

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 1903/95**

**of 1 August 1995**

**altering the rate of refunds applicable for certain products of the cereals and rice sectors 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1863/95 <sup>(2)</sup>, and in particular the fourth subparagraph of 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1530/95 <sup>(4)</sup>, and in particular Article 14 (3) thereof,

Whereas the rates of the refunds applicable from 1 August 1995 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EC) No 1897/95 <sup>(5)</sup>;

Whereas it follows from applying the rules and criteria contained in Regulation (EC) No 1897/95 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

The rates of refund fixed by Regulation (EC) No 1897/95 are hereby altered as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 August 1995.

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

Done at Brussels, 1 August 1995.

*For the Commission*

Hans VAN DEN BROEK

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 179, 29. 7. 1995, p. 1.

<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 181, 1. 8. 1995, p. 5.

## ANNEX

to the Commission Regulation of 1 August 1995 altering 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 - used in the form of : - - flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 - - pellets of CN code 1103 - - germs of CN code 1104 - - starch of CN code 1108 19 90 - - gluten of CN code 2303 10 90 - - other	3,467  2,427 2,080 2,625 7,501 — 3,467
1004 00 00	Oats : - used unprocessed - used in the form of : - - pellets of CN code 1103, and pearled grains of CN code 1104 - - rolled or flaked grains and hulled grains of CN code 1104 - - germs of CN code 1104 - - starch of CN code 1108 19 90 - - gluten of CN code 2303 10 90 - - other	3,725  2,235 3,353 2,625 7,501 — 3,725
1005 90 00	Maize (Corn) : - used unprocessed - used in the form of : - - flours of CN codes 1102 20 10 and 1102 20 90 - - groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 - - pellets of CN code 1103 - - hulled or perled grains of CN code 1104 - - germs of CN code 1104 - - starch of CN code 1108 12 00 - - 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 (3) - - 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 - - glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (3) - - other (3)	7,501  5,251 6,001 4,501 6,751 2,625 7,501  6,802  — 3,000  4,726 7,501
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	24,955 22,218 22,218
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	32,200 32,200 32,200

CN code	Description of products <sup>(1)</sup>	Rate of refund per 100 kg of basic product <sup>(2)</sup>
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	— —

(<sup>1</sup>) 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).

(<sup>2</sup>) 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.

(<sup>3</sup>) 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.

(<sup>4</sup>) OJ No L 159, 1. 7. 1993, p. 112.

COMMISSION REGULATION (EC) No 1904/95  
of 1 August 1995

authorizing the payment in advance to producers in certain regions of  
compensatory payments for the 1995/96 marketing year for cereals, protein crops  
and linseed as well as compensation for compulsory set-aside

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European  
Community,

*Article 1*

Having regard to Council Regulation (EEC) No 1765/92  
of 30 June 1992 establishing a support system for produ-  
cers of certain arable crops<sup>(1)</sup>, as last amended by  
Commission Regulation (EC) No 1664/95<sup>(2)</sup>, and in parti-  
cular Article 12 thereof,

1. By way of derogation from Article 10 (1) of Regula-  
tion (EEC) No 1765/92, advance payment of 50 % of the  
compensatory payments for 1995/96 for cereals, including  
those provided for producers of oil seeds benefiting from  
the simplified scheme, and the supplement to the  
compensatory payment in respect of durum wheat, for  
protein crops and for linseed, as well as 50 % of the  
compensation for compulsory set-aside, may be made to  
producers in the regions listed in the Annex to this Regu-  
lation.

Whereas the drought which has been going on for several  
months in Portugal and certain regions of Spain has led  
to reduced harvests such that producers in those regions  
are facing serious financial difficulties; whereas that  
drought constitutes an exceptional climatic situation;  
whereas the Commission should therefore authorize Spain  
and Portugal to pay before 16 October 1995, in respect of  
the 1995/96 marketing year, 50 % of the compensatory  
payments for cereals, including the supplement to the  
compensatory payment in respect of durum wheat, for  
protein crops and for linseed, and 50 % of the compensa-  
tion for compulsory set-aside; whereas that authorization  
also covers compensatory payments for producers of  
oilseeds benefiting from the simplified scheme where  
their amount is paid on the basis of the rate applicable to  
cereals and, therefore, the producers concerned do not  
receive the advances provided for elsewhere for producers  
of oil seeds; whereas for this purpose, derogation must be  
made from Article 10 (1) of Regulation (EEC) No  
1765/92;

2. A producer shall be recognized as eligible for the  
advance payment referred to in paragraph 1 where he has  
not been found to be ineligible by any administrative  
inspections or any checks carried out pursuant to Article  
8 of Regulation (EEC) No 3508/92<sup>(3)</sup>.

3. Spain and Portugal shall make the advance payment  
to producers not later than 15 October 1995.

4. For the purposes of calculating the final compensa-  
tory payment to producers benefiting from the advance  
payment, the competent authority shall take account of  
the following:

- (a) any reduction in the eligible area of the producer;
- (b) any advance payment made pursuant to this Regula-  
tion.

Whereas the budget situation for the 1995 financial year  
makes this measure possible;

*Article 2*

Whereas the measures provided for in this Regulation are  
in accordance with the opinion of the Joint Management  
Committee for Cereals, Oils and Fats and Dried Fodder,

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

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

Done at Brussels, 1 August 1995.

*For the Commission*  
Hans VAN DEN BROEK  
*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 12.

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

<sup>(3)</sup> OJ No L 355, 5. 12. 1992, p. 1.

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*ANNEX***Regions**1. *In Spain:*

Andalusia  
Aragon  
Balearic Islands  
Canary Islands  
Castile-La Mancha  
Castile-Leon  
Catalonia  
Extremadura  
Madrid  
Murcia  
Navarre  
Rioja  
Valencia.

2. *In Portugal:*

The entire territory of Portugal.

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**COMMISSION REGULATION (EC) No 1905/95**  
of 1 August 1995

**concerning the transitional adjustment of the special arrangements for the import of durum wheat, canary grass, rye and malt originating in Turkey required in order to implement the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations and derogating from Council Regulation (EEC) No 1180/77**

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 the EEC-Turkey Association Agreement lays down special arrangements for the import of durum wheat, canary grass, rye and malt originating in Turkey; whereas these arrangements provide for an abatement of the levy imposed on the import of durum wheat and canary grass, a reduction in the levy on the import of rye provided that Turkey imposes a special export tax on this product and a reduction in the fixed component of the levy imposed on the import of malt;

Whereas Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey<sup>(2)</sup>, as last amended by Regulation (EEC) No 1902/92<sup>(3)</sup>, lays down rules for implementing these arrangements;

Whereas under the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations<sup>(4)</sup>, the Community undertook to replace variable levies by customs duties from 1 July 1995; whereas there is a danger that this substitution will make the special arrangements unworkable so that, pending the conclusion of a new arrangement with Turkey, there should be a transitional derogation from Regulation (EEC) No 1180/77 while the main points of the arrangements are retained;

Whereas the benefits granted to Turkey may be temporarily replaced by reducing the customs duties on durum wheat and canary grass by an amount equal to that

previously granted; whereas the concession for rye may also be continued by reducing the duty applicable provided that a special export tax is levied; whereas the concession relating to malt should be replaced by a flat-rate reduction in the duty laid down in the Common Customs Tariff by an amount equal to half the fixed component of the levy currently applicable;

Whereas, furthermore, amounts expressed in 'units of account' should be replaced by amounts expressed in ecus;

Whereas the rates of Common Customs Tariff duties for imports of durum wheat, canary grass and rye are those applicable at the date mentioned in Article 67 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(5)</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*

Notwithstanding Articles 6, 7 and 8 of Regulation (EEC) No 1180/77, this Regulation lays down provisions applicable to the special arrangements for the import of durum wheat, canary grass, rye and malt originating in Turkey for the period from 1 July 1995 to 30 June 1996.

*Article 2*

The rates of duty applicable to imports into the Community of durum wheat and canary grass falling within CN codes 1001 10 00 and 1008 30 00 respectively, originating in Turkey and directly transported from the country to the Community, shall be those fixed pursuant to Article 10 (2) of Council Regulation (EEC) No 1766/92<sup>(6)</sup> less ECU 0,73 per tonne.

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 142, 9. 6. 1977, p. 10.

<sup>(3)</sup> OJ No L 192, 15. 6. 1992, p. 3.

<sup>(4)</sup> OJ No L 336, 23. 12. 1994, p. 22.

<sup>(5)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(6)</sup> OJ No L 181, 1. 7. 1992, p. 21.

*Article 3*

1. The rate of duty applicable to imports into the Community of rye falling within CN code 1002 00 00, originating in Turkey and directly transported from that country of the Community, shall be that fixed pursuant to Article 10 (2) of Regulation (EEC) No 1766/92 less the amount of the special export tax levied by Turkey on exports of that product to the Community or ECU 11,68 per tonne, whichever is the less.

2. The arrangements provided for in paragraph 1 shall apply to all imports in respect of which the importer can prove that the exporter has paid a special export tax not exceeding the amount fixed pursuant to Article 10 (2) of Regulation (EEC) No 1766/92 or ECU 11,68 per tonne.

*Article 4*

The rates of customs duty fixed in the Common Customs Tariff for the products listed below originating in Turkey is hereby reduced by ECU 6,57 per tonne :

CN code	Description
1107 10	Malt, not roasted
1107 20 00	Malt roasted

*Article 5*

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 to 30 June 1996.

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

Done at Brussels, 1 August 1995.

*For the Commission*  
Hans VAN DEN BROEK  
*Member of the Commission*

**COMMISSION REGULATION (EC) No 1906/95**  
of 1 August 1995

**correcting Regulation (EC) No 1502/95 on rules of application (cereal sector import duties 1995/96 marketing year) for Council Regulation (EEC) No 1766/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and by Regulation (EC) No 1863/95<sup>(2)</sup>, and in particular Article 10 (4) thereof,

Whereas Commission Regulation (EC) No 1502/95<sup>(3)</sup>, as amended by Regulation (EC) No 1817/95<sup>(4)</sup>, mentions in Article 2 (5) the conditions imposed to the importer in order to benefit from a reduction of ECU 8 per tonne concerning the import of certain cereals;

Whereas a check revealed that the English published version does not correspond to the measures presented for the opinion of the Management Committee; whereas, therefore, Article 2 (5) of Regulation (EC) No 1502/95 must be corrected in the English version,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Article 2 (5), first subparagraph of Regulation (EC) No 1502/95 is hereby replaced by the following:

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

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

provided the importer shows that a quality premium on the normal product price could have been paid.'

2. Article 2 (5), second subparagraph, first line of Regulation (EC) No 1502/95 is hereby replaced by the following:

'The reduction is conditional on:'

3. Article 2 (5) (c) of Regulation (EC) No 1502/95 is hereby replaced by the following:

- (c) the lodging by the importer, at the time of application for the import licence of a security of ECU 8 per tonne. This security shall be released on production of evidence of the specific final use warranting a quality premium over the normal product price. It must be shown to the satisfaction of the competent authorities of the Member State of importation that all the cereals imported have been processed into the product specified in the declaration indicated at (a) within the time limit indicated at (b). If processing is carried out in a Member State other than that of importation evidence of processing shall be provided by means of the T5 control copy.'

*Article 2*

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

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

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

Done at Brussels, 1 August 1995.

*For the Commission*

Hans VAN DEN BROEK

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 179, 29. 7. 1995, p. 1.

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

<sup>(4)</sup> OJ No L 175, 27. 7. 1995, p. 23.

**COMMISSION REGULATION (EC) No 1907/95**  
**of 1 August 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 2 August 1995.

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

Done at Brussels, 1 August 1995.

*For the Commission*  
Hans VAN DEN BROEK  
*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 1 August 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 <sup>(1)</sup>	Standard import value	CN code	Third country code <sup>(1)</sup>	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	62,8
	066	41,7		400	65,5
	068	32,4		508	84,3
	204	50,9		512	45,9
	212	117,9		524	45,8
	624	75,0		528	62,1
	999	63,7		800	100,4
0707 00 25	052	50,1	0808 20 57	804	84,8
	053	166,9		999	70,1
	060	39,2		052	77,7
	066	53,8		388	62,1
	068	60,4		512	42,7
	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	59,4
	204	77,5		052	234,8
	624	196,3		061	182,0
	999	109,8		064	254,1
0805 30 30	388	62,0	0809 30 41, 0809 30 49	068	262,6
	512	77,7		400	175,6
	524	54,6		624	239,5
	528	61,1		676	166,2
	600	54,7		999	216,4
	624	78,0		052	59,2
	999	64,7		220	121,8
	0806 10 40	052		134,2	0809 40 30
400		132,4	999	95,9	
412		132,4	064	97,3	
512		185,6	624	202,5	
600		95,2	999	149,9	
624		121,8			
999		133,6			

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

**COMMISSION REGULATION (EC) No 1908/95**  
**of 1 August 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<sup>(1)</sup>,

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<sup>(2)</sup>, and in particular Article 5 (1) thereof,

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

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

Whereas the guide price of unginning 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2046/93<sup>(4)</sup>, 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<sup>(5)</sup>, 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 unginning 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<sup>(6)</sup>, as last amended by Regulation (EC) No 1554/95, should be used, following the procedures referred to in Commission Regulation (EC) No 1234/95<sup>(7)</sup>, as last amended by Regulation (EC) No 1583/95<sup>(8)</sup>; 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 unginning cotton referred to in Article 5 of Regulation (EC) No 1554/95 shall be fixed for the 1995/96 marketing year at:

- ECU 75,589 per 100 kilograms for Spain,
- ECU 57,305 per 100 kilograms for Greece.

2. However, the amount of the aid will be replaced with effect from 2 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 2 August 1995.

<sup>(1)</sup> OJ No L 148, 30. 6. 1995, p. 45.

<sup>(2)</sup> OJ No L 148, 30. 6. 1995, p. 48.

<sup>(3)</sup> OJ No L 123, 4. 5. 1989, p. 23.

<sup>(4)</sup> OJ No L 185, 28. 7. 1993, p. 19.

<sup>(5)</sup> OJ No L 184, 3. 7. 1987, p. 14.

<sup>(6)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(7)</sup> OJ No L 121, 1. 6. 1995, p. 21.

<sup>(8)</sup> OJ No L 150, 1. 7. 1995, p. 79.

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

Done at Brussels, 1 August 1995.

*For the Commission*  
Hans VAN DEN BROEK  
*Member of the Commission*

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## COMMISSION DIRECTIVE 95/40/EC

of 19 July 1995

## amending Directive 92/76/EEC recognizing protected zones exposed to particular plant health risks in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>(1)</sup>, as last amended by Commission Directive 95/4/EC<sup>(2)</sup>, and in particular the first subparagraph of Article 2 (1) (h) thereof,

Having regard to Commission Directive 92/76/EEC of 6 October 1992 recognizing protected zones exposed to particular plant health risks in the Community<sup>(3)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 2 thereof,

Whereas under Commission Directive 92/76/EEC certain zones in the Community were recognized as 'protected zones' in respect of certain harmful organisms for a period expiring on 1 July 1995;

Whereas, based on recent new information provided by Greece, Italy and France, it appears that it is no longer appropriate to maintain the 'protected zones' recognized for these countries in respect of, for Greece, *Ips sexdentatus* Boerner, for Italy, *Anthonomus grandis* (Boh.) and *Glomerella gossypii* Edgerton, and for France, *Cephalcia lariciphila* (Klug.) and *Gilpinia hercyniae* (Hartig), because these organisms seem to be present locally;

Whereas, also from new information provided by France and Portugal, it appears that the extent of the 'protected zones' recognized for these countries should be amended in respect of, for France, *Erwinia amylovora* (Burr.) Winsl. et al., and for Portugal, *Bemisia tabaci* Genn. (European populations), because these organisms now seem to be present in parts of the relevant designated 'protected zone'; whereas also the extent of the protected zones recognized for the United Kingdom in respect of *Cephalcia lariciphila* (Klug.), *Dendroctonus micans* Kugelan, *Gilpinia hercyniae* (Hartig), *Gremmeniella abietina* (Lag.) Morelet, *Hyphoxylon mammatum* (Wahl.) J. Miller and *Pissodes* spp. (European) and for Portugal in respect of *Dendroctonus micans* Kugelan, *Ips amitinus*

Eichhof, *Ips cembrae* Heer, *Ips duplicatus* Sahlberg and *Ips typographus* Heer should be modified to take account of the concern in relation to the relevant host plants of these organisms;

Whereas from new information supplied by Sweden and Finland the area of protected zone recognized for Sweden in respect of *Leptinotarsa decemlineata* Say should be extended and a protected zone should be recognized for Finland in respect of *Leptinotarsa decemlineata* Say;

Whereas furthermore the recognition of 'protected zones' was provisional until the results of appropriate surveys monitored by Commission experts confirmed that one or more of the harmful organisms in respect of which the zones were recognized as protected zones were not endemic or established in those zones in accordance with Article 2 (1) (h) of Council Directive 77/93/EEC;

Whereas for certain protected zones further developments on the harmful organisms concerned and their respective surveys have occurred; whereas it is, therefore, appropriate to extend the provisional recognition for a further period to enable information on the developments to be evaluated by the said Commission experts;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

## Article 1

Article 1 of Directive 92/76/EEC is hereby replaced as follows:

## 'Article 1

The zones in the Community listed in the Annex are hereby recognized as "protected zones" referred to in the first subparagraph of Article 2 (1) (b) of Directive 77/93/EEC, in respect of harmful organism(s) listed against their names in the Annex; in the case of points (a), 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15 and 17, (b) 1, 2 and 3, (c) 1, 2, 3, 4 and 5, and (d) 1, 3 and 4 the said zones are recognized for a period expiring on 1 April 1996.

In the case of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden, the said zones shall be recognized until 31 December 1996.'

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 20.

<sup>(2)</sup> OJ No L 44, 28. 2. 1995, p. 56.

<sup>(3)</sup> OJ No L 305, 21. 10. 1992, p. 12.



*Article 2*

The Annex to Directive 92/76/EEC is hereby amended as indicated in the Annex to this Directive.

*Article 3*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 1 July 1995. They shall immediately inform the Commission thereof.

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

2. Member States shall immediately communicate to the Commission the essential provisions of domestic law

which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

*Article 4*

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

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 19 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX

1. In point (a) 1, in the right hand column 'Italy' is deleted.
  2. In point (a) 2, in the right hand column 'Portugal' is replaced by 'Portugal (Entre Douro e Minho, Trar-os-Montes, Beira Litoral, Beira Interior, Ribatejo e Oeste, Alentejo, Madeira and Azores)'.
  3. In points (a) 3 and 5, in the right hand column 'France' is deleted and 'United Kingdom (Northern Ireland and the Isle of Man)' is replaced by 'United Kingdom (Northern Ireland, Isle of Man and Jersey)'.
  4. In point (a) 4, in the right hand column 'Portugal' is deleted and 'Jersey' is added after 'Northern Ireland'.
  5. In points (a) 7, 8, 9 and 11, in the right hand column 'Portugal' is deleted.
  6. In point (a) 10, in the right hand column 'Greece' is deleted.
  7. In point (a) 12, the right hand column is altered as follows :  
'Spain (Menorca and Ibiza), Ireland, Portugal (Azores and Madeira), United Kingdom, Sweden (Malmöhus, Kristianstads, Blekinge, Kalmar, Gotlands Län, Halland), Finland (the districts of Åland, Turku, Uusimaa, Kymi, Häme, Pirkanmaa, Satakunta)'.
  8. In point (a) 14, in the right hand column 'United Kingdom (Northern Ireland and the Isle of Man)' is replaced by 'United Kingdom (Northern Ireland, Isle of Man and Jersey)'.
  9. In point (b) 2, 'France (Champagne-Ardenne, Alsace (except Department Bas Rhin), Lorraine, Franche-Comté, Rhône-Alpes, Bourgogne, Auvergne, Provence-Alpes-Côte d'Azur, Corse, Languedoc-Roussillon)' is replaced by 'France (Champagne-Ardenne, Alsace (except Department Bas Rhin), Lorraine, Franche-Comté, Rhône-Alpes (except Department Rhône), Bourgogne, Auvergne (except Department Puy de Dôme), Provence-Alpes-Côte d'Azur, Corse, Languedoc-Roussillon)'.
  10. In point (c) 1, in the right hand column 'Italy (Sicily)' is deleted.
  11. In points (c) 2 and 3, in the right hand column 'United Kingdom (Northern Ireland and the Isle of Man)' is replaced by 'United Kingdom (Northern Ireland)'.
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## COMMISSION DIRECTIVE 95/41/EC

of 19 July 1995

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>(1)</sup>, as last amended by Commission Directive 95/4/EC<sup>(2)</sup>, and in particular Article 13, second subparagraph, third indent thereof,

Whereas certain provisions on protective measures in France against *Cephalcia lariciphila* (Klug.), *Erwinia amylovora* (Burr.) Winsl. et al. and *Gilpinia hercyniae* (Hartig), in Italy against *Anthonomus grandis* (Boh.) and *Glomerella gossypii* Edgerton, in Portugal against *Bemisia tabaci* Genn. (European populations), and in the United Kingdom against *Cephalcia lariciphila* (Klug.) *Gilpinia hercyniae* (Hartig), *Gremminiella abietina* (Lag.) Morelet and *Hypoxylon mammatum* (Wahl.) J. Miller should be modified because it is no longer appropriate to maintain the current provision set out in the said Directive;

Whereas similarly, certain provisions on protective measures in Portugal against certain bark beetles, i.e. *Dendroctonus micans* Kugelan, *Ips amitinus* Eichhof, *Ips cembrae* Heer, *Ips duplicatus* Sahlberg and *Ips typographus* Heer, in Greece against the bark beetle *Ips sexdentatus* Boerner and in the United Kingdom against the bark beetles *Dendroctonus micans* Kugelan and *Pissodes* spp. (European), should be modified because it is no longer appropriate to maintain the current provisions set out in the said Directive;

Whereas certain provisions on protective measures in Sweden against *Leptinotarsa decemlineata* Say should be modified because it has been determined that the said organism is not present in a much larger area than originally recognized; whereas furthermore certain provisions on protective measures in some part of Finland against *Leptinotarsa decemlineata* Say should be improved;

Whereas these amendments are in agreement with the requests of the Member States concerned;

Whereas therefore the relevant Annexes of the said Directive 77/93/EEC should be amended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

## Article 1

Directive 77/93/EEC is hereby amended as indicated in the Annex to this Directive.

## Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 1 July 1995. They shall forthwith inform the Commission thereof.

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

2. The Member States shall immediately communicate to the Commission the essential provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

## Article 3

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

## Article 4

This Directive is addressed to the Member States.

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 20.

<sup>(2)</sup> OJ No L 44, 28. 2. 1995, p. 56.

## ANNEX

1. In Annex I, part B, point (a) 1, the right hand column is altered as follows :  
'DK, IRL, P (Entre Douro e Minho, Traz-os-Montes, Beira Litoral, Beira Interior, Ribatejo e Oeste, Alentejo, Madeira and Azores), UK, S, FI'.
2. In Annex I, part B, point B, point (a) 2, the right hand column is altered as follows :  
'E (Menorca and Ibiza), IRL, P (Azores and Madeira), UK, S (Malmöhus, Kristianstads, Blekinge, Kalmar, Gotlands Län, Halland), FI (the districts of Åland, Turku, Uusimaa, Kymi, Häme, Pirkanmaa, Satakunta)'.
3. In Annex II, part B, point (a) 1, the right hand column is altered as follows :  
'EL, E'.
4. In Annex II, part B, point (a) 2, the right hand column is altered as follows :  
'IRL, UK (N-IRL, Isle of Man and Jersey)'.
5. In Annex II, part B, point (a) 3, the right hand column is altered as follows :  
'EL, E, IRL, UK (\*)', and 'Jersey' is added to the protected zone referred to in (\*).
6. In Annex II, part B, point (a) 4, the right hand column is altered as follows :  
'EL, IRL, UK (N-IRL, Isle of Man and Jersey)'.
7. In Annex II, part B, point (a) 6, the right hand column is altered as follows :
  - for point 6 (a), 'EL, E, F (Corsica), IRL, UK',
  - for point 6 (b), 'EL, E, IRL, UK (N-IRL, Isle of Man)',
  - for point 6 (c), 'EL, E, IRL, UK',
  - for point 6 (d), 'IRL, UK (N-IRL, Isle of Man)',
  - for point 6 (e), 'EL, E, IRL, UK'.
8. In Annex II, part B, point (a) 8, the right hand column is altered as follows :  
'IRL, UK (N-IRL, Isle of Man and Jersey)'.
9. In Annex II, part B, point (b) 2, the right hand column is altered as follows :  
'E, F (Champagne-Ardenne, Alsace — except department of Bas Rhin—, Lorraine, Franche-Comté, Rhône-Alpes — except department of Rhône —, Bourgogne, Auvergne — except department of Puy de Dôme —, Provence-Alpes-Côte d'Azur, Corse, Languedoc-Roussillon), IRL, I, P, UK (N-IRL, Isle of Man and the Channel Islands), A, FI'.
10. In Annex II, part B, point (c) 1, the right hand column is altered as follows :  
'EL'.
11. In Annex II, part B, point (c) 2, the right hand column is altered as follows :  
'IRL, UK (N-IRL)'.
12. In Annex II, part B, point (c) 3, the right hand column is altered as follows :  
'IRL, UK (N-IRL)'.
13. In Annex IV, part B, points 1, 7 and 14.1, the right hand column is altered as follows :  
'EL, E, IRL, UK (\*)' and 'Jersey' is added to the protected zone referred to in (\*).
14. In Annex IV, part B, points 2, 8 and 14.4, the right hand column is altered as follows :  
'EL, E, IRL, UK'.
15. In Annex IV, part B, points 3, 9 and 14.6, the right hand column is altered as follows :  
'EL, E, IRL, UK'.
16. In Annex IV, part B, points 4, 10 and 14.2, the right hand column is altered as follows :  
'EL, E, F (Corsica), IRL, UK'.

17. In Annex IV, part B, points 5, 11 and 14.3, the right hand column is altered as follows :  
'EL, E, IRL, UK (N-IRL, Isle of Man)'.
  18. In Annex IV, part B, points 6, 12 and 14.5, the right hand column is altered as follows :  
'IRL, UK (N-IRL, Isle of Man)'.
  19. In Annex IV, part B, points 6.1, 13 and 14.8, the right hand column is altered as follows :  
'IRL, UK (N-IRL, Isle of Man and Jersey)'.
  20. In Annex IV, part B, point 15, the right hand column is altered as follows :  
'IRL, UK (N-IRL, Isle of Man and Jersey)'.
  21. In Annex IV, part B, point 16, the right hand column is altered as follows :  
'IRL, UK (N-IRL)'.
  22. In Annex IV, part B, point 18, the right hand column is altered as follows :  
'EL, IRL, UK (N-IRL, Isle of Man and Jersey)'.
  23. In Annex IV, part B, point 21, the right hand column is altered as follows :  
'E, F (Champagne-Ardenne, Alsace — except department of Bas Rhin —, Lorraine, Franche-Comté, Rhône-Alpes — except department of Rhône —, Bourgogne, Auvergne — except department of Puy de Dome —, Provence-Alpes-Côte d'Azur, Corse, Languedoc-Roussillon), IRL, I, P, UK (N-IRL, Isle of Man and the Channel Islands), A, FI'.
  24. In Annex IV, part B, point 24, the right hand column is altered as follows :  
'DK, IRL, P (Entre Douro e Minho, Traz-os-Montes, Beira Litoral, Beira Interior, Ribatejo e Oeste, Alentejo, Madeira and Azores), UK, S, FI'.
  25. In Annex IV, part B, points 28, the right hand column is altered as follows :  
'EL'.
-

## COMMISSION DIRECTIVE 95/42/EC

of 19 July 1995

amending Directive 93/102/EC amending Directive 79/112/EEC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 79/112/EEC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer<sup>(1)</sup>, as last amended by Commission Directive 93/102/EC<sup>(2)</sup>, and in particular Article 6 (5) (b) thereof, first and second indent,

Whereas Article 3 of Directive 93/102/EC states that Member States shall, if appropriate, amend their laws, regulations and administrative provisions so that they prohibit trade in products not complying with the Directive with effect from 30 June 1996;

Whereas trade in products labelled before that date whose list of ingredients states the name of a category of ingredients not appearing in the Directive 93/102/EC is not permitted after that date;

Whereas relabelling of the foodstuffs is difficult to envisage technically and a clause providing for disposal of stocks labelled before the transposition deadline therefore needs to be included;

Whereas the measures laid down by this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

The following sentence shall be added to Article 3, second paragraph, second indent, of Directive 93/102/EC:

'However, trade in products placed on the market or labelled before that date and not complying with this Directive shall be permitted for as long as stocks last'.

*Article 2*

The present Directive enters into effect on the 20th day following its publication in the *Official Journal of the European Communities*.

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 19 July 1995.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 33, 8. 2. 1979, p. 1.

<sup>(2)</sup> OJ No L 291, 25. 11. 1993, p. 14.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 17 July 1995

on a common technical regulation for public land-based European radio message system (ERMES) receiver requirements

(Text with EEA relevance)

(95/290/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity<sup>(1)</sup>, as amended by Directive 93/68/EEC and extended by 93/97/EEC<sup>(2)</sup>, and in particular Article 6 (2) thereof,

Having regard to Council Directive 90/544/EEC<sup>(3)</sup> of 9 October 1990 on the frequency bands designated for the coordinated introduction of pan-European land-based public radio paging in the Community,

Having regard to Council recommendation 90/543/EEC<sup>(4)</sup> of 9 October 1990 on the coordinated introduction of pan-European land based public radio paging in the Community, which, in combination with Directive 90/544/EEC, stipulates that ERMES is a service which the Council has decided that there should be Community-wide availability,

Whereas the Commission, in accordance with the procedure laid down in Article 14 of Council Directive 91/263/EEC and in particular in accordance with the

opinion delivered on 20 February 1992 by the Approvals Committee for Terminal Equipment (ACTE), has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required as well as the associated scope statement;

Whereas the relevant standardization body has prepared the harmonized standards implementing the essential requirements applicable;

Whereas the Commission has submitted the draft measure for an opinion of ACTE in accordance with the second indent of Article 6 (2), of Directive 91/263/EEC;

Whereas the Commission under the terms of the second indent of Article 6 (2) of Directive 91/263/EEC is responsible for adopting the corresponding harmonized standards implementing the essential requirements which shall be transformed into common technical regulations;

Whereas the common technical regulation adopted in this Decision is in accordance with the opinion of ACTE delivered on 7 November 1994,

HAS ADOPTED THIS DECISION:

*Article 1*

1. This Decision shall apply to terminal equipment intended to be connected to the pan-European land-based public radio paging system code named european radio message system (ERMES) and falling within the scope of the harmonized standard identified in Article 2 (1) of this Decision.

<sup>(1)</sup> OJ No L 128, 23. 5. 1991, p. 1.

<sup>(2)</sup> OJ No L 220, 31. 8. 1993, p. 1 and OJ No L 290, 24. 11. 1993, p. 1.

<sup>(3)</sup> OJ No L 310, 9. 11. 1990, p. 28.

<sup>(4)</sup> OJ No L 310, 9. 11. 1990, p. 23.

2. This Decision establishes a common technical regulation covering the receiver requirements for the terminal equipment identified in paragraph 1.

*Article 2*

1. The common technical regulation shall include the harmonized standard having been prepared by the relevant standardization body implementing the essential requirements referred to in Articles 4 (e) and 4 (f) of Directive 91/263/EEC. The reference to this standard is set out in the Annex.

2. Terminal equipment falling within this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in points (a) and (b) of Article 4 of Directive 91/263/EEC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC<sup>(1)</sup> and 89/336/EEC<sup>(2)</sup>.

*Article 3*

Notified Bodies designated for carrying out the procedures referred to in Article 9 of Council Directive 91/263/EEC shall, as regards terminal equipment covered by Article 1 (1) of this Decision use or ensure the use of the harmonized standard referred to in the Annex by the date of coming into force of this Decision at the latest.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 17 July 1995.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 77, 26. 3. 1973, p. 29.

<sup>(2)</sup> OJ No L 139, 23. 5. 1989, p. 19.



*ANNEX***Reference to the Harmonized Standard Applicable**

The harmonized standard referred to Article 2 of the Decision is :

radio equipment and systems (RES)  
European radio message system (ERMES)  
receiver requirements

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 7 — November 1994

(excluding the foreword)

**Additional information**

The European Telecommunications Standards Institute is recognized according to Directive 83/189/EEC<sup>(1)</sup>.

The harmonized standard referred to above has been produced according to a mandate issued in accordance with relevant procedures of Directive 83/189/EEC.

The full text of the harmonized standard referenced above can be obtained from :

European Telecommunications Standards Institute  
F-06921 Sophia Antipolis Cedex

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<sup>(1)</sup> OJ No L 109, 26. 4. 1983, p. 8.

## COMMISSION DECISION

of 18 July 1995

on special financial contributions from the Community for the eradication of Newcastle disease in Portugal

(Only the Portuguese text is authentic)

(95/291/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field<sup>(1)</sup>, as last amended by Decision 94/370/EC<sup>(2)</sup>, and in particular Articles 3 and 4 thereof,

Whereas outbreaks of Newcastle disease occurred in Portugal in 1993 and 1994; whereas the appearance of this disease is a serious danger to the Community's poultry and, in order to help eradicate the possibility of compensating for the losses suffered;

Whereas, as soon as the presence of Newcastle disease was officially confirmed the Portuguese authorities took appropriate measures which included the measures as listed in Article 3 (2) of Decision 90/424/EEC; whereas such measures were notified by the Portuguese authorities;

Whereas the conditions for Community financial assistance have been met;

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*

For outbreaks of Newcastle disease which occurred during 1993 and 1994 Portugal may obtain Community financial

assistance. The financial contribution by the Community shall be:

- 50 % of the costs incurred by Portugal in compensating owners for the slaughter, destruction of poultry and poultry products as appropriate,
- 50 % of the costs incurred by Portugal for the cleaning and disinfection of holdings and equipment,
- 50 % of the costs incurred by Portugal in compensating owners for the destruction of contaminated feedingstuffs and contaminated equipment.

*Article 2*

1. The Community financial contribution shall be granted after supporting documents have been submitted.
2. The documents referred to in paragraph 1 shall be sent by Portugal no later than six months from the notification of this Decision.

*Article 3*

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 18 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 19.<sup>(2)</sup> OJ No L 168, 2. 7. 1994, p. 31.

## COMMISSION DECISION

of 18 July 1995

## on special financial contributions from the Community for the eradication of Newcastle disease in Spain

(Only the Spanish text is authentic)

(95/292/EC)

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

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field <sup>(1)</sup>, as last amended by Decision 94/370/EC <sup>(2)</sup>, and in particular Articles 3 and 4 thereof,

Whereas outbreaks of Newcastle disease occurred in Spain in 1993; whereas the appearance of this disease is a serious danger to the Community's poultry and, in order to help eradicate the possibility of compensating for the losses suffered;

Whereas, as soon as the presence of Newcastle disease was officially confirmed the Spanish authorities took appropriate measures which included the measures as listed in Article 3 (2) of Decision 90/424/EEC; whereas such measures were notified by the Spanish authorities;

Whereas the conditions for Community financial assistance have been met;

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*

For outbreaks of Newcastle disease which occurred during 1993 Spain may obtain Community financial assistance. The financial contribution by the Community shall be:

- 50 % of the costs incurred by Spain in compensating owners for the slaughter, destruction of poultry and poultry products as appropriate,
- 50 % of the costs incurred by Spain for the cleaning and disinfection of holdings and equipment,
- 50 % of the costs incurred by Spain in compensating owners for the destruction of contaminated feeding-stuffs and contaminated equipment.

*Article 2*

1. The Community financial contribution shall be granted after supporting documents have been submitted.
2. The documents referred to in paragraph 1 shall be sent by Spain no later than six months from the notification of this Decision.

*Article 3*

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 18 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 19.

<sup>(2)</sup> OJ No L 168, 2. 7. 1994, p. 31.

## COMMISSION DECISION

of 18 July 1995

## on special financial contributions from the Community for the eradication of Newcastle disease in Germany

(Only the German text is authentic)

(95/293/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field<sup>(1)</sup>, as last amended by Decision 94/370/EC<sup>(2)</sup>, and in particular Articles 3 and 4 thereof,

Whereas outbreaks of Newcastle disease occurred in Germany in 1993; whereas the appearance of this disease is a serious danger to the Community's poultry and, in order to help eradicate the possibility of compensating for the losses suffered;

Whereas, as soon as the presence of Newcastle disease was officially confirmed the German authorities took appropriate measures which included the measures as listed in Article 3 (2) of Decision 90/424/EEC; whereas such measures were notified by the German authorities;

Whereas the conditions for Community financial assistance have been met;

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*

For outbreaks of Newcastle disease which occurred during 1993 Germany may obtain Community financial assistance. The financial contribution by the Community shall be:

- 50 % of the costs incurred by Germany in compensating owners for the slaughter, destruction of poultry and poultry products as appropriate,
- 50 % of the costs incurred by Germany for the cleaning and disinfection of holdings and equipment,
- 50 % of the costs incurred by Germany in compensating owners for the destruction of contaminated feedingstuffs and contaminated equipment.

*Article 2*

1. The Community financial contribution shall be granted after supporting documents have been submitted.
2. The documents referred to in paragraph 1 shall be sent by Germany no later than six months from the notification of this Decision.

*Article 3*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 18 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 19.

<sup>(2)</sup> OJ No L 168, 2. 7. 1994, p. 31.

**COMMISSION DECISION**

of 24 July 1995

**determining the specimen animal health certificate for trade in ova and embryos  
of the equine species**

(Text with EEA relevance)

(95/294/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subjected to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC<sup>(1)</sup>, as amended by Commission Decision 95/176/EC<sup>(2)</sup>, in particular Article 11 (3) thereof,

Whereas in Annex D of Directive 92/65/EEC the Council laid down sanitary conditions for the collection, processing, storage and transport of ova and embryos and health conditions applied to the donor mares;

Whereas the specimen animal health certificate for trade in ova and embryos of equidae must be defined in accordance with that Directive;

Whereas Commission Decision 95/176/EC amending the Annexes of Directive 92/65/EEC in respect of semen, ova and embryos of equidae is applicable from 1 October 1995; whereas therefore the veterinary certification for trade in ova and embryos of the equine species apply at the same time;

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*

Member States shall ensure that only ova and embryos of the equine species are sent from their territory to the territory of another Member State which are accompanied during the transport by a duly completed health certificate corresponding to the specimen in the Annex.

*Article 2*

This Decision is applicable from 1 October 1995.

*Article 3*

This Decision is addressed to all Member States.

Done at Brussels, 24 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 268, 14. 9. 1992, p. 54.

<sup>(2)</sup> OJ No L 117, 24. 5. 1995, p. 23.

## ANNEX

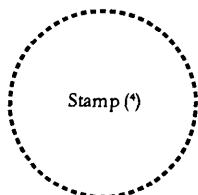
**ANIMAL HEALTH CERTIFICATE**  
for the trade in ova and embryos of the equine species

1. Consignor (name and full address)	<b>ANIMAL HEALTH CERTIFICATE</b>	
	No	ORIGINAL
	2. Member State of collection	
3. Consignee (name and full address)	4. Competent authority	
<i>Notes</i> (a) A separate certificate must be issued for each consignment of ova/embryos (b) The original of this certificate must accompany the consignment to the place of destination	5. Competent local authority	
6. Place of loading	7. Name and address of the collection team	
8. Means of transport		
9. Place and Member State of destination	10. Registration number of the collection team	
11. Number and code-mark of containers		
12. Identification of consignment (ova/embryos) (*)		
12.1. Number of containers	12.3. Species	12.5. Donors identity
12.2. Date(s) of collection	12.4. Breed	

(\*) Delete as appropriate.

- 13. I, the undersigned official veterinarian, certify that :
  - 13.1. ova/embryos <sup>(1)</sup> described above were collected by a collection team approved by the competent authority and processed in an appropriate laboratory
  - 13.2. ova/embryos <sup>(1)</sup> were collected from donor mares which :
    - 13.2.1. on the day of collection have been located in premises situated on the territory or in the case of regionalization in a part of the territory of a Member State which is in accordance with EC-legislation considered free of African horse sickness ;
    - 13.2.2. have been located in holdings under veterinary supervision which on the day of collection fulfilled the conditions of Article 4 of Council Directive 90/426/EEC <sup>(2)</sup> ;
    - 13.2.3. have been kept prior to the collection in holdings free from clinical signs of contagious equine metritis for 60 days ;
    - 13.2.4. have not been used for natural breeding during the period of 30 days prior to the collection of ova/embryos <sup>(1)</sup> ;
    - 13.2.5. to the best of my knowledge and as far as I could ascertain, have not been in contact with equidae suffering from an infectious or contagious disease during the 15 days immediately preceding the collection of ova/embryos <sup>(1)</sup> ;
    - 13.2.6. have on the day of collection not shown clinical signs of an infectious or contagious disease ;
  - 13.3. the semen used for the artificial insemination of the donor mares complies the requirements of Directive 92/65/EEC <sup>(3)</sup> ;
  - 13.4. the ova used for the *in vivo* production of embryos comply the requirements of Directive 92/65/EEC <sup>(1)</sup> ;
  - 13.5. ova/embryos <sup>(1)</sup> were collected, processed, stored and transported under conditions which comply the requirements of Annex D of Directive 92/65/EEC ;

Done at .....



.....  
(Signature)

.....  
Name and qualification (in block letters):

(1) Delete as appropriate.  
 (2) OJ No L 224, 18. 8. 1990, p. 42.  
 (3) Does not apply to ova.  
 (\*) The signature and the stamp must be in a colour different to that of the printing.

## COMMISSION DECISION

of 26 July 1995

amending Decisions 92/325/EEC and 93/242/EEC as regards certain protection measures in relation to foot-and-mouth disease in certain European countries

(Text with EEA relevance)

(95/295/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 6 (2), 8, 14 (3) (c) and 16 thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries<sup>(2)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 19 (7) thereof,

Having regard to Council Directive 91/496/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<sup>(3)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 18 (7) thereof,

Whereas an outbreak of foot-and-mouth disease occurred in Bulgaria in May 1993; whereas vaccination was used in the subsequent control strategy;

Whereas Commission Decision 95/147/EC of 12 April 1995 amending Decisions 92/325/EEC and 93/242/EEC as regards certain protection measures in relation to foot-and-mouth disease in Bulgaria<sup>(4)</sup>, provides for the regionalization of Bulgaria regarding exports of certain live animals and products into the Community;

Whereas the animal health conditions and veterinary certification for imports of domestic animals of the bovine and porcine species from Bulgaria were esta-

blished by Commission Decision 92/325/EEC<sup>(5)</sup>, as last amended by Decision 95/147/EC;

Whereas Commission Decision 93/242/EEC of 30 April 1993 concerning the importation into the Community of certain live animals and their products originating in certain European countries in relation to foot-and-mouth disease<sup>(6)</sup>, as last amended by Decision 95/147/EC, lays down additional conditions regarding certification and prenotification of consignments from certain countries and parts of countries; whereas these conditions also apply to Bulgaria;

Whereas Directive 72/462/EEC requires freedom from foot-and-mouth disease, following on an outbreak and vaccination, for 24 months before a third country can be recognized as disease free;

Whereas Decision 93/242/EEC requires serological testing of certain animals for breeding and products before importation into the Community; whereas this testing may be discontinued where the exporting country in eastern Europe has been free of foot-and-mouth disease for at least two years, and where the history has been satisfactory;

Whereas, therefore, it is necessary to amend Decisions 92/325/EEC and Decision 93/242/EEC to recognize the foot-and-mouth disease-free status of all of Bulgaria;

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*

In Annexes A, B, C and D, Section V, point 1 to Decision 92/325/EEC '(excluding the district of Hasskovo)' is deleted.

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(3)</sup> OJ No L 268, 24. 9. 1991, p. 56.

<sup>(4)</sup> OJ No L 96, 28. 4. 1995, p. 51.

<sup>(5)</sup> OJ No L 177, 30. 6. 1992, p. 52.

<sup>(6)</sup> OJ No L 110, 4. 5. 1993, p. 36.



*Article 2*

Decision 93/242/EEC is hereby amended as follows:

1. in Article 5 (2) (a) the second indent is deleted;
2. in Article 5 (2) (d), '95/147/EC' is replaced by '95/295/EC';
3. in Article 5 (3) (a), first and second indents are deleted;
4. in Article 5 (3) (d), '95/147/EC' is replaced by '95/295/EC';
5. in Article 6 (2), '95/147/EC' is replaced by '95/295/EC';

6. in Article 7 (2), '95/147/EC' is replaced by '95/295/EC';

7. Annex B is replaced by the Annex to this Decision.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

*ANNEX**ANNEX B*

Countries or parts of countries subject to restrictions in Chapter II :

Slovenia  
Czech Republic  
Slovak Republic  
Hungary  
Romania  
Poland  
Estonia  
Former Yugoslav Republic of Macedonia<sup>(1)</sup>  
Lithuania  
Latvia  
Croatia<sup>(2)</sup>  
Bulgaria

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<sup>(1)</sup> For fresh meat and meat products only.

<sup>(2)</sup> Applicable only to the following provinces of Croatia : Zagrebacka, Krapinsko-Zagorska, Varazdinska, Koprivnicko-Krizevacka, Bjelovarsko-Bilogorska, Primorsko-Goranska, Viroviticko-Podravska, Pozesko-Slavonska, Istarska, Medimurska, and Grad Zagreb.

## COMMISSION DECISION

of 26 July 1995

concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 94/462/EC

(Text with EEA relevance)

(95/296/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<sup>(1)</sup>, as last amended by Directive 92/118/EEC<sup>(2)</sup> and, in particular, Article 10, paragraph 4 thereof,

Whereas as a result of outbreaks of classical swine fever in different parts of Germany, the Commission adopted Decision 94/462/EC of 22 July 1994 concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 94/178/EC<sup>(3)</sup>, as last amended by Decision 95/214/EC<sup>(4)</sup>;

Whereas a number of outbreaks of classical swine fever have occurred in Germany; whereas some of the outbreaks have occurred in parts with a high density of pigs and some in areas where the disease is present in the wild boar population;

Whereas in view of the trade in live pigs, these outbreaks are liable to endanger the herds of other Member States;

Whereas Germany has taken measures within the framework of Council Directive 90/217/EEC of 22 January 1980, introducing Community measures for the control of classical swine fever<sup>(5)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and, furthermore, has introduced further measures;

Whereas the protection measures introduced by Decision 94/462/EC, in the interest of clarity, must be repealed;

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*

1. Germany shall not send breeding pigs and production pigs to other Member States unless the pigs:

(a) come from a holding where no live pigs have been introduced during the 30-day period immediately prior to the dispatch of the pigs in question;

(b) have been subject to:

— a test for detecting antibodies to classical swine fever virus and found negative; this test shall be carried out in accordance with the provisions of Annex IV, point 1 of Council Directive 80/217/EEC within five days of certification,

— a test for detecting classical swine fever virus. The test shall be performed in accordance with the provisions of Annex I, chapter B to Directive 80/217/EEC or an antigen detection ELISA for classical swine fever virus approved by the competent authority of Germany. The examination for antigen shall be carried out within five days of certification;

(c) have undergone the clinical examination required in Council Directive 64/432/EEC<sup>(6)</sup> on the farm of origin. The examination shall comprise all pigs and related facilities on the holding of origin. The animals shall be identified by eartags at the holding of origin and at any assembly centre so that these can be ascertained and traced back. The means of transport shall carry an official seal.

2. The measures referred to in paragraph 1 (b) shall apply only to pigs from the areas described in Annex I.

3. Intra-Community movements of the animals referred to in paragraph 1 (a) shall only be allowed following three days advance notification to the central veterinary authority in the Member State of destination and dispatched by the local competent veterinary authority.

<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 29.

<sup>(2)</sup> OJ No L 62, 15. 3. 1993, p. 49.

<sup>(3)</sup> OJ No L 189, 27. 7. 1994, p. 89.

<sup>(4)</sup> OJ No L 133, 17. 6. 1995, p. 49.

<sup>(5)</sup> OJ No L 47, 21. 2. 1980, p. 11.

<sup>(6)</sup> OJ No 121, 29. 7. 1964, p. 1977/64.

*Article 2*

1. Germany shall not send to other Member States pigs for slaughter originating from holdings situated in the areas described in Annex I.
2. Germany shall ensure that pigs for slaughter originating from holdings situated in the areas described in Annex I are slaughtered:
  - (a) at slaughterhouses situated within the said areas whenever possible; or,
  - (b) at slaughterhouses in Germany designated by the competent veterinary authorities. The means of transport shall be officially sealed.

*Article 3*

The health certificate provided for in Council Directive 64/432/EEC accompanying pigs sent from Germany must be completed by the following:

'Animals in accordance with Commission Decision 95/296/EC of 26 July 1995 concerning certain protection measures relating to classical swine fever in Germany.'

*Article 4*

Germany shall carry out serological screening of pigs for antibodies to classical swine fever virus in accordance with the requirements of Annex II.

The results obtained from the screening programme, accompanied by an epidemiological analysis, shall be submitted monthly to the Commission.

*Article 5*

Germany shall ensure that vehicles which have been used for the transport of pigs are cleaned and disinfected after each operation, and shall furnish proof of such disinfection.

*Article 6*

Germany will take all appropriate measures to sanction any infringement of the present Decision, in particular when it is ascertained that the required documents cannot be presented.

In particular, whenever the transporter does not present the proof that the means of transport has been disinfected or the owner of the animals does not present the proof of the negative result of the tests and/or clinical examination, the following measures shall apply:

- (a) The means of transport and the pigs will be provisionally retained by the competent authority.
- (b) If, after a request by the competent authority, the situation cannot be regularized within a maximum delay of 24 hours:
  - the means of transport will be retained by the competent authority,
  - the pigs will be destroyed.

The means of transport will not be released, and the compensation for the destruction of the pigs will not be granted until after the adoption for a court or administrative decision.

*Article 7*

The 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 8*

The present Decision shall repeal Decision 94/462/EC.

*Article 9*

This Decision is addressed to the Member States.

Done at Brussels, 26 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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*ANNEX I*

- In Mecklenburg-Western Pommerania, the Kreise : Parchim, Mecklenburg-Strelitz, Bad Doberan, Güstrow, Müritz, Demmin, Ostvorpommern, Nordvorpommern, Stadtkreise Greifswald, Stralsund and Rostock.
- In Rhineland-Palatinate, the Kreise : Bad Dürkheim (including Stadt Neustadt/Weinstraße), Kaiserslautern (including Stadt Kaiserslautern), südliche Weinstraße (including Stadt Landau-Pfalz), Pirmasens (including Stadt Pirmasens), Germersheim, Ludwigshafen, Kusel, Donnersbergkreis, Alzey-Worms and Worms.
- In Lower Saxony, the Kreise : Soltau-Fallingb., Celle, Uelzen, Gifhorn, Vechta, Osnabrück (Stadt and Land), Diepholz, Oldenburg and Cloppenburg.
- Any Kreis where a new outbreak occurs outside the abovementioned areas. The measures referred to in Article 1 (2) and Article 2 shall apply for a period of 60 days following the last outbreak in the Kreis in question. Germany shall inform Member States and the Commission about measures established and repealed.

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*ANNEX II***Serological screening for antibodies to classical swine fever (HC Virus)**

The German authorities shall carry out a serological screening programme which samples the equivalent of 5 % of the national sow and boar populations each year (100 000 samples p.a.).

The screening programme shall, where possible make use of serum samples collected during the national programme for the eradication of Aujeszky's Disease. It will also concentrate on the herds or animals most likely to be at risk from classical swine fever :

- small breeding herds near towns or on farms where sows are fattened for slaughter and may have been fed with swill,
  - boars used for natural service particularly boars used on several farms,
  - herds in areas containing wild boar,
  - herds in Regierungsbezirke that have recorded classical swine fever outbreaks since 1 May 1995.
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**CORRIGENDA**

**Corrigendum to Commission Regulation (EC) No 1735/95 of 14 July 1995 on the issuing of export licences for products processed from fruit and vegetables**

*(Official Journal of the European Communities No L 165, 15 July 1995)*

On page 14 in the second paragraph of Article 1 :

*for: '... 25 August 1995 ...',*

*read: '... 25 October 1995 ...'.*

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