998.

Done at Brussels, 13 July 1995.

For the Council

The President

P. SOLBES MIRA

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.

COUNCIL DECISION

of 17 July 1995

on the conclusion of the Agreements in the form of an Exchange of Letters between the European Community and, on the one hand, Barbados, Belize, the Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Kitts and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia, the Republic of Zimbabwe, and on the other hand, the Republic of India on the supply of raw cane sugar to be refined

(95/284/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with Article 228 (2), first sentence thereof,

Having regard to the proposal from the Commission,

Whereas negotiations with the ACP States Party to Protocol 8 on ACP sugar annexed to the Fourth ACP-EEC Convention and India have taken place in order to define the conditions under which imports of raw cane sugar from those countries under the additional quota will take place;

Whereas Article 16 of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾ provides that tariff quotas resulting from agreements concluded in the framework of the Uruguay Round of multinational trade negotiations shall be opened and administered in accordance with detailed rules adopted under the procedure laid in Article 41 of the Regulation;

Whereas Article 37 (3) of Regulation (EEC) No 1785/81 states that a shortfall to fill the maximum needs of the Community refineries shall be covered by importing special preferential sugar at a special rate of duty under agreements with States referred to in Article 33 of that Regulation and other States;

Whereas the said negotiations have resulted in agreements which are subject to confirmation by the Governments of the ACP States concerned, on the one hand, and the Republic of India, on the other hand, and by the Community;

Whereas it is appropriate to open such a tariff quota for raw cane sugar to be refined for maintaining the current access for ACP States parties to Protocol 8 to the Fourth ACP-EEC Convention, the Republic of India and other third States;

Whereas it is appropriate to approve the Agreements in the form of an Exchange of Letters between the European Community and, on the one hand, the States referred to in the Protocol and, on the other hand, the Republic of India on the supply of raw cane sugar to be refined,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreements in the form of an Exchange of Letters between the European Community and, on the one hand, Barbados, Belize, the Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Kitts and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia, the Republic of Zimbabwe, and on the other hand, the Republic of India on the supply of raw cane sugar to be refined are hereby approved on behalf of the Community.

The texts of Agreements are attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1 in order to bind the Community.

⁽¹⁾ OJ No 177, 1. 7. 1981, P. 4. Regulation as last amended by Regulation (EC) No 1101/95 (OJ No L 110, 17. 5. 1995, p. 1).

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Luxembourg, 17 July 1995.

For the Council
The President
L. ATIENZA SERNA

AGREEMENT

in the form of an exchange of letters between the European Community and, Barbados, Belize, the Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Kitts and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe on the supply of raw cane sugar to be refined

A. Letter No 1

Luxembourg, 17 July 1995

Sir,

The representatives of the ACP States and the European Communities have agreed as follows :

1. For the period 1 July 1995 to 30 June 2001 :
 - the European Community undertakes to open annually a special tariff quota for the import of raw cane sugar for refining which originates in the ACP States, on the basis of the needs determined by the Commission in accordance with paragraph 3,
 - the ACP States undertake to supply the said quantities under the conditions fixed by this agreement and by the measures taken by the Commission for the application of this agreement within the framework of the management of the common organization of the markets in the sugar sector.
2. The European Commission and the ACP States shall establish the cooperation procedures necessary to enable the two parties to this agreement to meet the commitments entered into.
3. The import needs of raw sugar for refining under this agreement shall be established by marketing year on the basis of a Community forward estimate taking account of :
 - the provisions of Council Regulation (EC) No 1101/95, amending Regulation (EEC) No 1785/81, concerning the system of preferential imports, and in particular Article 37 thereof,
 - the quantities which will be offered within the framework of other agreements with other third countries and which will actually be imported.
4. The Commission shall establish a first estimate of the total needs for imports of raw sugar for refining at the latest on 30 May preceding the marketing year concerned.

The Commission shall fix at the same time the quantities to cover, as a first instalment, the import needs of the Community's refineries for the longest practical period and at least eight months, broken down between the tariff quotas opened within the framework of other agreements with other third countries and the ACP special quota.

The ACP States shall notify their final export potential to the Commission at the latest on 1 February, before a second regular fixing shall be made for the further instalment to be covered by imports under the special ACP quota.

5. The special reduced rate of duty shall be fixed for the 1995/96 — 2000/01 marketing years at ECU 6,9 per 100 kgs raw sugar of standard quality.

The refiners which want to participate in this special reduced duty system must pay a minimum purchase price which is equal to the guaranteed price for raw sugar reduced by the adjustment aid fixed for the marketing year concerned in accordance with the provisions of Article 36 of Regulation (EEC) No 1785/81 mentioned under paragraph 3.

It is agreed that if the adjustment aid is increased or reduced by comparison with its existing level of ECU 1,20 per 100 kgs raw sugar a converse adjustment will be made in the reduced levy, so that the change in the adjustment aid does not affect the net receipts of the ACP suppliers.

It is further agreed that the level of the reduced levy will be reconsidered if :

- (a) the level of the guaranteed price established in accordance with the provisions of Protocol 8 annexed to the Fourth ACP-EEC Convention is reduced by comparison with the price applicable in the 1994/95 delivery period or
 - (b) the level of the world market price increases to the point where the objective of providing an incentive to supply the Community would be put at risk.
6. The ACP States shall undertake collectively to implement between themselves procedures for the allocation of the quantities under this special ACP quota in order to ensure the appropriate supplying of the refineries.
 7. Before 1 January 2001, the two parties to this agreements shall open discussions on its possible continuation.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Union*

B. Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows :

The representatives of the ACP States and the European Community have agreed as follows :

1. For the period 1 July 1995 to 30 June 2001 :
 - the European Community undertakes to open annually a special tariff quota for the import of raw cane sugar for refining which originates in the ACP States, on the basis of the needs determined by the Commission in accordance with paragraph 3,
 - the ACP States undertake to supply the said quantities under the conditions fixed by this agreement and by the measures taken by the Commission for the application of this agreement within the framework of the management of the common organization of the markets in the sugar sector.
2. The European Commission and the ACP States shall establish the cooperation procedures necessary to enable the two parties to this agreement to meet the commitments entered into.
3. The import needs of raw sugar for refining under this agreement shall be established by marketing year on the basis of a Community forward estimate taking account of :
 - the provisions of Council Regulation (EC) No 1101/95, amending Regulation (EEC) No 1785/81, concerning the system of preferential imports, and in particular Article 37 thereof,
 - the quantities which will be offered within the framework of other agreements with other third countries and which will actually be imported.
4. The Commission shall fix at the same time the quantities to cover, as a first instalment, the import needs of the Community's refineries for the longest practical period and at least eight months, broken down between the tariff quotas opened within the framework of other agreements with other third countries and the ACP special quota.

The ACP States notify their final export potential to the Commission at the latest on 1 February, before a second regular fixing shall be made for the further instalment to be covered by imports under the special ACP quota.

5. The special reduced rate of duty shall be fixed for the 1995/96 — 2000/01 marketing years at ECU 6,9 per kgs raw sugar of standard quality.

The refiners which want to participate in this special reduced duty system must pay a minimum purchase price which is equal to the guaranteed price for raw sugar reduced by the adjustment aid fixed for the marketing year concerned in accordance with the provisions of Article 36 of Regulation (EEC) No 1785/81 mentioned under paragraph 3.

It is agreed that if the adjustment aid is increased or reduced by comparison with its existing level of ECU 1,20 per 100 kgs raw sugar a converse adjustment will be made in the reduced levy, so that the change in the adjustment aid does not affect the net receipts of the ACP suppliers.

- (a) the level of the guaranteed price established in accordance with the provisions of Protocol 8 annexed to the Fourth ACP-EEC Convention is reduced by comparison with the price applicable in the 1994/95 delivery period, or
- (b) the level of the world market price increases to the point where the objective of providing an incentive to supply the Community would be put at risk.

6. The ACP States shall undertake collectively to implement between themselves procedures for the allocation of the quantities under this special ACP quota in order to ensure the appropriate supplying of the refineries.
7. Before 1 January 2001, the two parties to this agreement shall open discussions on its possible continuation.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.'

I have the honour to confirm the agreement of the Governments of the ACP States referred to in this letter with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Governments of
the ACP States
referred to in Protocol 8*

AGREEMENT**in the form of an exchange of letters between the European Community and the Republic of India on the supply of raw cane sugar to be refined***A. Letter No 1*

Luxembourg, 17 July 1995

Sir,

The representatives of India and the European Community have agreed as follows :

1. For the period 1 July 1995 to 30 June 2001 :
 - the European Community undertakes to open annually a special tariff quota for the import of raw cane sugar for refining which originates in India, on the basis of the needs determined by the Commission in accordance with paragraph 3,
 - in the event of an import need being established, India undertakes to supply 10 000 tonnes (WSE) under this special tariff quota and under the conditions fixed by this agreement and by the measures taken by the Commission for the application of this agreement within the framework of the management of the common organization of the markets in the sugar sector. Nothing in this indent should prevent the Community offering to India the possibility to supply more than 10 000 tonnes in the event of a shortfall in the total supplies obtained under other agreements.
2. The European Commission and India shall establish the cooperation procedures necessary to enable the two parties to this agreement to meet the commitments entered into.
3. The import needs of raw sugar for refining under this agreement shall be established by marketing year on the basis of a Community forward estimate taking account, of :
 - the provisions of Council Regulation (EC) No 1101/95, amending Regulation (EEC) No 1785/81, concerning the system of preferential imports, and in particular Article 37 thereof,
 - the quantities which will be offered within the framework of other agreements with other third countries and which will actually be imported.
4. The special reduced rate of duty shall be fixed for the 1995/96 — 2000/01 marketing years at ECU 6,9 per 100 kgs raw sugar of standard quality.

The refiners which want to participate in this special reduced duty system must pay a minimum purchase price which is equal to the guaranteed price for raw sugar reduced by the adjustment aid fixed for the marketing year concerned in accordance with the provisions of Article 36 of Regulation (EEC) No 1785/81 mentioned under paragraph 3.

It is agreed that if the adjustment aid is increased or reduced by comparison with its existing level of ECU 1,20 per 100 kgs raw sugar a converse adjustment will be made in the reduced levy, so that the change in the adjustment aid does not affect the net receipts of the India suppliers.

It is further agreed that the level of the reduced levy will be reconsidered if :

- (a) the level of the guaranteed price established in accordance with the agreement between the Community and India on raw sugar is reduced by comparison with the price applicable in the 1994/95 delivery period, or
- (b) the level of the world market price increases to the point where the objective of providing an incentive to supply the Community would be put at risk.

5. Before 1 January 2001, the two parties to this agreement shall open discussion on its possible continuation.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Government of India and the Community.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Union*

B. *Letter No 2*

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter today which reads as follows :

'The representatives of India and the European Community have agreed as follows :

1. For the period 1 July 1995 to 30 June 2001 :
 - the European Community undertakes to open annually a special tariff quota for the import of raw cane sugar for refining which originates in India, on the basis of the needs determined by the Commission in accordance with paragraph 3,
 - in the event of an import need being established, India undertakes to supply 10 000 tonnes (WSE) under this special tariff quota and under the conditions fixed by this agreement and by the measures taken by the Commission for the application of this agreement within the framework of the management of the common organization of the markets in the sugar sector. Nothing in this indent should prevent the Community offering to India the possibility to supply more than 10 000 tonnes in the event of a shortfall in the total supplies obtained under other agreements.
2. The European Commission and India shall establish the cooperation procedures necessary to enable the two parties to this agreement to meet the commitments entered into.
3. The import needs of raw sugar for refining under this agreement shall be established by marketing year on the basis of a Community forward estimate taking account of :
 - the provisions of Council Regulation (EC) No 1101/95, amending Regulation (EEC) No 1785/81, concerning the system of preferential imports, and in particular Article 37 thereof,
 - the quantities which will be offered within the framework of other agreements with other third countries and which will actually be imported.
4. The special reduced rate of duty shall be fixed for the 1995/96 — 2000/01 marketing years at ECU 6,9 per 100 kgs raw sugar of standard quality.

The refiners which want to participate in this special reduced duty system must pay a minimum purchase price which is equal to the guaranteed price for raw sugar reduced by the adjustment aid fixed for the marketing year concerned in accordance with the provisions of Article 36 of Regulation (EEC) No 1785/81 mentioned under paragraph 3.

It is agreed that if the adjustment aid is increased or reduced by comparison with its existing level of ECU 1,20 per 100 kgs raw sugar a converse adjustment will be made in the reduced levy, so that the change in the adjustment aid does not affect the net receipts of the India suppliers.

It is further agreed that the level of the reduced levy will be reconsidered if :

- (a) the level of the guaranteed price established in accordance with the agreement between the Community and India on raw sugar is reduced by comparison with the price applicable in the 1994/95 delivery period, or
- (b) the level of the world market price increases to the point where the objective of providing an incentive to supply the Community would be put at risk.

5. Before 1 January 2001, the two parties to this agreement shall open discussion on its possible continuation.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Government of India and the Community.'

I have the honour to confirm the agreement of my Government with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the Republic of India*

COUNCIL DECISION

of 24 July 1995

accepting Resolution No 49 on short-term measures to ensure the security and the efficient functioning of the TIR transit regime

(95/285/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Resolution No 49 contains measures both to ensure the correct implementation of the 1975 TIR Convention and to prevent and detect fraud in goods transported under the TIR regime;

Whereas, by virtue of its content and pending revision of the TIR Convention, the said Resolution is of the greatest to the Community; whereas, it should therefore be accepted with immediate effect,

HAS DECIDED AS FOLLOWS:

Article 1

Resolution No 49 on short-term measures to ensure the security and the efficient functioning of the TIR transit regime, adopted on 3 March 1995 by the Working Party

of the UN Economic Commission for Europe on Customs Questions affecting Transport, is hereby accepted on behalf of the Community with immediate effect.

The text of the Resolution is attached to this Decision.

Article 2

The President of the Council shall designate the person empowered to notify the Executive Secretary of the Economic Commission for Europe of the Community's acceptance, with immediate effect, of the Resolution referred to in Article 1.

Done at Brussels, 24 July 1995.

*For the Council**The President*

P. SOLBES MIRA

SHORT-TERM MEASURES TO ENSURE THE SECURITY AND THE EFFICIENT FUNCTIONING OF THE TIR TRANSIT REGIME

Resolution No 49

adopted on 3 March 1995 by the UN/ECE Working Party on Customs Questions affecting Transport

Resolution No 49

The Working Party on Customs Questions affecting Transport,

Emphasizing the importance of the smooth and efficient functioning of the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) to facilitate international transport and trade;

Concerned about the amount of customs fraud and smuggling in the framework of the TIR transit system which may endanger the facilitation measures provided for in the TIR Convention, 1975;

Determined to safeguard the TIR transit system which facilitates the development of trade, in particular the international movement of goods;

Convinced that the TIR transit system can only be safeguarded through joint and concerted action by all parties of the TIR transit system (customs authorities, national guaranteeing and carnet issuing associations and the IRU, and insurance companies), whereby an open exchange of information on all aspects of the system is considered to be essential;

Whilst awaiting the revision of the TIR Convention, 1975, decides unanimously on the following short-term measures to be implemented as soon as possible by the competent authorities of Contracting Parties to the TIR Convention, 1975:

1. In order to facilitate the detection of fraudulently discharged TIR carnets and to accelerate the discharge procedure, Contracting Parties may wish to create, as far as possible and in line with national requirements, centralized offices or procedures for the administration of TIR carnets;
2. Contracting Parties should institute accelerated discharge and search procedures for the transport of sensitive goods;
3. Contracting Parties and the IRU shall take all necessary steps to ensure the early re-introduction of the 'Tobacco/Alcohol' TIR carnets together with guarantees in a fixed sum which reflects the potential charges at risk;
4. Contracting Parties ensure, through appropriate national regulations, that customs offices of destination or exit return TIR carnet vouchers No 2 to centralized offices or customs offices of departure or entry as soon as possible and no later than five working days following the completion of the TIR operation;
5. in order to facilitate customs control for tobacco and alcohol consignments, Contracting Parties may wish to limit, in line with national administrative practices, the number of customs offices authorized to accept 'Tobacco/Alcohol' TIR carnets;
6. Contracting Parties ensure that for the transport of tobacco and alcohol as well as for other sensitive goods as determined by the competent authorities, advance information on the transport of such goods under customs seal is forwarded immediately by the customs office of departure or entry to the customs office of destination or exit;
7. in accordance with Article 20 of the TIR Convention, 1975, Contracting Parties prescribe time limits and, to the extent possible, routes to be followed for road vehicles and containers in case of transport under customs seal of tobacco and alcohol as well as of other sensitive goods as determined by the competent authorities. Contracting Parties are urged to apply sanctions, in line with national law, in case of non-respect of such prescriptions;

8. Contracting Parties ensure that the provisions of Article 38 of the TIR Convention, 1975, should be applied, which provide the possibility to exclude temporarily or permanently from the operation of the TIR Convention, 1975, any person guilty of a serious offence against national customs laws or the regulations applicable to the international transport of goods ;
9. Contracting Parties take all necessary measures to avoid the theft and misuse of customs stamps and may provide for the use of new technologies, such as special security ink, to impede the falsification of customs stamps ;
10. Contracting Parties request that IRU and national guaranteeing associations apply strictly agreed criteria and administrative controls when issuing TIR carnets, with a view to ensuring, as far as possible, the reliability and integrity of transport operators ;
11. Contracting parties of the TIR transit regime intensify the exchange of information and intelligence concerning the TIR transit system amongst themselves, in accordance with national legislation. For that purpose they establish focal points for the combat of fraud within the competent authorities. Addresses, including telephone and telefax numbers of such focal points will be transmitted, as soon as possible, to the UN/ECE Secretariat for the setting up of an international directory,

Invites Contracting Parties to study carefully the IRU proposals on the introduction of electronic data interchange systems for the administration of TIR carnets which will be transmitted to them by the UN/ECE Secretariat with a view to their possible introduction ;

Requests the Contracting Parties to the TIR Convention, 1975, to notify the Executive Secretary of the United Nations Economic Commission for Europe (UN/ECE) by 1 June 1995, whether they accept the present Resolution ;

Requests the Executive Secretary of the United Nations Economic Commission for Europe (UN/ECE) to inform all Contracting Parties to the TIR Convention, 1975, about the acceptance of this Resolution.

COMMISSION

COMMISSION DECISION

of 17 July 1995

modifying Commission Decision 94/827/EC of 20 December 1994 on the allocation of quantities of controlled substances allowed for essential uses for 1995, under Council Regulation (EC) No 3093/94 on substances that deplete the ozone layer

(95/286/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES ;

Having regard to the Treaty establishing the European Community, especially Article 130s,

Having regard to the Council Regulation (EC) No 3093/94 of 15 December 1994 on substances that deplete the ozone layer⁽¹⁾,

Having regard to the enlargement of the European Community with the three new Member States of Austria, Finland and Sweden,

Whereas quantities of controlled substances allowed for essential uses in Austria, Finland and Sweden for 1995 need to be allocated ;

Whereas those essential uses have to be decided for chlorofluorocarbons, as per Articles 3 (1) and 4 (1), fully halogenated chlorofluorocarbons, as per Articles 3 (2) and 4 (2), halons as per Articles 3 (3) and 4 (3), carbon tetrachloride, as per Articles 3 (4) and 4 (4), as well as Article 7 (4) of Regulation (EC) No 3093/94 ;

Whereas the Commission has published Decision 94/827/EC⁽²⁾ on the allocation of quantities of controlled substances allowed for essential uses in the Community in 1995 for the then 12 Member States of the European Union for 1995 ;

Whereas a limited number of corrections which have been approved by the Article 16 Committee of Regulation (EC) No 3093/94, have to be made to Decision 94/827/EC ;

Whereas the Technology and Economic Assessment Panel (TEAP) of UNEP recommends a general blanket exemption for essential uses for laboratory purposes, this Decision contains a reserve quantity of controlled

substances for this purpose to meet the potential demands of all users of controlled substances in laboratories ;

Whereas in order to meet the essential laboratory uses in the Community, the Commission has identified those distributors who may additionally to those figuring in Decision 94/827/EC, supply the controlled substances for this purpose ;

Whereas three companies should not figure in Annex 4 of the abovementioned Commission Decision since they are not distributors of laboratory chemicals ;

Whereas Article 16 of Regulation (EC) No 3093/94 sets out the procedure according to which decisions can be taken concerning the implementation of the Regulation ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 16 of the abovementioned Regulation,

HAS ADOPTED THIS DECISION :

Article 1

The present Decision modifies Decision 94/827/EC in light of the enlargement of the Union with the three new Member States Austria, Finland and Sweden, and in view of a limited number of necessary corrections.

Article 2

Those companies who may additionally to those presented in Decision 94/827/EC, take advantage of those essential uses for their own account in 1995 are presented in Annex 2. The additional allocation of quantities of chlorofluorocarbons 11, 12, 113, 114 and 115 (the total additional quantity allocated being 86,9 tonnes), other

⁽¹⁾ OJ No L 333, 22. 12. 1994, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 126.

fully halogenated chlorofluorocarbons (the total additional quantity allocated being 0/tonnes), halons (the total additional quantity allocated being 0/tonnes) and carbon tetrachloride (the total additional quantity allocated being 20,2 tonnes) during the period 1 January to 31 December 1995 shall be as indicated in the Annex 3⁽¹⁾ hereto.

Article 3

Those companies who may, additionally to those presented in Annex 4 of Decision 94/827/EC, take advantage of the essential uses exemption for the use of controlled substances as laboratory uses in the Community in 1995, are presented in Annex 4.

The quantity of chlorofluorocarbons allowed for essential use in laboratories will be increased by 24 tonnes and the quantity of carbon tetrachloride allowed for essential use in laboratories will be increased by 25 tonnes

Article 4

The following companies should be deleted from Annex 4 of Decision 94/827/EC since they cannot be qualified as distributors of laboratory chemicals: 'Miramed', 'Fiat Avio Spa' and 'Studio Chiono SRL'.

Article 5

1. This Decision is addressed to the companies listed in Annex 1.
2. This Decision shall apply from 1 January 1995 to 31 December 1995.

Done at Brussels, 17 July 1995.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ Annex 3 is not published because it contains commercially sensitive information.

ANEXO 1 — BILAG 1 — ANHANG 1 — ΠΑΡΑΡΤΗΜΑ 1 — ANNEX 1 — ANNEXE 1 — ALLEGATO 1 — BIJLAGE 1 —
ANEXO 1 — LIITE 1 — BILAGA 1

Chemie Linz GesmbH
St. Peterstraße 25
A-4021 Linz

Dipl. Ing. Fritz Gatt
Müllerstraße 10
A-6010 Innsbruck

Hafslund Nicomed Pharma
Dr. H. K. Vorreither
St. Peter-Straße 25
A-4020 Linz

Jaba Farmaceutica
Apartado 165
Abrunheira
P-2710 Sintra

Kebo Lab Oy
Pia Selenius
S-163 94 Spånga

Lactan
Zinzndorf-gasse 12
A-8011 Graz

Leiras Oy
Lasse Vuorinen
PL 415
FIN-20101 Turku

Merck GesmbH
Zimbagasse 5
A-1147 Wien

Merck (D)
Frankfurter Straße 250
D-64293 Darmstadt

Kebo Lab Oy
Ilkka Sirén
Niittyrinne 7
FIN-02270 Espoo

Orion-Farmos
Pasi Salokangas
Orionintie 1
PL 65
FIN-02101 Espoo

Oy FF-Chemicals Ab
Juha Niskala
FIN-91200 Yli-Ii

Riedel-de Haën
Dr. H. Gattner
Aktiengesellschaft
Postfach 100262
D-30918 Seelze

Tamro Corporation
Sakari Boman
PL 11 (Rajatorpantie 41B)
FIN-01641 Vantaa

Ya-Kemia Ltd
Timo Posti
Kalliolarinne 6
FIN-00510 Helsinki

W. J. Rohrbeck's Nachf.
Wehrgasse 18
A-1052 Wien

W. Neuber's Enkel
Linke Wienzeile 152
A-1060 Wien

ANNEX 2

A. MEDICAL USES

Production of metered dose inhalers (MDIs) for the treatment of asthma and other chronic obstructive pulmonary diseases CFC 11, CFC 12, CFC 113, CFC 114, CFC 115.

Company	
Hafslund Nycomed Pharma (A)	
Jaba Farmaceutica (P)	
Leiras (FIN)	
Orion-Farmos (FIN)	

C. LABORATORY USES

C.1. CFC's :

Company	
W. Neuber's Enkel (A)	
Merck GesmbH (A)	
Lactan (A)	
Chemie Linz GesmbH (A)	
Dipl. Ing. Fritz Gatt (A)	
W. J. Rohrbeck's Nachf. (A)	
Merck (D) on behalf of Kebo Lab (S)	
Kebo Lab Oy (FIN)	
Oy FF-Chemicals Ab (FIN)	
Tamro Corporation (FIN)	

C.2. Carbon tetrachloride (CCl₄):

Company	
W. Neuber's Enkel (A)	
Merck GesmbH (A)	
Lactan (A)	
Chemie Linz GesmbH (A)	
Dipl. Ing. Fritz Gatt (A)	
W. J. Rohrbeck's Nachf. (A)	
Merck (D) on behalf of Kebo Lab (S)	
Kebo Lab Oy (FIN)	
Oy FF-Chemicals Ab (FIN)	
Riedel (D)	
Tamro Corporation (FIN)	
Ya-Kemia Ltd (FIN)	

Additional (1) quantity for laboratory uses : — CFCs : 24 tonnes
 — Carbon Tetrachloride : 25 tonnes

(1) To Commission Decision 94/563/EC (OJ No L 215, of 20. 8. 1994, p. 21).

*ANEXO 4 — BILAG 4 — ANHANG 4 — ΠΑΡΑΡΤΗΜΑ 4 — ANNEX 4 — ANNEXE 4 — ALLEGATO 4 — BIJLAGE 4 —
ANEXO 4 — LIITE 4 — BILAGA 4*

Chemie Linz GesmbH
St. Peterstraße 25
A-4021 Linz

Oy FF-Chemicals Ab
Juha Niskala
FIN-91200 Yli-Ii

Dipl. Ing. Fritz Gatt
Müllerstraße 10
A-6010 Innsbruck

Riedel-de Haën
Dr. H. Gattner
Aktiengesellschaft
Postfach 100262
D-30918 Seelze

Kebo Lab Oy
Pia Selenius
S-163 94 Spånga

Tamro Corporation
Sakari Boman
PL 11 (Rajatorpantie 41B)
FIN-01641 Vantaa

Lactan
Zinzndorfgasse 12
A-8011 Graz

Ya-Kemia Ltd
Timo Posti
Kalliolarinne 6
FIN-00510 Helsinki

Merck GesmbH
Zimbagasse 5
A-1147 Wien

W. J. Rohrbeck's Nachf.
Wehrgasse 18
A-1052 Wien

Merck (D)
Frankfurter Straße 250
D-64293 Darmstadt

Kebo Lab Oy
Ilkka Sirén
Niittyrinne 7
FIN-02270 Espoo

W. Neuber's Enkel
Linke Wienzeile 152
A-1060 Wien

COMMISSION DECISION

of 18 July 1995

amending Decision 94/474/EEC concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC

(Text with EEA relevance)

(95/287/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and, in particular, Article 10⁽⁴⁾ thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and, in particular, Article 9 thereof,

Whereas cases of bovine spongiform encephalopathy (BSE) have been reported in the United Kingdom;

Whereas in order to protect animal and public health in the Community, the Commission has adopted several Decisions, in particular Decision 94/474/EC of 27 July 1994 concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC⁽⁴⁾, as amended by Decision 94/794/EC⁽⁵⁾;

Whereas as a result of measures taken in the United Kingdom the BSE epidemic is now declining;

Whereas Decision 94/474/EC makes provisions for removal of certain tissues from beef obtained in the United Kingdom from cattle born before 1 January 1992;

Whereas new information continues to become available and the situation must be continually reviewed;

Whereas the Commission has carried out a detailed examination of the situation and all relevant scientific information with the Scientific Veterinary Committee;

Whereas it is simpler to control the age at slaughter than the date of birth either from the animals' dentition or from relevant information;

Whereas the Scientific Veterinary Committee has recommended a revised protocol which will improve the controls on beef from the United Kingdom, by specifying the tissues to be removed from beef derived from cattle aged over two and a half years at slaughter coming from holdings in which a case of BSE has been confirmed during the previous six years;

Whereas it is essential that the actual age and BSE status of the herd of origin of all animals is checked officially;

Whereas, in the opinion of the Scientific Veterinary Committee, the feed ban is becoming increasingly effective; whereas however, it is not fully effective, and additional controls are necessary to improve its effectiveness;

Whereas the United Kingdom has provided assurances to the Commission that beef sent from their territory to third countries, in particular in Eastern Europe, is in conformity with the provisions of this Decision, whereas the United Kingdom shall provide the Commission with details of the certification provided for beef being sent to these countries; whereas the Commission shall take appropriate measures to prevent the re-introduction into the Community if a certificate is found not to be in conformity with this Decision;

Whereas, therefore, it is necessary to amend Decision 94/474/EC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 194, 29. 7. 1994, p. 96.

⁽⁵⁾ OJ No L 325, 17. 12. 1994, p. 60.

HAS ADOPTED THIS DECISION :

Article 1

Decision 94/474/EC is hereby amended as follows :

1. In Article 3, the following is added to paragraph 3 (c)

'Official Elisa tests for the identification of ruminant protein in feed intended for ruminants shall be carried out for routine monitoring, in particular in plants which produce feed for pigs and/or poultry as well as for ruminants.'

2. Article 4 is replaced by the following :

Article 4

1. The United Kingdom shall not send from its territory to that of the other Member States fresh meat of the bovine species.

2. The prohibition mentioned in paragraph 1 shall not apply to the following meat :

- (i) Fresh meat derived from bovine animals aged less than two and a half years at slaughter, in which case the following sentence shall be added to the health certificate referred to in Annex IV of Council Directive 64/433/EEC⁽¹⁾ :

"Fresh bovine meat derived from bovines aged less than two and a half years at slaughter";

or

- (ii) Fresh meat derived from bovines which, while in the United Kingdom, have resided only on holdings on which no case of BSE has been confirmed during the previous six years, in which case the following sentence shall be added to the health certificate referred to in Annex IV of Directive 64/433/EEC :

"Fresh bovine meat derived from bovines which, while in the United Kingdom, have resided only on holdings on which no case of BSE has been confirmed during the previous six years",

or

- (iii) Fresh meat derived from bovines aged over two and a half years at slaughter which have resided at any time on a holding on which one or more cases of BSE have been confirmed during the previous six years, if the following sentence is added to the health certificate referred to in Annex IV of Directive 64/433/EEC :

"Fresh deboned bovine meat in the form of muscle from which the adherent tissues, including

obvious nervous and lymphatic tissues, have been removed".

The competent authority shall ensure that procedures used in the cutting plants to implement the requirements of this subparagraph ensure that the following lymph nodes have been removed :

Popliteal, ischiatic, superficial inguinal, deep inguinal, medial and lateral iliac, renal, prefemoral, lumbar, costocervical, sternal, prescapular, axillary and caudal deep cervical.

3. In order to provide the guarantees of age and herd freedom from BSE as laid down in paragraphs 2 (i) and 2 (ii), the competent authority shall carry out a systematic check of the relevant information for all animals for which certification is to be given."

3. The following Article 5 is inserted, and the existing Articles 5, 6 and 7 are renumbered accordingly.

Article 5

1. The United Kingdom shall inform the Commission without delay of the certification accompanying fresh bovine meat sent from their territory to that of third countries.

2. The Commission shall examine the certificates mentioned in paragraph 1, with a view to determining whether or not they are in conformity with the provisions of this Decision, and shall inform the Member States thereof.

3. In the case where certificates are found not to be in conformity with the provisions of this Decision, the Commission shall urgently take appropriate measures in accordance with the procedure laid down in Article 9 of Directive 89/662/EEC with a view to avoiding reintroduction of the products concerned.'

Article 2

Member States shall amend the measures which apply to trade so as to bring them into compliance with the Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

COMMISSION DECISION

of 18 July 1995

amending Council Decision 79/542/EEC and repealing Decision 93/507/EEC on protection measures in relation to Venezuelan equine encephalomyelitis in Mexico and amending Council Decision 79/542/EEC

(Text with EEA relevance)

(95/288/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

having regard to Council Directives 91/946/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 18 (7) thereof,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 thereof,

Whereas by Commission Decision 93/507/EEC of 21 September 1993 on protection measures in relation to Venezuelan equine encephalomyelitis in Mexico and amending Council Decision 79/542/EEC⁽³⁾, as last amended by Decision 95/101/EC⁽⁴⁾, certain protection measures have been established in relation to Venezuelan equine encephalitis in Mexico;

Whereas outbreaks of Venezuelan equine encephalomyelitis occurred in the State of Chiapas in July 1993; whereas, however, no further outbreaks have been reported since the first week of August 1993;

Whereas following a Community veterinary inspection mission to Mexico it appears that the animal health situation as regards equidae is sufficiently controlled; whereas, furthermore, a detailed report had been subsequently submitted by the veterinary authorities of Mexico to the Commission and the Member States to follow up the disease situation and to prove the freedom from Venezuelan equine encephalomyelitis in Mexico for two years;

Whereas it is necessary to repeal Decision 93/507/EEC in order to re-establish the temporary admission and re-entry

of registered horses and the imports of equidae from Mexico; whereas for the sake of clarity, Council Decision 79/542/EEC⁽⁵⁾, last amended by Commission Decision 94/561/EC⁽⁶⁾, should be amended to bring it into line with the measures provided for;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/507/EEC is herewith repealed.

Article 2

In Part 1 of the Annex to Decision 79/542/EEC, the reference to footnote⁽⁶⁾ under the subheading 'Live animals' in the column for 'Special remarks' in the line referring to Mexico is hereby deleted.

Article 3

The Decision is applicable from 7 August 1995.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 224, 18. 8. 1990, p. 42.

⁽³⁾ OJ No L 237, 22. 9. 1993, p. 36.

⁽⁴⁾ OJ No L 76, 5. 4. 1995, p. 21.

⁽⁵⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁶⁾ OJ No L 214, 19. 8. 1994, p. 17.

COMMISSION DECISION

of 24 July 1995

repealing Decision 93/687/EC concerning certain protection measures with regard to foot-and-mouth disease in Italy and repealing Decision 93/180/EEC

(Text with EEA relevance)

(95/289/EC)

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

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 (4) thereof,

Whereas, following the outbreaks of foot-and-mouth disease in Italy during 1993, the Commission adopted several decisions, concerning certain protective measures ;

Whereas the outbreaks were controlled, as a result of the measures introduced and the action taken by the Italian authorities ;

Whereas Commission Decision 93/687/EC of 17 December 1993 concerning certain protection measures with regard to foot-and-mouth disease in Italy and repealing Decision 93/180/EEC⁽⁴⁾ maintains certain restrictions on buffalo holdings and certain animal movement controls in Caserta due to the possibility of illegal vaccination ;

Whereas as a result of clinical examinations and serological testing it is concluded that there is no risk associated with animals in the province of Caserta ;

Whereas, therefore, it is necessary to repeal Decision 93/687/EEC ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION :

Article 1

Decision 93/687/EEC is hereby repealed.

Article 2

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 24 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 49.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1474/95 of 28 June 1995 opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin resulting from the agreements concluded during the Uruguay Round of multilateral trade negotiations

(Official Journal of the European Communities No L 145 of 28 June 1995)

On page 20 in Article 4 (a):

for: '... 50 tonnes ...',

read: '... 50 tonnes (shell egg equivalent) ...'.
