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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2236/95

of 18 September 1995

laying down general rules for the granting of Community financial aid in the field of trans-European networks

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third paragraph of Article 129d thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽⁴⁾,

Whereas under Article 3 (n) of the Treaty the activities of the Community should include encouragement for the establishment and development of trans-European networks;

Whereas Article 129b of the Treaty states that to help achieve the objectives referred to in Articles 7a and 130a of the Treaty the Community shall contribute to the establishment and development of trans-European networks in the areas of transport, telecommunications and energy infrastructures;

Whereas Article 129b (2) of the Treaty is aimed at promoting the interconnection and interoperability of national networks as well as access to such networks and must take account in particular of the need to link island, land-

locked and peripheral regions with the central regions of the Community;

Whereas Article 129c of the Treaty provides that the Community shall establish a series of guidelines covering the objectives, priorities and broad lines of measures envisaged in the sphere of trans-European networks and that it may support the financial efforts of the Member States to establish trans-European networks;

Whereas general rules should be laid down for the Community financing of trans-European networks, thereby permitting implementation of this Article;

Whereas under Article 129c of the Treaty Community aid may be granted to projects of common interest which are identified in the framework of the guidelines;

Whereas the guidelines referred to in Article 129c (1) of the Treaty, proposed by the Commission, are under consideration by the European Parliament and the Council; whereas, should the decisions adopting these guidelines not have entered into force when this Regulation enters into force, provision should be made on a transitional basis for a possible Community contribution to specific priority projects within the limits of the appropriations available for the financial year 1995 and at the latest until 31 December 1995;

Whereas involvement of private capital funding trans-European networks should be increased and the partnership between the public and private sectors developed;

Whereas Community aid may take the form in particular of feasibility studies, loan guarantees or interest rate subsidies; whereas these subsidies and guarantees relate in particular to financial support from the European Investment Bank or other public or private financial bodies; whereas in certain duly justified cases direct grants to investments may be considered;

⁽¹⁾ OJ No C 89, 26. 3. 1994, p. 8.

⁽²⁾ OJ No C 195, 18. 7. 1994, p. 74.

⁽³⁾ OJ No C 217, 6. 8. 1994, p. 36.

⁽⁴⁾ Opinion of the European Parliament of 30 November 1994 (OJ No C 363, 19. 12. 1994, p. 23). Council common position of 31 March 1995 (OJ No C 130, 29. 5. 1995, p. 1) and Decision of the European Parliament of 12 July 1995 (not yet published in the Official Journal).

Whereas loan guarantees will be granted on a commercial basis by the European Investment Fund or by other financial organizations; whereas Community financial aid may cover all or part of the premiums paid by the beneficiaries of these guarantees;

Whereas Community aid is chiefly intended to overcome any financial obstacles which may arise during the start-up phase of a project;

Whereas it is necessary to set a limit for Community aid in relation to the total cost of investment;

Whereas Community aid is to be granted to projects on the basis of how much they contribute to the objectives of Article 129b of the Treaty and the other objectives and priorities covered by the guidelines referred to in Article 129c of the Treaty; whereas account should also be taken of other aspects such as the stimulative effect on public and private finance, the direct and indirect socio-economic effects of projects, in particular on employment, and the consequences for the environment;

Whereas the Commission must carefully evaluate the potential economic viability of the projects, with the help of cost/benefit analyses and other appropriate criteria, as well as their financial profitability;

Whereas Community financial support under Article 129c (1) of the Treaty must be compatible with Community policies, in particular on networks and as regards environmental protection, competition and the award of public contracts; whereas environmental protection includes an environmental impact assessment;

Whereas it is necessary to clarify the respective powers and responsibilities of Member States and the Commission with regard to financial control;

Whereas the Commission must ensure proper coordination of all Community activities, especially between financing under trans-European networks, and that of the Structural and Cohesion Funds, of the European Investment Fund and of the European Investment Bank, affecting trans-European networks;

Whereas provision should be made for suitable methods of evaluation, follow-up and control of Community aid;

Whereas there should be suitable information, publicity and transparency regarding the activities financed;

Whereas a financial reference amount, within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995, is included in this Regulation for its implementation, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty;

Whereas an assessment should be made before the end of the financial perspective for the period 1994-99 whether and to what extent the action provided for in this Regulation meets the Community's needs,

HAS ADOPTED THIS REGULATION:

Article 1

Definition and Scope

This Regulation defines the conditions and procedures for granting Community aid to projects of common interest in the field of trans-European networks for transport, telecommunications and energy infrastructures under Article 129c (1) of the Treaty.

Article 2

Eligibility

1. Community aid may be granted only to projects of common interest (hereinafter referred to as 'projects') identified within the framework of the guidelines referred to in Article 129c (1) of the Treaty.

Parts of projects within the meaning of the first subparagraph shall also be eligible in so far as they form technically and financially independent units.

2. Projects shall be eligible if they are financed by the Member States or by regional or local authorities or by bodies working within an administrative or legal framework which makes them equivalent to public entities, in particular public or private enterprises which run public services or services in the public interest.

A project shall be considered to be financed by the Member State when it is implemented and directly financed by a public authority or receives public aid or aid out of public resources, in whatever form, granted by a national, regional or local body.

*Article 3***Transitional clause**

Should the decisions adopting the guidelines referred to in Article 129c (1) of the Treaty not yet have entered into force when this Regulation enters into force, specific projects, the financing of which is of a priority nature and which relate in particular to transport infrastructure, may be regarded as eligible within the meaning of this Regulation.

This provision shall apply until the day of the entry into force of the decisions adopting the guidelines in the area of infrastructure concerned, and at the latest until 31 December 1995.

*Article 4***Forms of aid**

1. Community aid for projects may take one or several of the following forms:

- (a) co-financing of studies related to projects, including preparatory, feasibility and evaluation studies, and other technical support measures for these studies.

Community participation may in general not exceed 50 % of the total cost of a study.

In exceptional, duly substantiated cases, at the initiative of the Commission and with the consent of the Member States concerned, Community participation may exceed the limit of 50 %;

- (b) subsidies of the interest on loans granted by the European Investment Bank or other public or private financial bodies. As a general rule, the duration of subsidy shall not exceed five years;
- (c) contributions towards fees for guarantees for loans from the European Investment Fund or other financial institutions;
- (d) direct grants to investments in duly justified cases;
- (e) Community assistance under (a) to (d) shall be combined, where appropriate, in order to maximize the stimulus provided by the budgetary resources deployed, which shall be used in the most economical way.

2. The forms of Community aid referred to under (a) to (d) shall be used selectively to take account of the specific characteristics of the various types of network involved and to ensure, in respect of the telecommunications and energy networks, that such aid does not cause distortions of competition between undertakings in the sector concerned.

*Article 5***Conditions for Community aid**

1. Community aid shall be granted, in principle, only if achievement of a project meets financial obstacles.
2. Community aid shall not exceed the minimum considered necessary for the launch of a project.
3. Regardless of the form of intervention chosen, the total amount of Community aid under this Regulation shall not exceed 10 % of the total investment cost.
4. The financial resources provided for under this Regulation shall not, in principle, be assigned to projects or stages of projects which benefit from other sources of Community funding.

*Article 6***Project selection criteria**

1. Projects shall be assisted according to their degree of contribution to the objectives set out in Article 129b of the Treaty and to the other objectives and priorities defined in the guidelines referred to in Article 129c (1) of the Treaty.
2. Community aid shall be assigned to projects that are potentially economically viable and for which the financial profitability at the time of application is deemed insufficient.
3. The decision to grant Community assistance should also take account of:
 - the maturity of the project,
 - the stimulative effect of community intervention on public and private finance,
 - the soundness of the financial package,
 - direct or indirect socio-economic effects, in particular on employment,
 - the environmental consequences.
4. Especially in the case of cross-border projects, coordination of the timing of different parts of the project shall also be taken into account.

*Article 7***Compatibility**

The projects financed under this Regulation shall comply with Community law and Community policies, in particular in relation to environmental protection, competition and the award of public contracts.

*Article 8***Submission of applications for financial aid**

Applications for financial aid shall be submitted to the Commission by the Member State concerned or by the body directly concerned with the agreement of the Member State.

*Article 9***Information required for the assessment and identification of applications**

1. Each application for financial aid shall include all the information necessary for the examination of the project according to Articles 5, 6 and 7, and in particular:

(a) if the application concerns a project:

- the body responsible for carrying out the project,
- a description of the project concerned and the type of Community aid envisaged,
- the results of the cost/benefit analyses, including the results of the potential economic viability analysis and of the financial profitability analysis,
- the position of the project, according to the guidelines, in the field of transport, on the axes and nodes,
- consistency with regional planning,
- a summary description of the environmental impact, based on the assessments carried out in accordance with Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment⁽¹⁾,
- a statement that alternative possibilities of public and private financing, including the European Investment Fund and the European Investment Bank, have been examined,
- a financial plan listing, in ecus or in national currency, all the components of the financial package, including the financial aid requested from the Community and the Member State and the aid already granted;

(b) if the application relates to a study, the study's objective and purpose and the methods and techniques envisaged;

(c) a provisional timetable of work;

(d) a description of the control measures to be operated by the Member State concerned over the use of the funds requested.

2. Applicants shall supply the Commission with any relevant additional information which it requires.

3. The Commission may seek any specialist advice it requires in order to assess an application, including the opinion of the European Investment Bank.

*Article 10***Grant of financial aid**

The Commission shall decide to grant financial aid under this Regulation according to its assessment of the applications in accordance with the selection criteria and the procedure specified in Article 17. It shall notify its decision directly to the beneficiaries and to the Member States.

*Article 11***Financial provisions**

1. Community aid may cover only project-related expenditure incurred by the beneficiaries or by third parties responsible for the implementation of a project.

2. Expenditure incurred before the date on which the Commission received the application for financial aid shall not be covered.

3. Decisions to grant financial aid taken by the Commission under Article 10 shall be binding as commitments to incur expenditure authorized by the Budget.

4. As a general rule, payments shall be made in the form of advances, intermediate payments and a final payment. The advance, which shall not normally exceed 50 % of the first annual tranche, shall be paid once the application for aid has been approved. Intermediate payments shall be made on the basis of requests for payment, taking account of the progress made in implementing the project or study and, if necessary taking account of revised financial plans in a rigorous and transparent manner.

5. The payments must take account of the fact the infrastructure projects will be implemented over a period of years and that provision must therefore be made for multiannual financing.

6. The Commission shall make the final payment after approval of the final report on the project or study, submitted by the beneficiary and itemizing all the expenditure actually incurred.

7. The Commission shall determine, following the procedures set out in Article 17, the procedures, timetable and amounts for payments of interest-rate subsidies and guarantee premium subsidies.

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

*Article 12***Financial control**

1. In order to guarantee successful completion of projects financed by this Regulation, Member States shall take the necessary measures to :

- verify on a regular basis that projects and studies financed by the Community have been properly carried out,
- prevent irregularities and take action against them,
- recover any amounts lost as a result of irregularity including interest on account of late repayment in accordance with the rules adopted by the Commission. Except where the Member State and/or the implementing authority provide proof that they were not responsible for the irregularity, the Member State shall be liable in the alternative for reimbursement of any sums unduly paid.

2. Member States shall inform the Commission of the measures taken for these purposes and, in particular, shall notify the Commission of the description of the management and control systems established to ensure the efficient implementation of projects and studies.

3. Member States shall make available to the Commission any appropriate national reports on the control of projects.

4. Without prejudice to any control measures carried out by the Member States in accordance with national laws, regulations and administrative provisions and without prejudice to the provisions of Article 188 a of the Treaty and control measures carried out in accordance with Article 209 (c) of the Treaty, Commission officials or agents may carry out spot checks, including sample checks, in respect of projects financed under this Regulation and may examine the control systems and measures established by the national authorities, which shall inform the Commission of measures taken to that end.

5. Before carrying out an on-the-spot check, the Commission shall give notice to the Member State concerned with a view to obtaining all the assistance necessary. If the Commission carries out on-the-spot checks without giving notice, it shall be subject to agreements reached in accordance with provisions of the Financial Regulation. Officials or agents of the Member State concerned may take part in such checks.

The Commission may require the Member State concerned to carry out an on-the-spot check to verify the correctness of payment applications. Commission officials or agents may take part in such checks, and must do so if the Member State concerned so requests.

The Commission shall ensure that any checks that it carries out are performed in a coordinated manner so as to avoid repeating checks in respect of the same subject matter during the same period. The Member State concerned and the Commission shall immediately exchange any relevant information concerning the results of the checks carried out.

6. In the case of Community aid granted to the bodies referred to in Article 2 (2), the control measures shall be carried out by the Commission in cooperation with the Member States.

7. The responsible bodies and authorities shall keep available for the Commission all the supporting documents regarding expenditure on any project for a period of three years following the last payment in respect of the project.

*Article 13***Reduction, suspension and cancellation of assistance**

1. If the implementation of an operation appears not to justify, in whole or in part, the financial aid allocated to it, the Commission shall conduct an appropriate examination of the case, in particular requesting the Member State, or the authorities or bodies designated by it to carry out the operation, to submit their comments within a specified period of time.

2. Following the examination referred to in paragraph 1 above, the Commission may reduce, suspend or cancel aid in respect of the operation in question if the examination reveals an irregularity or a failure to comply with one of the conditions laid down in the decision to grant assistance, and in particular any significant change affecting the nature of, or conditions for carrying out, the project for which the Commission's approval was not sought.

Any undue cumulation shall give rise to the recovery of sums unduly paid.

3. Any sum to be recovered for want of due entitlement shall be repaid to the Commission.

*Article 14***Coordination**

The Commission shall be responsible for coordination and coherence between the projects undertaken under this Regulation and projects undertaken with the help of contributions from the Community budget, the European Investment Bank and other Community financial instruments.

*Article 15***Appraisal, monitoring and evaluation**

1. The Member States and the Commission shall ensure that the implementation of projects under this Regulation is subject to effective monitoring and evaluation. Projects may be adapted according to monitoring and evaluation results.

2. In order to ensure that Community aid is used efficiently, the Commission and the Member States concerned shall systematically evaluate progress with projects, where appropriate with the cooperation of the European Investment Bank.

3. On the receipt of an application for aid and before approving it, the Commission shall carry out an appraisal in order to assess the project's conformity with the conditions and criteria laid down in Articles 5 and 6. Where necessary, the Commission shall invite the European Investment Bank to contribute to this appraisal.

4. During the implementation of projects and after their completion the Commission and the Member States shall evaluate the manner in which they have been carried out and the impact of their implementation, in order to assess whether the original objectives can be, or have been, achieved. This evaluation shall, *inter alia*, cover the impact of projects on the environment, having regard to the Community laws in force.

5. Monitoring shall be carried out, where appropriate, by reference to physical and financial indicators. The indicators shall relate to the specific character of the projects and its objectives. They shall be arranged in such a way as to show:

- the stage of the project reached in relation to the plan and the objectives originally laid down,
- the progress achieved on the management side and any related problems.

6. In vetting individual applications for assistance, the Commission shall take into account the findings of appraisals and evaluations made in accordance with this Article.

7. Procedures for evaluation and monitoring, as provided in paragraphs 4 and 5, shall be established in the Decisions approving the projects.

*Article 16***Information and publicity**

1. The Commission shall submit an annual report on the activities carried out under this Regulation to the

European Parliament, the Council, the Economic and Social Committee and to the Committee of the Regions for their appraisal. This report shall contain an evaluation of the results achieved with Community aid in different fields of application, in terms of original objectives.

2. Beneficiaries shall ensure that suitable publicity is given to assistance granted under this Regulation in order to inform the public of the role played by the Community in the implementation of the projects. They shall consult the Commission on how this should be done.

*Article 17***Committee**

1. The Commission shall be responsible for the implementation of this Regulation.

2. In implementing this Regulation, the Commission shall be assisted by one Committee that will meet in the appropriate composition according to the sectors treated:

- trans-European networks in the field of transport,
- trans-European networks in the field of telecommunications,
- trans-European networks in the field of energy.

The Committee shall be composed of representatives of the Member States and chaired by a representative of the Commission.

The European Investment Bank shall appoint a representative to the Committee who shall not vote.

3. The representative of the Commission shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. When votes are taken within the Committee, the votes of the representatives of the Member States within the Committee shall be weighted as defined in that Article. The Chairman shall not vote.

4. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

(b) If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 18

Budgetary resources

The financial reference amount for the implementation of this Regulation for the period 1995-99 shall be ECU 2 345 million.

The annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

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

Done at Brussels, 18 September 1995.

Article 19

Revision clause

Before the end of 1999, acting in accordance with the procedure laid down in the third paragraph of Article 129d of the Treaty, the Council shall examine whether and under which conditions the measures provided for in this Regulation will be continued after the end of the period referred to in Article 18.

Article 20

Entry into force

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

For the Council

The President

P. SOLBES MIRA

COMMISSION REGULATION (EC) No 2237/95
of 22 September 1995
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 424/95 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EC) No 2153/95 ⁽⁴⁾, buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups ;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in

an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 25 September 1995.

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

Done at Brussels, 22 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 215, 9. 9. 1995, p. 20.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er} paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

Jäsenvaltiot tai alueet ja 1 artiklan 1 kohdan tarkoittamat laaturyhmät

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1.

Estados miembros o regiones de Estados miembros	Categoría A	Categoría C				
Medlemsstat eller region	Kategori A	Kategori C				
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A	Kategorie C				
Κράτος μέλος ή περιοχές κράτους μέλους	Κατηγορία Α	Κατηγορία Γ				
Member States or regions of a Member State	Category A	Category C				
États membres ou régions d'États membres	Catégorie A	Catégorie C				
Stati membri o regioni di Stati membri	Categoria A	Categoria C				
Lid-Staat of gebied van een Lid-Staat	Categorie A	Categorie C				
Estados-membros ou regiões de Estados-membros	Categoria A	Categoria C				
Jäsenvaltiot tai alueet	Luokka A	Luokka C				
Medlemsstater eller regioner	Kategori A	Kategori C				
	U	R	O	U	R	O
Ireland					×	
Great Britain					×	
Northern Ireland					×	

COMMISSION REGULATION (EC) No 2238/95
of 22 September 1995
on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 144 tonnes of sugar;

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

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilize either A or B quota sugar or C sugar in accordance with the regulations governing the market; whereas the contract for the supply of each lot is to be awarded to the tenderer submitting the lowest tender having regard to the conditions applicable to the categories of sugar in question;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

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

Tenders relating to the lots specified in the Annexes shall cover either sugar produced under the A or B quotas or C sugar within the meaning of points (a), (b) and (c) of the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81⁽⁶⁾. Tenders shall be rejected unless they specify the category of sugar to which they relate.

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

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

Article 2

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

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

⁽⁶⁾ OJ No L 177, 1. 7. 1981, p. 4.

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

Done at Brussels, 22 September 1995.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

LOT A

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1994 + 1995
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; telefax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A (1))
8. **Total quantity**: 144 tonnes
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹¹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A (2) and V.A (3))
Language to be used for the marking: see Annex II
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
 - A or B sugar (points (a) and (b)) or
 - C sugar (point (c))
12. **Stage of supply**: free at port of shipment ⁽¹⁰⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 30. 10 — 19. 11. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 9. 10. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: at 12 noon (Brussels time) on 23. 10. 1995
 - (b) period for making the goods available at the port of shipment: 13. 11 — 3. 12. 1995
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 130, bureau 7/46, 200 rue de la Loi/Wetstraat, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: in the case of A and B sugar: periodic refund applicable to white sugar on 11. 9. 1995, fixed by Commission Regulation (EC) No 2119/95 (OJ No L 212, 7. 9. 1995, p. 3)

Notes :

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) For A and B sugar :

Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1053/95 (OJ No L 107, 12. 5. 1995, p. 4), shall not apply to this amount.

For C sugar :

Commission Regulation (EEC) No 2330/87 is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.

- (5) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (6) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (7) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (8) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :
- health certificate.
- (9) Notwithstanding OJ No C 114, point V.A(3)(c) is replaced by the following : 'the words "European Community".'
- (10) Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
- (11) Shipment to take place in 20-foot containers, condition FCL/FCL (A3 : each containing 18 tonnes net). The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which to be provided to the beneficiary's forwarder.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº	Pais de destino	Lengua que se debe utilizar en la rotulación
Parti	Totalmængde (tons)	Delmængde (tons)	Aktion nr.	Bestemmelsesland	Mærkning på følgende sprog
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland	Kennzeichnung in folgender Sprache
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού	Γλώσσα που πρέπει να χρησιμοποιηθεί για τη σήμανση
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination	Language to be used for the marking
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action nº	Pays de destination	Langue à utiliser pour le marquage
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione	Lingua da utilizzare per la marcatura
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming	Taal te gebruiken voor de opschriften
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção nº	Pais de destino	Lingua a utilizar na rotulagem
Erä	Kokonaismäärä (tonnia)	Osittaismäärä (tonnia)	Toimi N:o	Määrämaa	Merkinnässä käytettävä kieli
Parti	Total kvantitet (ton)	Delkvantitet (ton)	Aktion nr	Bestämmelsesland	Märkning på följande språk
A	144	A1 : 18 A2 : 18 A3 : 108	1666/94 1667/94 165/95	Madagascar Madagascar Bangladesh	Français Français English

COMMISSION REGULATION (EC) No 2239/95
of 22 September 1995
on the supply of cereal-based weaning food as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain beneficiaries 90 tonnes of cereal-based weaning food;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it

is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereal-based weaning food shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

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

Article 2

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

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

Done at Brussels, 22 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

1. **Operation No** ⁽¹⁾: 209/95
2. **Programme**: 1995
3. **Recipient** ⁽¹⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757 ; fax 36 41 701 ; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: Haiti
6. **Product to be mobilized**: cereal-based weaning food
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 34, 6. 2. 1993, p. 3 (II. C. (1) (b))
— Energy: minimum 450 kcal/100 g. A minimum of 30 % of the energy must be supplied in the form of lipids
8. **Total quantity**: 90 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾: OJ No C 34, 6. 2. 1993, p. 3 (II. C. (2) (b) and II. C. (3))
Markings in French
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 13. 11 — 3. 12. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 9. 10. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 10. 1995
 - (b) period for making the goods available at the port of shipment: 27. 11 — 17. 12. 1995
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi/Wetstraat, B-1049 Bruxelles/Brussel (telex 22037 AGREC B ; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refunds applicable on 6. 10. 1995 (fixed in accordance with Article 4 (2), first subparagraph of Regulation (EEC) No 3035/80) (OJ No L 323, 29. 11. 1980, p. 27)

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1053/95 (OJ No L 107, 12. 5. 1995, p. 4) shall not apply to this amount.
- (⁵) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO box 1315, NL-1000 BH Amsterdam.
- (⁶) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of small packages belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the beneficiary's forwarder.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :
- health certificate.
- (⁸) Notwithstanding OJ No C 34 of 6. 2. 1993, the fourth paragraph of point (b) on page 3 is replaced by the following : 'The product shall be prepared principally from one or more milled cereal products. It shall also contain a high-protein food, such as milk or soya concentrate.'
- (⁹) Notwithstanding OJ No C 34 of 6. 2. 1993, the first paragraph of point II.C.2 (b) on page 9 is replaced by the following : 'The weaning food is to be packed in airtight sachets, maximum 1 kg, sealed at either end, sufficiently long and provided with a clip so that they can be resealed after opening.'
-

**COMMISSION REGULATION (EC) No 2240/95
of 22 September 1995**

**establishing the quantity of certain pigmeat products available for the fourth
quarter of 1995 under the arrangements provided for by the Interim Agreements
concluded by the Community with Bulgaria and Romania**

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

Having regard to Commission Regulation (EC) No
1590/94 of 30 June 1994 laying down detailed rules for
the application in the pigmeat sector of the arrangements
provided for in the Interim Agreement between the
Community and Bulgaria and Romania⁽¹⁾, as last
amended by Regulation (EC) No 341/95⁽²⁾, and in parti-
cular Article 4 (4) thereof,

Whereas in order to ensure distribution of the quantities
available, the quantities carried forward from the period
1 July to 30 September 1995 should be added to the
quantities available for the period 1 October to 31
December 1995,

HAS ADOPTED THIS REGULATION :

Article 1

The quantity available for the period 1 October to 31
December 1995 pursuant to Regulation (EC) No 1590/94
is set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 September
1995.

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

Done at Brussels, 22 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Group No	Total quantity available for the period 1 October to 31 December 1995
14	110
15	480
16	858
17	6 750

⁽¹⁾ OJ No L 167, 1. 7. 1994, p. 16.

⁽²⁾ OJ No L 39, 21. 2. 1995, p. 3.

COMMISSION REGULATION (EC) No 2241/95
of 22 September 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 multi-lateral trade negotiations, the criteria whereby the Commission 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 23 September 1995.

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

Done at Brussels, 22 September 1995.

For the Commission
Franz FISCHLER
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 22 September 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)			(ECU/100 kg)		
CN code	Third country code (*)	Standard import value	CN code	Third country code (*)	Standard import value
0702 00 35	052	52,9	0808 10 92, 0808 10 94, 0808 10 98	412	132,4
	060	80,2		512	186,0
	064	59,6		600	64,5
	066	41,7		624	123,2
	068	62,3		999	104,3
	204	50,9		039	79,3
	212	117,9		064	76,5
	624	75,0		388	55,7
	999	67,6		400	59,9
	ex 0707 00 25	052		70,1	404
	053	166,9	508	68,4	
	060	61,0	512	61,4	
	066	53,8	524	57,4	
	068	60,4	528	48,0	
	204	49,1	528	48,0	
	624	207,3	800	62,6	
	999	95,5	804	49,3	
0709 90 79	052	55,6	0808 20 57	999	61,8
	204	77,5		052	77,6
	624	196,3		388	79,6
	999	109,8		512	89,7
0805 30 30	052	58,1	0809 30 41, 0809 30 49	528	84,1
	388	74,9		800	55,8
	400	72,1		804	112,9
	512	65,9		999	83,3
	520	66,5		052	63,1
	524	61,5		220	121,8
	528	61,6		624	106,8
	600	54,7		999	97,2
	624	78,0		052	73,2
	999	65,9		064	62,3
0806 10 40	052	87,9	0809 40 30	066	77,8
	064	49,8		068	61,2
	066	49,4		624	95,1
	220	110,8		676	68,6
	400	134,7		999	73,0

(*) 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 2242/95
of 22 September 1995
amending representative prices and additional duties for the import of certain
products in the sugar sector

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

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

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2233/95 ⁽⁵⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to

the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 23 September 1995.

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

Done at Brussels, 22 September 1995.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 150, 1. 7. 1995, p. 36.

⁽⁵⁾ OJ No L 225, 22. 9. 1995, p. 11.

ANNEX

to the Commission Regulation of 22 September 1995 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	22,09	5,26
1701 11 90 ⁽¹⁾	22,09	10,49
1701 12 10 ⁽¹⁾	22,09	5,07
1701 12 90 ⁽¹⁾	22,09	10,06
1701 91 00 ⁽²⁾	27,25	11,61
1701 99 10 ⁽²⁾	27,25	7,09
1701 99 90 ⁽²⁾	27,25	7,09
1702 90 99 ⁽³⁾	0,27	0,38

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

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

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 2243/95
of 22 September 1995
on the issuing of export licences for fruit and vegetables with advance fixing of the refund

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

Having regard to Commission Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables⁽¹⁾, and in particular Article 4 (1) thereof,

Whereas Commission Regulation (EC) No 1489/95⁽²⁾ specifies the quantities which may be covered by applications submitted for export licences with advance fixing of the refund other than those applied for in connection with food aid;

Whereas Article 4 of Regulation (EC) No 1488/95 lays down the conditions under which special measures may be taken by the Commission to prevent an overrun in the quantities for which export licence applications may be submitted;

Whereas, in view of the information available to the Commission as of today, the quantities of 908 tonnes of hazelnuts without shells in Annex I to Regulation (EC) No 1489/95, reduced or increased by the quantities referred to in Article 4 (1) of Regulation (EC) No 1488/95, would be exceeded if licences were issued with advanced fixing of refunds without restriction in response to appli-

cations submitted since 18 September 1995; whereas a reduction factor should accordingly be applied to the quantities applied for on 18 September and applications for export licences with advance fixing of refunds submitted subsequently with a view to such licences being issued during the current period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

Export licences with advance fixing of the refund for hazelnuts without shells for which applications are submitted on 18 September under Article 1 of Regulation (EC) No 1489/95 shall be issued for 5,46 % of the quantities applied for.

Applications for export licences with advance fixing of refunds for the above product submitted after 18 September 1995 and before 25 October 1995 shall be rejected.

Article 2

This Regulation shall enter into force on 23 September 1995.

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

Done at Brussels, 22 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽²⁾ OJ No L 145, 29. 6. 1995, p. 75.

COMMISSION REGULATION (EC) No 2244/95
of 22 September 1995
setting the world market price for unginced cotton

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 general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81⁽²⁾, and in particular Articles 3 and 4 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginced cotton to be determined periodically from the world market price recorded for ginned cotton, using the historical relationship between the ginned cotton and that calculated for unginced cotton; whereas this historical relationship was specified in Article 1 (2) 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 (EC) No 2064/95⁽⁴⁾; whereas in cases where the world market price cannot be thus determined it is to be based on the last price determined;

Whereas pursuant to Article 4 of Regulation (EC) No 1554/95 the world market price for ginned cotton is determined for a product meeting certain characteristics

and by using the most favourable offers and quotations of those considered representative of the real market trend; whereas for this purpose an average is to be established of the offers and quotations on one or more European exchanges for deliveries cif to north European ports of cotton from the various supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustment to reflect differences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginced cotton specified hereunder,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price for unginced cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 40,243 per 100 kilograms.

Article 2

This Regulation shall enter into force on 23 September 1995.

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

Done at Brussels, 22 September 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽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 204, 30. 8. 1995, p. 8.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 September 1995

amending Commission Decisions 94/432/EC, 94/433/EC and 94/434/EC laying down detailed rules for the application of Council Directives 93/23/EEC on the statistical surveys to be carried out on pig production, 93/24/EEC on the statistical surveys to be carried out on bovine animal production and 93/25/EEC on the statistical surveys to be carried out on sheep and goat stocks

(Text with EEA relevance)

(95/380/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/23/EEC of 1 June 1993 on the statistical surveys to be carried out on pig production⁽¹⁾, and in particular Articles 1 (3) and 6 (3) thereof,

Having regard to Council Directive 93/24/EEC of 1 June 1993 on the statistical surveys to be carried out on bovine animal production⁽²⁾, and in particular Articles 1 (3) and 6 (3) thereof,

Having regard to Council Directive 93/25/EEC of 1 June 1993, on the statistical surveys to be carried out on sheep and goat stocks⁽³⁾, and in particular Articles 1 (4) and 7 (2) thereof,

Having regard to Commission Decision 94/432/EC of 30 May 1994 laying down detailed rules for the application of the abovementioned Council Directive 93/23/EEC as regards the statistical surveys on pig population and production⁽⁴⁾,

Having regard to Commission Decision 94/433/EC of 30 May 1994 laying down detailed rules for the application

of the abovementioned Council Directive 93/24/EEC as regards the statistical surveys on cattle population and production, and amending the said Directive⁽⁵⁾,

Having regard to Commission Decision 94/434/EC of 30 May 1994 laying down detailed rules for the application of the abovementioned Council Directive 93/25/EEC as regards the statistical surveys on sheep and goat population and production⁽⁶⁾,

Whereas by reason of the accession of Austria, Finland and Sweden it is necessary to make certain technical adaptations to the abovementioned Decisions and to extend certain derogations to the new Member States;

Whereas the abovementioned Directives and Decisions provide for the possibility, in the case of Member States whose pig, bovine animal and goat populations make up only a small percentage of the overall populations of the Community, of granting derogations aimed at reducing the number of annual surveys to be conducted;

Whereas the envisaged measures are in line with the opinion of the Standing Committee on Agricultural Statistics set up by Council Decision 72/279/EEC⁽⁷⁾,

⁽¹⁾ OJ No L 149, 21. 6. 1993, p. 1.

⁽²⁾ OJ No L 149, 21. 6. 1993, p. 5.

⁽³⁾ OJ No L 149, 21. 6. 1993, p. 10.

⁽⁴⁾ OJ No L 179, 13. 7. 1994, p. 22.

⁽⁵⁾ OJ No L 179, 13. 7. 1994, p. 27.

⁽⁶⁾ OJ No L 179, 13. 7. 1994, p. 33.

⁽⁷⁾ OJ No L 179, 7. 8. 1972, p. 1.

HAS ADOPTED THIS DECISION :

Article 1

Decision 94/432/EC laying down detailed rules for the application of Directive 93/23/EEC shall be amended as follows :

1. Annex I shall be supplemented with the following text :

'Austria : Bundesländer
Finland : Etelä-Suomi
Sisä-Suomi
Pohjanmaa
Pohjois-Suomi
Sweden : 8 Riksområden'.

2. Annex II, the text of footnotes (a) and (b) shall be amended to read :

'(a) Breakdown optional for NL, DK, S.
(b) Breakdown optional for P, L, GR, S.'

3. Annex IV (b) shall be supplemented with the following text :

'Finland
Sweden'.

4. Annex IV (e) shall be supplemented with the following text under the heading 'a given month of the year' :

'Sweden, June'.

Article 2

Decision 94/433/EC laying down detailed rules for the application of Directive 93/24/EEC shall be amended as follows :

1. Annex II shall be supplemented as follows :

'Austria : Bundesländer
Finland : Etelä-Suomi
Sisä-Suomi
Pohjanmaa
Pohjois-Suomi
Sweden : 8 Riksområden'.

2. Annex III, the text of footnotes (a), (b) and (c) shall be amended to read :

'(a) Breakdown optional for NL, DK, S.
(b) Breakdown optional for P, L, GR, S.
(c) Breakdown optional for P, L, GR, F, S.'

3. Annex V, the text of footnote (d) shall be supplemented with the following text :

'Sweden'.

4. Annex V, the text of footnote (e) shall be supplemented with the following text under the heading 'May/June' :

'Sweden'.

Article 3

Decision 94/434/EC laying down detailed rules for the application of Directive 93/25/EEC shall be amended as follows :

1. Annex II shall be supplemented as follows :

'Austria : Bundesländer
Finland : Etelä-Suomi
Sisä-Suomi
Pohjanmaa
Pohjois-Suomi
Sweden : — for sheep : 8 Riksområden
— for goats : —'.

2. Annex III, Table 1, the text of footnotes (a), (b) and (c) shall be amended to read :

'(a) Breakdown optional for L, B, DK, S.
(b) Optional for D, NL, S.
(c) Optional for B, D, IRL, NL, A, FIN, S, UK.'

3. Annex III, Table 2, the text of footnotes (a) and (c) shall be amended to read :

'(a) D, L, B, UK, IRL, S.
(c) D, NL, S.'

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 September 1995.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

CORRIGENDA

Corrigendum to Council Decision 95/284/EC 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

(Official Journal of the European Communities No L 181, 1 August 1995)

Annex : 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

On page 26, in letter No 2, paragraph 1, insert the following as a second subparagraph :

'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.'

In the third subparagraph, first line :

for: 'The ACP States notify ...',

read: 'The ACP States shall notify ...'.

Paragraph 5, second line :

for: '... at ECU 6,9 per kgs raw sugar ...',

read: '... at ECU 6,9 per 100 kgs raw sugar ...'.

Paragraph 5 :

Between the third subparagraph and point (a), insert the following introductory phrase :

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