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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 878/95**of 21 April 1995****derogating from Regulation (EEC) No 822/87 as regards the acidification of enriched wines produced in 1994/95 in the provinces of Verona and Piacenza (Italy)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 21 (4) thereof,

Whereas Article 21 (3) of Regulation (EEC) No 822/87 prohibits the oenological practices of acidification and enrichment being carried out on the same product; whereas, however, a derogation may be decided on case by case on the basis of information supplied; whereas unusual atmospheric conditions in certain production regions in Italy prevented the desired acidity level from being reached, a derogation from the abovementioned provision should accordingly be granted to permit certain producers to acidify wine enriched during vinification with concentrated must or rectified concentrated must;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 21 (3) of Regulation (EEC) No 822/87, for the 1994/95 wine year, producers of wine from fresh grapes from the provinces of Verona (Veneto) and Piacenza (Emilia Romagna) which has been enriched in accordance with Articles 18 and 19 of the abovementioned Regulation may carry out the oenological practice of acidification in accordance with the conditions and limits laid down in Article 21 (1) of that same Regulation.

Article 2

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

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

COMMISSION REGULATION (EC) No 879/95

of 21 April 1995

amending Commission Regulation (EEC) No 3447/90 on special conditions for the granting of private storage aid for sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽²⁾, as last amended by Regulation (EEC) No 1258/91⁽³⁾, provides that applications in the context of private storage aid be submitted to the intervention agencies in each Member State; whereas as a result of the accession of Austria, Finland and Sweden the intervention agencies of these new Member States should be included in the Annex to this Regulation and the opportunity should be

taken to correct the addresses of other intervention agencies;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3447/90 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 333, 30. 11. 1990, p. 46.

⁽³⁾ OJ No L 120, 15. 5. 1991, p. 15.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεων — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli orga-
nismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de inter-
venção — Interventioelinten osoitteet — Interventionsorganens adresser**

BELGIQUE/BELGIË	<p>Bureau d'intervention et de restitution belge Rue de Trèves 82 B-1040 Bruxelles Téléphone : (32 2) 287 24 11 ; télécopieur : (32 2) 230 25 33 / 280 03 07 ; télex : 24076 OBEA BRU B</p>	<p>Belgisch interventie- en restitutie- bureau Trierstraat 82 B-1040 Brussel</p>
DANMARK :	<p>Landbrugs- og Fiskeriministeriet EF-direktoratet Nyropsgade 26 DK-1780 København V Tlf. (45)33-92 70 00 ; fax (45)33-92 69 48 ; telex 151 37 DK</p>	
BUNDESREPUBLIK DEUTSCHLAND	<p>Bundesanstalt für Landwirtschaft und Ernährung (BLE) Postfach 180 203 D-60083 Frankfurt am Main Adickesallee 40 D-60322 Frankfurt am Main Tel. : (49) 69-1 56 4 App. 704 Telefax : (49) 69-1 56 4 790 Telex : 411727</p>	
ΕΛΛΑΔΑ:	<p>Γενική Διεύθυνση Διαχείρισης Αγορών Γεωργικών Προϊόντων (ΓΕΝ. ΔΙ. ΔΑ. ΓΕΠ) Αχαρνών 241, GR 10446 Αθήνα Τηλ: 8656439 Τέλεφαξ: 8670503</p>	
ESPAÑA :	<p>Servicio Nacional de Productos Agrarios (SENPA) c/ Beneficencia 8-10 E-28004 Madrid Tel : (34)1-222 29 61 ; fax : (34)1-222 29 61 ; télex : 23427 SENPA E</p>	
FRANCE :	<p>Ofival 80, avenue des Terroirs de France F-75607 Paris cedex 12 Téléphone : (33 1) 44 68 50 00 ; télécopieur : (33 1) 44 68 52 33 ; télex : 215 330 F</p>	
IRELAND :	<p>Department of Agriculture, Food and Forestry Agriculture House Kildare Street IRL-Dublin 2 Tel : (353 1) 678 90 11, ext. 33 32 fax : (353 1) 661 62 63 telex : 4280 and 5118</p>	
ITALIA :	<p>Ente di Stato per gli Interventi nel mercato agricolo (EIMA) Via Palestro 81 I-00100 Roma Tel. : (39) 6-49 57 283 / 49 59 261 telefax : (39) 6-44 53 940 telex : 61 30 03</p>	
NEDERLAND :	<p>Voedselvoorzieningsin- en verkoopbureau Ministerie van Landbouw, Natuurbeheer en Visserij Burg. Kessenplein 3 Postbus 960 NL-6430 AZ Hoensbroek Tel. (31) 45-23 83 83 telefax (31) 45-22 27 35 telex 56396</p>	

ÖSTERREICH :

Agrarmarkt Austria
Geschäftsbereich III
Dresdner Straße 70
A-1200 Wien
Tel. : (43) 1-33 151
Telefax : (43) 1-33 151 299

PORTUGAL :

INGA
Instituto Nacional de Intervenção e
Garantia Agrícola
Rua Camilo Castelo Branco, 45
P-1000 Lisboa
Tel. : (351 1) 355 58 12/7; telefax : (351 1) 522 35 9; telex : 66207/10
INGA P

SUOMI :

Maa- ja metsätalousministeriö
Maatalouspolitiikan osasto
Interventioyksikkö
Mariankatu 23,
PL 232
FIN-00171 Helsinki
Puh. : +358 0 160 1
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SVERIGE :

Statens jordbruksverk
Interventionsenheten
S-551 82 Jönköping
Tel : (46) 36-15 50 00
fax : (46) 36-19 05 46
telex : 70991 SJV-S

UNITED KINGDOM :

Intervention Board Executive Agency,
Fountain House,
2 Queens Walk,
UK-Reading RG1 7QW
Berkshire
Tel : (44 1734) 53 13 38 Sheepmeat section
fax : (44 1734) 56 67 50
telex : 848 302

COMMISSION REGULATION (EC) No 880/95

of 21 April 1995

amending Regulation (EEC) No 220/91 laying down detailed rules for the application of Regulation (EEC) No 1360/78 on producer groups and associations thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof ⁽¹⁾, as last amended by Regulation (EC) No 3669/93 ⁽²⁾, and in particular Article 6 (3) thereof,

In Article 1 of Regulation (EEC) No 220/91, the following paragraph is hereby added :

Whereas Council Regulation (EEC) No 1765/92 ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, introduces, with effect from the 1993/94 marketing year, a new support system for producers of certain arable crops ; whereas that system comprises payments to compensate for loss of income resulting from the reduction in institutional prices ; whereas certain producers are obliged to set aside a predetermined percentage of their arable land in order to be eligible under the system ;

'3. Notwithstanding paragraph 2, in respect of the products covered by Regulation (EEC) No 1765/92, the volume of production or turnover referred to in paragraph 1 shall be in respect of products actually marketed by the producers who are members of the producer group, increased :

Whereas Commission Regulation (EEC) No 220/91 ⁽⁴⁾ determines the minimum cultivated area, turnover or volume of production which the producer groups or associations must have in order to be eligible for the aid provided for in Article 10 of Regulation (EEC) No 1360/78 ;

(a) in the event that the minimum limits in the Annex are fixed as a minimum volume of annual production : by the number of hectares of land set aside corresponding to the rotational set-aside obligation, multiplied by the average yield applicable to the product and to the region concerned, as defined by Regulation (EEC) No 1765/92, and in particular Article 3 (2) thereof ;

Whereas the provisions of Regulation (EEC) No 220/91 should be revised in order to allow these groups and associations to continue to be eligible for the aid cited at the same rate as before the introduction of the new support system ;

(b) in the event that the minimum limits in the Annex are fixed as turnover : by the amount of the compensatory payments granted for the year in question pursuant to Regulation (EEC) No 1765/92 ;

Whereas the system introduced by Regulation (EEC) No 1765/92 applies with effect from the 1993/94 marketing year ; whereas, therefore, this Regulation should apply with effect from the same date ;

(c) in the case that the minimum limits in the Annex are fixed as the number of hectares : by the number of hectares of land set aside corresponding to the rotational set-aside obligation.'

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Agricultural Structures and Rural Development,

Article 2

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

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 26, 31. 1. 1991, p. 15.

It shall apply from 1 July 1993.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 881/95
of 21 April 1995
on the supply of vegetable oil 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 recipients 4 467 tonnes of vegetable oil;

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;

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

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

The supply shall cover the mobilization of vegetable oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward processing arrangements.

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

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

Article 2

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

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

Done at Brussels, 21 April 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 I

LOT A

1. **Operation No ⁽¹⁾**: see Annex II
2. **Programme**: 1994
3. **Recipient ⁽²⁾**: Euronaid, PO box 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; telefax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient ⁽¹⁰⁾**: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods ⁽³⁾ ⁽⁷⁾**: OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (1) (a))
8. **Total quantity**: 270 tonnes net
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking ⁽⁶⁾ ⁽⁸⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (3)); OJ No C 391, 31. 12. 1994, pp. 40 and 41 (10.4: under A, B and C.2)
— language to be used for the markings: see Annex II
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
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**: 5 — 25. 6. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply ⁽⁹⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 5. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 5. 1995
 - (b) period for making the goods available at the port of shipment: 19. 6 — 9. 7. 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 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer**: —

LOTS B and C

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (tel. (396) 57 97; telex 626675 I WFP)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: OJ No C 114, 29. 4. 1991, p. 1 (under III.A.(1) (a))
8. **Total quantity**: 1 697 tonnes net
9. **Number of lots**: 2 (see Annex II)
10. **Packaging and marking** ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A.3); OJ No C 391, 31. 12. 1994, pp. 40 and 41 (10.4: under A and B; lot C: under C.2)
— language to be used for the markings: see Annex II
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment ⁽⁸⁾
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**: 12. 6 — 2. 7. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 5. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 5. 1995
 - (b) period for making the goods available at the port of shipment: 26. 6 — 16. 7. 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 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 / AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer**: —

LOTS D and E

1. **Operation No⁽¹⁾**: 1431/94 (D); 1432/94 (E)
2. **Programme**: 1994
3. **Recipient⁽²⁾**: Rwanda
4. **Representative of the recipient**:
 - D: Rwandan Food Aid Programme, Dépôt Rwandex, Gikondo, BP 515 Kigali (Rwanda). Tel. + fax (250) 73968 Mr Alain Houyoux
 - E: Rwandan Food Aid Programme, PO Box 5244, Kampala (Uganda). Tel. (256 41) 243675, fax 243676 Mr Marc Denys
5. **Place or country of destination⁽³⁾**: D: Rwanda; E: Uganda
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods⁽³⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (1) (a))
8. **Total quantity**: 1 000 tonnes net
9. **Number of lots**: 2 (D: 500 tonnes; E: 500 tonnes)
10. **Packaging and marking⁽⁴⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (3)); OJ No C 391, 31. 12. 1994, pp. 40 and 41 (10.4: under A, B and C.2)
 - markings in French
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Stage of supply**: free at port of landing — landed
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**: D: see point 4
E: C.L.P. warehouse, Port Bell Road, PO box 6661, Kampala. Tel. (256 41) 242776, fax 242777
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 18. 6. 1995
18. **Deadline for the supply**: 20. 8. 1995
19. **Procedure for determining the costs of supply⁽⁴⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 5. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19. 6 — 2. 7. 1995
 - (c) deadline for the supply: 3. 9. 1995
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 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer**: —

LOTS F and G

1. **Operation Nos** ⁽¹⁾: 1406/94 (F); 1407/94 (G)
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: Peru
4. **Representative of the recipient**:
Programa Nacional de Asistencia Alimentaria (Pronaa), av. Argentina 3017, Callao; tel. 29 10 65, fax 33 76 35
5. **Place or country of destination** ⁽³⁾: Peru
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A.1 (b))
8. **Total quantity**: 1 500 tonnes net
9. **Number of lots**: two (F: 750 tonnes; G: 750 tonnes)
10. **Packaging and marking** ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A.3); OJ No C 391, 31. 12. 1994, pp. 40 and 41 (10.4: under A, B and C.2)
Markings in Spanish
Supplementary markings: 'DISTRIBUCIÓN GRATUITA'
11. **Method of mobilization**: mobilization of refined sunflower oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Stage of supply**: free at destination
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**: PRONAA, av. Argentina No 3017, Callao
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 18. 6. 1995
18. **Deadline for the supply**: 30. 7. 1995
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 5. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19. 6 — 2. 7. 1995
 - (c) deadline for the supply: 13. 8. 1995
22. **Amount of tendering security**: ECU 15 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, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel; telex 22037 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97
25. **Refund payable on application by the successful tenderer**: —

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) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33 ; (F, G : Manuel Gonzalez Olaches n° 247, San Isidro, Lima. Tel. (51-14) 41 58 27, fax 41 80 17).
- (⁶) Notwithstanding OJ No C 114, point III.A (3) (c) is replaced by the following : 'the words "European Community"'.

(⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate (Lot A : and Expiry date).
- (⁸) FLC/FCL. The supplier will 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 will 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 subparagraph, of Regulation (EEC) No 2200/87 shall not apply.
The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender.
The successful tenderer must seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.
- (⁹) For Lot B, 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.
- (¹⁰) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº	País de destino	Lengua que se debe utilizar en la rotulación
Parti	Totalmængde (i tons)	Delmængde (i 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)	Ação nº	País de destino	Língua a utilizar na rotulagem
Parti	Total Kvantitet (ton)	Delkvantitet (ton)	Aktion nr	Beståmmelsesland	Mærkning på følgende språk
Erä	Kokonaismäärä (tonnia)	Osittaismäärä (tonnia)	Toimi N:o	Määrämaa	Merkinnäissä käytettävä kieli
A	270	A 1: 150 A 2: 120	1359/94 1360/94	Perú Perú	Español Español
B	504	B 1: 304 B 2: 200	1427/94 1429/94	Lesotho Moçambique	English Português
C	1 193	C 1: 303 C 2: 890	1428/94 1440/94	Niger Burkina Faso	Français Français

COMMISSION REGULATION (EC) No 882/95
of 21 April 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 1 955 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 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.

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.

For lot A, 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, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

LOT A

1. **Operation No** ⁽¹⁾: see Annex II
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (tel. (39 6) 57 971 ; telex 626675 I WFP)
4. **Representative of the recipient**: 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** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 21 (under V.A (1))
8. **Total quantity**: 1 705 tonnes
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾: see OJ No C 114, 29. 4. 1991, p. 21 (under V.A (3)); OJ No C 391, 31. 12. 1994, p. 51 (11.2: under A.1 (a), A.2 (a) and B.1)
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**: 12. 6 — 2. 7. 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 8. 5. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 5. 1995
 - (b) period for making the goods available at the port of shipment: 26. 6 — 16. 7. 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 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** ⁽²⁾: in the case of A and B sugar: periodic refund applicable to white sugar on 11. 4. 1995, fixed by Commission Regulation (EC) No 779/95 (OJ No L 77, 6. 4. 1995, p. 20)

LOT B

1. **Operation No⁽¹⁾** : 1458/94
2. **Programme** : 1994
3. **Recipient⁽²⁾** : Mozambique
4. **Representative of the recipient** : Food Security Department, Av. 25 de Setembro, 1008 Maputo. Tel. (258 1) 428771, fax. 429455
5. **Place or country of destination⁽³⁾** : Mozambique
6. **Product to be mobilized** : white sugar
7. **Characteristics and quality of the goods⁽³⁾(7)(8)** : See OJ No C 114, 29. 4. 1991, p. 1 (V.A.1)
8. **Total quantity** : 250 tonnes
9. **Number of lots** : one
10. **Packaging and marking⁽⁶⁾(9)** : See OJ No C 114, 29. 4. 1991, p. 1 (V.A.3); OJ No C 391, 31. 12. 1994, p. 51 (11.2. under A.1 (a), A.2 (a) and B.4)
Markings in Portuguese
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))
 - C sugar (point (c))
12. **Stage of supply** : free at destination
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** : see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 5 — 18. 6. 1995
18. **Deadline for the supply** : 16. 7. 1995
19. **Procedure for determining the costs of supply** : tendering
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon (Brussels time) on 8. 5. 1995
21. **In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 22. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 19. 6 — 2. 7. 1995
 - (c) deadline for the supply : 30. 7. 1995
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 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; telefax : (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer⁽⁴⁾** : In the case of A and B sugar : periodic refund applicable to white sugar on 11. 4. 1995, fixed by Commission Regulation (EC) No 779/95 (OJ No L 77, 6. 4. 1995, p. 20)

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. A3 : Radiation certificate must be issued by official authorities and be legalized for the following country : Sudan.
- (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 157/95 (OJ No L 24, 1. 2. 1995, p. 1), 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 pursuant to this Regulation.
- (⁵) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33.
- (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 :
 - sanitary certificate.
- (⁹) Notwithstanding OJ No C 114, point V.A (3) (c) is replaced by the following : 'the words "European Community"'.

—
- (¹⁰) Lot A : 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.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino	Lengua que se debe utilizar en la rotulación
Parti	Totalmængde (i tons)	Delmængde (i 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 n°	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 n°	País de destino	Língua a utilizar na rotulagem
Parti	Total kvantitet (ton)	Delkvantitet (ton)	Aktion nr	Bestämmelsesland	Märkning på följande språk
Erä	Kokonaismäärä (tonnia)	Osittaismäärä (tonnia)	Toimi N:o	Määrämaa	Merkinnässä käytettävä kieli
A	1 705	A 1: 105 A 2: 92 A 3: 1 058 A 4: 450	1435/94 1436/94 1437/94 1438/94	Kenya Djibouti Sudan Yemen	English Français English English

COMMISSION REGULATION (EC) No 883/95
of 21 April 1995
fixing the import levies on rice and broken rice

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽²⁾, as last amended by Regulation (EEC) No 674/91 ⁽³⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 178/95 ⁽⁴⁾, as last amended by Regulation (EC) No 833/95 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 52.

⁽⁵⁾ OJ No L 83, 13. 4. 1995, p. 39.

ANNEX

to the Commission Regulation of 21 April 1995 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ⁽²⁾	ACP Bangladesh ⁽¹⁾ ⁽³⁾ ⁽⁴⁾	Third countries (except ACP and Bangladesh) ⁽⁵⁾
1006 10 21	—	188,02	384,74
1006 10 23	—	191,57	391,85
1006 10 25	—	191,57	391,85
1006 10 27	293,89	191,57	391,85
1006 10 92	—	188,02	384,74
1006 10 94	—	191,57	391,85
1006 10 96	—	191,57	391,85
1006 10 98	293,89	191,57	391,85
1006 20 11	—	236,11	480,93
1006 20 13	—	240,55	489,81
1006 20 15	—	240,55	489,81
1006 20 17	367,36	240,55	489,81
1006 20 92	—	236,11	480,93
1006 20 94	—	240,55	489,81
1006 20 96	—	240,55	489,81
1006 20 98	367,36	240,55	489,81
1006 30 21	—	290,97	610,75
1006 30 23	—	340,34	709,38
1006 30 25	—	340,34	709,38
1006 30 27	532,04	340,34	709,38
1006 30 42	—	290,97	610,75
1006 30 44	—	340,34	709,38
1006 30 46	—	340,34	709,38
1006 30 48	532,04	340,34	709,38
1006 30 61	—	310,31	650,45
1006 30 63	—	365,32	760,46
1006 30 65	—	365,32	760,46
1006 30 67	570,35	365,32	760,46
1006 30 92	—	310,31	650,45
1006 30 94	—	365,32	760,46
1006 30 96	—	365,32	760,46
1006 30 98	570,35	365,32	760,46
1006 40 00	—	69,53	146,31

⁽¹⁾ Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

⁽²⁾ In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

⁽⁴⁾ The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

⁽⁵⁾ The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

⁽⁶⁾ No import levy applies to products originating in the OCT pursuant to Article 101 (1) of amended Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 884/95**of 21 April 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 amended by Regulation (EC) No 553/95⁽²⁾, and in particular Article 4 (1) thereof,

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 56, 14. 3. 1995, p. 1.

⁽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 21 April 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 20	052	80,9
	060	80,2
	204	74,2
	212	117,9
	624	110,9
	999	92,8
0707 00 15	052	47,2
	053	166,9
	060	39,2
	066	75,0
	068	73,8
	204	49,1
	624	207,3
	999	94,1
0709 90 75	052	129,7
	204	77,5
	624	196,3
	999	134,5

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

COMMISSION REGULATION (EC) No 885/95

of 21 April 1995

fixing the import levies on white sugar and raw sugar

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 283/95 ⁽²⁾, and in particular Article 16 (8) 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 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94 ⁽⁵⁾, as last amended by Regulation (EC) No 875/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 to

the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 20 April 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 89, 21. 4. 1995, p. 22.

ANNEX

to the Commission Regulation of 21 April 1995 fixing the import levies on white sugar and raw sugar*(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	40,10 ⁽¹⁾
1701 11 90	40,10 ⁽¹⁾
1701 12 10	40,10 ⁽¹⁾
1701 12 90	40,10 ⁽¹⁾
1701 91 00	51,20
1701 99 10	51,20
1701 99 90	51,20 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 886/95

of 21 April 1995

fixing the import levies on cereals and on wheat or rye flour, groats and meal

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 10 (5) and 11 (3) 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⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 502/95⁽⁴⁾ and subsequent amending Regulations ;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 20 April 1995, as regards floating currencies, should be used to calculate the levies ;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 502/95 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 50, 7. 3. 1995, p. 15.

ANNEX

to the Commission Regulation of 21 April 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	115,17 ⁽²⁾ ⁽³⁾
0712 90 19	115,17 ⁽²⁾ ⁽³⁾
1001 10 00	62,19 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	112,95
1001 90 99	112,95 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	142,52 ⁽⁶⁾
1003 00 10	113,78
1003 00 90	113,78 ⁽⁹⁾
1004 00 00	115,27
1005 10 90	115,17 ⁽²⁾ ⁽³⁾
1005 90 00	115,17 ⁽²⁾ ⁽³⁾
1007 00 90	120,46 ⁽⁴⁾
1008 10 00	60,12 ⁽⁹⁾
1008 20 00	63,76 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 11	203,76 ⁽⁹⁾
1101 00 15	203,76 ⁽⁹⁾
1101 00 90	203,76 ⁽⁹⁾
1102 10 00	245,15
1103 11 10	137,96
1103 11 90	231,16
1107 10 11	214,19
1107 10 19	163,36
1107 10 91	215,67 ⁽¹⁰⁾
1107 10 99	164,47 ⁽⁹⁾
1107 20 00	189,50 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,7245/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 2,186/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,7245/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with amended Regulation (EC) No 121/94 or amended Regulation (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 6,569 per tonne for products originating in Turkey.

⁽¹¹⁾ The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 887/95

of 21 April 1995

repealing Regulation (EC) No 734/95 suspending advance fixing of export refunds on certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the third subparagraph of Article 17 (4) thereof,

Having regard to Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, as last amended by Regulation (EC) No 482/95⁽³⁾, and in particular the first subparagraph of Article 5 (3) thereof,

Whereas Article 5 (3) of Regulation (EC) No 1222/94 makes provision for advance fixing of the refund to be suspended for basic products exported in the form of certain goods;

Whereas Commission Regulation (EC) No 734/95⁽⁴⁾ has suspended the advance fixing of the refund for durum wheat exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92; whereas, under present circumstances, suspension of advance fixing is no longer necessary; whereas Regulation (EC) No 734/95 should therefore be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 734/95 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽³⁾ OJ No L 49, 4. 3. 1995, p. 32.

⁽⁴⁾ OJ No L 73, 1. 4. 1995, p. 62.

COMMISSION REGULATION (EC) No 888/95

of 21 April 1995

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 (4) 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⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 705/95⁽⁵⁾, as last amended by Regulation (EC) No 862/95⁽⁶⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93⁽⁹⁾, as amended by Regulation (EC) No 438/95⁽¹⁰⁾, as fixed in the Annex to amended Regulation (EC) No 705/95 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 71, 31. 3. 1995, p. 89.

⁽⁶⁾ OJ No L 86, 20. 4. 1995, p. 33.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽¹⁰⁾ OJ No L 45, 1. 3. 1995, p. 32.

ANNEX

to the Commission Regulation of 21 April 1995 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1102 30 00	154,45	158,10
1103 14 00	154,45	158,10
1103 29 50	154,45	158,10
1104 19 91	262,28	269,57
1108 19 10	221,48	258,71

(7) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

COMMISSION REGULATION (EC) No 889/95

of 21 April 1995

altering the basic amount of the import levies on syrups and certain other 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 283/95 ⁽²⁾, and in particular Article 16 (8) 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 5 thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 725/95 ⁽⁵⁾, as last amended by Regulation (EC) No 864/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 725/95 to the information known to the Commission that the basic amount of

the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 20 April 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EC) No 725/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 73, 1. 4. 1995, p. 42.

⁽⁶⁾ OJ No L 86, 20. 4. 1995, p. 37.

ANNEX

**to the Commission Regulation of 21 April 1995 altering the basic amount of the import
levy on syrups and certain other products in the sugar sector**

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,5120	—
1702 20 90	0,5120	—
1702 30 10	—	58,45
1702 40 10	—	58,45
1702 60 10	—	58,45
1702 60 90 10 ⁽²⁾	—	111,06
1702 60 90 90 ⁽³⁾	0,5120	—
1702 90 30	—	58,45
1702 90 60	0,5120	—
1702 90 71	0,5120	—
1702 90 80	—	111,06
1702 90 99	0,5120	—
2106 90 30	—	58,45
2106 90 59	0,5120	—

⁽¹⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽²⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product obtained by hydrolysis of inulin or oligofructoses.

⁽³⁾ Taric code : CN code 1702 60 90, other than inulin syrup.

COMMISSION REGULATION (EC) No 890/95

of 21 April 1995

altering the export refunds on white sugar and raw sugar exported in the natural state

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 283/95 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 859/95 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 859/95 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

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

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁶⁾, as last amended by Regulation (EC) No 157/95 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 859/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1995.

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

Done at Brussels, 21 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 34, 14. 2. 1995, p. 3.

⁽³⁾ OJ No L 86, 20. 4. 1995, p. 27.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 24, 1. 2. 1995, p. 1.

ANNEX

to the Commission Regulation of 21 April 1995 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽²⁾
	— ECU/100 kg —
1701 11 90 100	40,84 ⁽¹⁾
1701 11 90 910	36,73 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	40,84 ⁽¹⁾
1701 12 90 910	36,73 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4440
	— ECU/100 kg —
1701 99 10 100	44,40
1701 99 10 910	43,05
1701 99 10 950	43,05
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4440

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

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

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

COMMISSION DIRECTIVE 95/9/EC
of 7 April 1995
amending Directive 94/39/EC establishing a list of intended uses of animal
feedingstuffs for particular nutritional purposes
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/74/EEC of 13 September 1993 on feedingstuffs intended for particular nutritional purposes⁽¹⁾, and in particular Article 6 (c) thereof,

Whereas Article 6 (c) of Directive 93/74/EEC provides that the measures adopted according to Article 6 (a) may be adjusted to developments in scientific and technical knowledge; whereas those measures have been adopted by Commission Directive 94/39/EC⁽²⁾;

Whereas certain nutritional purposes could not at first be included in the list of intended uses of animal feedingstuffs for particular nutritional purposes owing to the absence at the time of Community methods for calculating the energy value of pet foods;

Whereas a method for calculating that energy value has now been adopted at Community level and the said nutritional purposes can therefore be included in the list;

Whereas, furthermore, the list of particular nutritional purposes adopted for equines should be adapted and supplemented on the basis of available data;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 94/39/EC is amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary for them to comply with this Directive no later than 30 June 1995. They shall immediately inform the Commission thereof.

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

2. Member States shall communicate to the Commission the text of the essential provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the third 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, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 237, 22. 9. 1993, p. 23.

⁽²⁾ OJ No L 207, 10. 8. 1994, p. 20.

ANNEX

1. In Part B, after the nutritional purpose 'Reduction of copper in the liver' for dogs and cats, the following nutritional purposes are inserted :

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animals	Labelling declarations	Recommended length of time for use	Other provisions
1	2	3	4	5	6
'Reduction of excessive body weight	— Low energy density	Dogs and cats	— Energy value (calculated according to EC method)	Until target body weight is achieved	In the instructions for use an appropriate daily intake must be recommended
Nutritional restoration, convalescence (1)	— High energy density, high concentrations of essential nutrients and highly digestible ingredients	Dogs and cats	— Highly digestible ingredients, including their treatment if appropriate — Energy value (calculated according to EC method) — Content of n-3 and n-6 fatty acids (if added)	Until restoration is achieved	In the case of feedingstuffs specially presented to be given via tubing, indicate on the package, container or label : "Administration under veterinary supervision"

(1) In case of feedingstuffs for cats, the manufacturer may complete the particular nutritional purpose with a reference to "Feline hepatic lipidosis".

2. In part B, the text of the particular nutritional purposes concerning equines is replaced by the following text :

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animals	Labelling declarations	Recommended length of time for use	Other provisions
1	2	3	4	5	6
'Compensation for chronic insufficiency of small intestine function	— Highly preceacally digestible carbohydrates, proteins and fats	Equines (2)	— Source(s) of highly digestible carbohydrates, proteins and fats, including their treatment if appropriate	Initially up to six months	Guidance should be provided on the situations in which the use of the feed is appropriate and the manner in which it should be fed including many small meals per day Indicate on the package, container or label : "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use"

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animals	Labelling declarations	Recommended length of time for use	Other provisions
1	2	3	4	5	6
Compensation for chronic digestive disorders of large intestine	— Highly digestible fibre	Equines	— Fibre source(s) — Content of n-3 fatty acids (if added)	Initially up to six months	Guidance should be provided on the situations in which the use of the feed is appropriate and the manner in which the feed should be fed Indicate on the package, container or label : "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use" Guidance shall be provided on the precise situations in which the use of the feed is appropriate
Reduction of stress reactions	— Highly digestible ingredients	Equines	— Magnesium — Highly digestible ingredients including their treatment if appropriate — Content of n-3 fatty acids (if added)	Two to four weeks	
Compensation of electrolyte loss in cases of heavy sweating	Predominantly electrolytes and easily absorbable carbohydrates	Equines	— Calcium — Sodium — Magnesium — Potassium — Chlorides — Glucose	One to three days	Guidance shall be provided on the situations in which the use of the feed is appropriate When the feed corresponds to a significant part of the daily ration, guidance should be provided to prevent the risk of abrupt changes in the nature of the feed Indicate on the instructions for use : "Water should be available at all times"
Nutritional restoration, convalescence	— High concentration of essential nutrients and highly digestible ingredients	Equines	— Highly digestible ingredients, including their treatment if appropriate — Content of n-3 and n-6 fatty acids (if added)	Until restoration is achieved	Guidance shall be provided on the situations in which the use of the feed is appropriate In the case of feedings specially presented to be given via tubing, indicate on the package, container or label : "Administration under veterinary supervision"

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animals	Labelling declarations	Recommended length of time for use	Other provisions
1	2	3	4	5	6
Support of liver function in case of chronic liver insufficiency	— Low level of protein but of high quality and highly digestible carbohydrates	Equines	<ul style="list-style-type: none"> — Protein and fibre sources — Highly digestible carbohydrates including their treatment if appropriate — Methionine — Choline — Content of n-3 fatty acids (if added) 	Initially up to six months	Guidance should be provided on the manner in which the feed should be fed including many small meals per day Indicate on the package, container or label: "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use"
Support of renal function in case of chronic renal insufficiency	— Low level of protein but of high quality and low level of phosphorus	Equines	<ul style="list-style-type: none"> — Protein source(s) — Calcium — Phosphorus — Potassium — Magnesium — Sodium 	Initially up to six months	Indicate on the package, container or label: "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use." Indicate in the instructions for use: "Water should be available at all times."

(2) In case of feedingstuffs specially prepared to meet the specific conditions of very old animals (easily ingestible ingredients) a reference to "old animals" shall complete the indication of the species or category of animals.

COMMISSION DIRECTIVE 95/10/EC

of 7 April 1995

fixing the method of calculating the energy value of dog and cat food intended for particular nutritional purposes

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs⁽¹⁾, as last amended by Directive 93/74/EEC⁽²⁾, and in particular Article 10 (d) thereof,

Whereas Article 5 (1) (d) of Council Directive 93/74/EEC on feedingstuffs intended for particular nutritional purposes provided for specific labelling declarations concerning animal feedingstuffs intended for particular nutritional purposes;

Whereas, when Commission Directive 94/39/EC of 25 July 1994 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes⁽³⁾, amended by Directive 95/9/EC⁽⁴⁾, was adopted, certain nutritional purposes, for which the energy value is an essential nutritional characteristic, could not be included because of the absence of a Community method for checking the energy value in pet foods;

Whereas the methods for calculating energy value that are currently available are not entirely satisfactory, either at the control level or with regard to the accuracy of the data;

Whereas, however, pending the availability of a satisfactory method, a provisional method should be adopted for a defined period to make possible the declaration of the energy value of feedingstuffs intended for certain particular nutritional purposes, to allow the use of those feedingstuffs for feeding animals in certain situations which necessitate the use of a diet specific to their condition;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Where the energy value of dog and cat food intended for particular nutritional purposes must be declared pursuant

to Article 5 (1) (d) of Directive 93/74/EEC, Member States shall lay down that such value is to be calculated using the method described in the Annex to this Directive.

Article 2

Member States shall provide that the method of calculating the energy value of dog and cat food intended for particular nutritional purposes set forth in the Annex shall be valid until 30 June 1998.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary for them to comply with this Directive no later than 30 June 1995. They shall forthwith inform the Commission thereof.

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

2. Member States shall communicate to the Commission the text of the essential provisions under national law that they adopt in the sphere governed by this Directive.

Article 4

This Directive shall enter into force on the third 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, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 86, 6. 4. 1979, p. 30.

⁽²⁾ OJ No L 237, 22. 9. 1993, p. 23.

⁽³⁾ OJ No L 207, 10. 8. 1994, p. 20.

⁽⁴⁾ See page 35 of this Official Journal.

*ANNEX***METHOD OF CALCULATING THE ENERGY VALUE OF DOG AND CAT FOOD INTENDED FOR PARTICULAR NUTRITIONAL PURPOSES****1. Method of calculating and expressing energy value**

The energy value of dog and cat food intended for particular nutritional purposes must be calculated using the formula set out below, on the basis of the percentages of certain analytical constituents of the food; this value is expressed in megajoules (MJ) of metabolizable energy (ME) per kilogram of compound feedingstuff, thus:

- (a) dog and cat food with the exception of cat food with a moisture content exceeding 14 %:

$$\text{MJ/kg of ME} = 0,1464 \times \% \text{ crude protein} + 0,3556 \times \% \text{ crude oils and fats} + 0,1464 \times \% \text{ nitrogen-free extract}$$

- (b) cat food with a moisture content exceeding 14 %:

$$\text{MJ/kg of ME} = (0,1632 \times \% \text{ crude protein} + 0,3222 \times \% \text{ crude oils and fats} + 0,1255 \times \% \text{ nitrogen-free extract}) - 0,2092$$

where the percentage of nitrogen-free extract is calculated by taking the difference between 100 and the percentage of moisture, crude ash, crude protein, crude oils and fats and crude fibre.

2. Tolerances applicable to the declared values

If the official inspection provided for in Article 12 of Directive 79/373/EEC reveals a discrepancy between the result of the inspection and the declared energy value (increased or reduced energy value of the feedingstuff), a tolerance of 15 % shall be applied.

3. Expression of result

After application of the above formula, the result obtained must be given to one decimal place.

4. Sampling and analysis methods

Sampling of the compound feed and determination of the content of the analytical constituents indicated in the method of calculation must be performed in accordance with, respectively, Community sampling methods and analysis methods for the official control of feedingstuffs.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 March 1995

relating to the conclusion of an Agreement between the European Community
and Austria pursuant to Article XXVIII of the GATT

(95/136/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

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

Having regard to the proposal from the Commission,

Whereas on 19 December 1994 the Council authorized the Commission to withdraw under Article XXVIII.5 of the GATT a tariff quota of 20 000 head at a duty of 6 % for cows and heifers other than those intended for slaughter of the grey, brown, yellow and mottled Simmental breed and mottled Pinzgau breed, to open negotiations with the appropriate contracting parties and to replace the abovementioned concession with a tariff quota of 5 000 head with the same rate of duty;

Whereas the intention to withdraw the abovementioned concession was notified to GATT;

Whereas Austria had the Initial Negotiating Rights and was principal supplier under the quota;

Whereas negotiations have taken place with Austria and were concluded on 21 December 1994;

Whereas these negotiations have resulted in the agreement attached, the approval of which is in the interest of the Community,

Article 1

The Agreement between the European Community and Austria on a tariff quota for 5 000 head for cows and heifers is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person(s) empowered to sign the Agreement in order to bind the Community.

Article 3

This Decision shall take effect on the first day following its publication in the *Official Journal of the European Communities*.

It shall apply as from 31 December 1994.

Done at Brussels, 14 March 1995.

For the Council

The President

B. BOSSON

AGREEMENT

**between the European Community and Austria on a tariff quota of 5 000 head for cows
and heifers**

To the Director-General,
GATT,
Geneva.

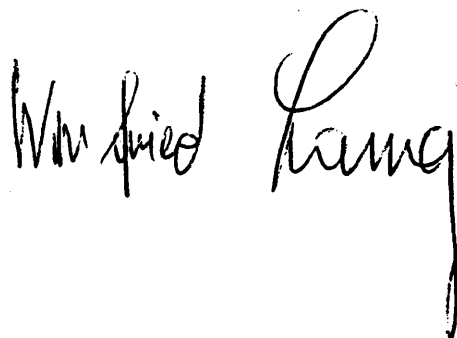
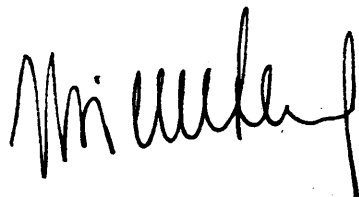
Geneva, 10 April 1995.

NEGOTIATIONS RELATING TO SCHEDULE LXXX — EUROPEAN COMMUNITIES

The Delegations of the European Communities and Austria have concluded their negotiations under Article XXVIII for the withdrawal of a concession provided for in Schedule LXXX — European Communities as set out in the report attached.

For the European Community

For the Republic of Austria



List of concessions withdrawn with effect from 1 July 1995

Schedule LXXX to GATT 1947

		Duty rate
	Live bovine animals :	
	– Other than pure-bred breeding animals :	
	– – Domestic species :	
ex 0102 90 10	– – – of a weight not exceeding 220 kg	(¹)
	– – – of a weight exceeding 220 kg :	
ex 0102 90 31	– – – – Heifers (female bovines that have never calved)	(¹)
ex 0102 90 33	– – – – Cows	(¹)

(¹) A rate of 6 % is applicable within the limits of an annual tariff quota, to be granted by the competent Community authorities, of 20 000 heifers and cows (other than for slaughter) of the following mountain breeds : grey, brown, yellow, spotted Simmental and Pinzgau. Qualification for the quota is subject to conditions determined by the competent authorities of the Member State of destination.

Concession withdrawn with effect from 1 July 1995

Schedule LXXX to GATT 1994

Description of product	Tariff item number	Quantity and in-quota tariff rate	Other terms and conditions
Live bovine animals	ex 0102 90 30	20 000 head 6 %	Heifers and cows (other than for slaughter) of the following mountain breeds : grey, brown, yellow, spotted Simmental and Pinzgau

New concession with effect from 1 July 1995

Schedule LXXX to GATT 1994

Description of product	Tariff item number	Quantity and in-quota tariff rate	Other terms and conditions
Live bovine animals	ex 0102 90 30	5 000 head 6 %	Heifers and cows (other than for slaughter) of the following mountain breeds : grey, brown, yellow, spotted Simmental and Pinzgau

CONCESSION WITHDRAWN WITH EFFECT FROM 1 JULY 1995**Schedule LXXX to GATT 1994**

Description of product	Tariff item number	Quantity and in-quota tariff rate	Other terms and conditions
Live bovine animals	ex 0102 90 30	20 000 head 6 %	Heifers and cows (other than for slaughter) of the following mountain breeds : grey, brown, yellow, spotted Simmental and Pinzgau

NEW CONCESSION WITH EFFECT FROM 1 JULY 1995**Schedule LXXX to GATT 1994**

Description of product	Tariff item number	Quantity and in-quota tariff rate	Other terms and conditions
Live bovine animals	ex 0102 90 30	5 000 head 6 %	Heifers and cows (other than for slaughter) of the following mountain breeds : grey, brown, yellow, spotted Simmental and Pinzgau

COUNCIL DECISION**of 7 April 1995****on the signature, by the Community, without reservation of ratification, on the Convention on Customs Treatment of Pool Containers used in International Transport (Geneva, 21 January 1994)**

(95/137/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the Convention on Customs Treatment of Pool Containers used in International Transport, hereinafter called the 'Convention', negotiated under the auspices of the United Nations and signed at Geneva on 21 January 1994, seeks to promote efficient use of containers in international transport by facilitating administrative procedures, with a view in particular to reducing transport of empty units;

Whereas Article 14 (3) of the Convention provides for its signature by regional economic integration organizations;

Whereas, in the light of its major practical advantages for economic operators, the Convention should be approved and signed by the Community without reservation of ratification;

Whereas the Convention should nonetheless be accepted with a reservation reflecting certain constraints pertaining to the customs union and to the current level of harmonization with regard to the import and export of spare parts for repairs and of container accessories and equipment;

Whereas, therefore, the Community should become a Contracting Party to the Convention, with the abovementioned reservation,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention on Customs Treatment of Pool Containers used in International Transport is hereby approved, with a reservation, on behalf of the Community as regards the matters which fall within its exclusive competence.

The text of the Convention and the Community reservation entered thereto appear respectively in Annexes I and II.

The text of the notification provided for in Article 14 (3) of the Convention appears in Annex III.

Article 2

The President of the Council is hereby authorized to designate the person empowered to:

- sign, without reservation of ratification, the Convention in order to bind the Community,
- proceed with the notification provided for in Article 14 (3) of the Convention.

Done at Luxembourg, 7 April 1995.

For the Council

The President

J. ROSSI

ANNEX I

CONVENTION ON CUSTOMS TREATMENT OF POOL CONTAINERS USED IN
INTERNATIONAL TRANSPORT

(Container Pool Convention)

PREAMBLE

THE CONTRACTING PARTIES,

CONSCIOUS of the increasing importance of international transport of goods in containers,

DESIRING to enhance the efficient use of containers in international transport,

CONSIDERING the necessity to facilitate administrative procedures, in order to provide for a reduced transport of empty units,

HAVE AGREED as follows :

CHAPTER I

(v) designed to be easy to fill and to empty ;

(vi) having an internal volume of one cubic metre or more except for air freight containers ;

GENERAL

'demountable bodies' and 'platform flats' are to be treated as containers ;

Article 1

Definitions

the term 'container' shall include standard air freight containers having an internal volume of less than one cubic metre provided they fulfil the requirements of subparagraphs (i) to (v) ;

For the purposes of this Convention :

the term 'container' shall include the accessories and equipment of the container, appropriate for the type concerned, provided that such accessories and equipment are carried with the container. The term 'container' shall not include vehicles, accessories or spare parts of vehicles, or packaging ;

(a) the term 'import duties and taxes' shall mean Customs duties and all other duties, taxes, fees and other charges which are collected on, or in connection with, the importation of goods, but not including fees and charges limited in amount to the approximate costs of services rendered ;

(b) the term 'container' shall mean an article of transport equipment (lift-van, movable tank or other similar structure) :

(i) fully or partially enclosed to constitute a compartment intended for containing goods ;

(ii) of a permanent character and accordingly strong enough to be suitable for repeated use ;

(iii) specially designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading ;

(iv) designed for ready handling, particularly when being transferred from one mode of transport to another ;

(c) the term 'partially enclosed', as applied to containers in Article 1, subparagraph (b) (i), shall relate to containers generally consisting of a floor and a superstructure marking off a loading space equivalent to that of a closed container. The superstructure is generally made up of metal members forming the frame of a container. Containers of this type may also comprise one or more lateral or frontal walls. In some cases there is only a roof attached to the floor by uprights. This type of container is used in particular for the transport of bulky goods (motor cars, for example) ;

(d) the term 'demountable body' shall mean a load compartment which has no means of locomotion and which is designed in particular to be transported upon a road vehicle, the chassis of which, together with the

underframing of the body is especially adapted for this purpose. It covers also a swap-body which is a load compartment designed especially for combined rail/road transport ;

- (e) the term 'platform flat' shall mean a loadable platform having no or an incomplete superstructure but having the same length and width as the base of a container and equipped with top and bottom corner fittings, so that some of the same securing and lifting devices can be used ;
- (f) the term 'repair' shall concern solely minor restoration and routine maintenance ;
- (g) the term 'accessories and equipment of the container' shall cover in particular the following devices even if they are removable :
 - (i) equipment for controlling, modifying or maintaining the temperature inside the container ;
 - (ii) small appliances, such as temperature or impact recorders, designed to indicate or record variations in environmental conditions and impact ;
 - (iii) internal partitions, pallets, shelves, supports, hooks, sheets, bags and similar devices especially designed for use in containers ;
- (h) the term 'Pool' shall mean the use in common of containers established by an agreement ;
- (i) the 'Pool member' shall mean the operator of containers who is a party to the agreement setting up the Pool ;
- (j) the term 'operator' of a container shall mean the person, who, whether or not its owner, has effective control of its use ;
- (k) the term 'person' shall mean both natural and legal persons ;
- (l) the term 'equivalent compensation' shall mean the system which allows the re-exportation or re-importation of a container of the same type as that of another container previously imported or exported ;
- (m) the term 'internal traffic' shall mean the carriage of goods loaded in the territory of a Contracting Party for unloading at a place within the territory of the same Contracting Party ;
- (n) the term 'Contracting Party' shall mean a State or regional economic integration organization, party to this Convention ;
- (o) the term 'regional economic integration organization' shall mean an organization constituted by and composed of States referred to in Article 14 (1) and (2) of this Convention which has competence to adopt its own legislation that is binding on its Member States, in respect of matters governed by this Convention, and has competence to decide, in accordance with its internal procedures, to sign, ratify or accede to this Convention ;

- (p) the term 'ratification' shall mean ratification, acceptance or approval.

Article 2

Objective

This Convention aims at facilitating the use in common of containers by members of a Pool, on the basis of equivalent compensation.

Article 3

Scope

This Convention shall apply to an exchange between Contracting Parties of containers for use as part of a Pool whose members are established in the territory of those Contracting Parties.

Article 4

Facilities

Each Contracting Party shall grant admission to containers as referred to in Article 3 of this Convention, without payment of import duties and taxes, free of import prohibitions or restrictions of an economic character, without limitations as to use in internal traffic and without requiring, on their importation and exportation, Customs documents and security, provided that the conditions laid down in Article 5 of this Convention are complied with.

Article 5

Conditions

1. Each Contracting Party shall apply the facilities of Article 4 of this Convention to containers used in a Pool on the conditions that :
 - (a) they have been previously exported or will be subsequently re-exported, or that an equal number of containers of the same type have been previously exported or will subsequent be re-exported ;
 - (b) under the agreement setting up the Pool, the Pool members :
 - (i) exchange among themselves containers in the course of international transport of goods ;
 - (ii) keep records, for each type of container, showing the movement of containers so exchanged ;
 - (iii) undertake to deliver to one another the number of containers of each type necessary to offset, over periods of 12 months, the outstanding balances of the accounts so kept, so as to ensure a balance for each Pool member between the number of containers of each type which he has placed at the disposal of the Pool and the number of Pool containers of these same types at his disposal in the territory of the Contracting Party in which he is established. The period of 12 months may be extended by the competent Customs authorities of that Contracting Party.

2. Each Contracting Party may decide whether containers placed at the disposal of the Pool by any Pool member established in its territory shall meet the conditions contained in its legislation concerning admission and unrestricted use in internal traffic on its territory.

3. The provisions of paragraph 1 of this Article shall be applicable only if:

- (a) containers bear durable and unique marks agreed upon in the Pool agreement, which shall allow identification of the container;
- (b) the Pool agreement has been communicated to the Customs authorities of the Contracting Parties concerned, and these authorities have approved it as being in conformity with the provisions of this Convention. Competent authorities shall inform the Executive Secretary of the United Nations Economic Commission for Europe of their approval and will also inform him of the names of the Contracting Parties concerned. The Executive Secretary transmits this information to the Contracting Parties concerned.

Article 6

Component parts for repair

1. When the Pool agreement foresees the setting up of a Pool for identifiable component parts used for the repair of the Pool containers, Articles 4, 5 (paragraphs 1, 2 and 3 (b)) and 9 of this Convention shall apply *mutatis mutandis* to those component parts.

2. When the Pool agreement does not foresee the setting up of a Pool for the component parts used for the repair of the Pool containers, temporary admission without payment of import duties and taxes, and without application of import prohibitions or restrictions of economic character shall be granted to these component parts without the production of Customs documents being required on their importation and re-exportation and without the furnishing of a form of security.

When the provisions of the preceding paragraph cannot be applied, in lieu of a Customs document and security for spare parts, the person to whom the temporary admission facilities are granted may be required to undertake in writing:

- (a) to supply to the Customs authorities a list of component parts with an undertaking to re-export; and

- (b) to pay such import duties and taxes as may be required in the case where the conditions of temporary admission have not been fulfilled.

Component parts granted temporary admission not used for repair shall be re-exported within six months from the date of importation. However, this period may be extended by the competent Customs authorities.

3. Replaced parts not re-exported shall, in conformity with the regulations of the country concerned and as the Customs authorities of that country may authorize, be:

- (a) subjected to the import duties and taxes to which they are liable at the time when, and in the condition in which, they are presented;
- (b) abandoned, free of all expense, to the competent authorities of that country; or
- (c) destroyed, under official supervision at the expense of the parties concerned.

Article 7

Accessories and equipment of containers

1. When the Pool agreement foresees the setting up of a Pool for identifiable accessories and equipment of containers, which are either imported with a container of the Pool to be re-exported separately or with another container of the Pool, or imported separately to be re-exported with a container of the Pool, Articles 4, 5 (paragraphs 1, 2 and 3 (b)) and 9 of this Convention shall apply *mutatis mutandis* to those accessories and equipment.

2. When the Pool agreement does not foresee the setting up of a Pool for the accessories and equipment of containers, which are either imported with a container of the Pool to be re-exported separately or with another container of the Pool, or imported separately to be re-exported with a container of the Pool:

- (a) the provisions of Article 6 (2) shall apply to these accessories and equipment;
- (b) each Contracting Party reserves the right not to grant temporary admission to accessories and equipment which have been the subject of purchase, hire-purchase, lease or a contract of a similar nature concluded by a person resident or established in its territory;

(c) notwithstanding the requirement of the period for the re-exportation laid down in Article 6 (2), which shall apply to accessories and equipment by virtue of point (a) of this Article, seriously damaged accessories and equipment shall not be required to be re-exported provided that, in conformity with the regulations of the country concerned and as the Customs authorities of that country may authorize, they are :

- (i) subjected to the import duties and taxes to which they are liable at the time when, and in the condition in which, they are presented ;
- (ii) abandoned, free of all expense, to the competent authorities of that country ; or
- (iii) destroyed, under official supervision, at the expense of the parties concerned, any parts or materials salvaged being subjected to the import duties and taxes to which they are liable at the time when, and in the condition in which, they are presented.

Article 8

Regional economic integration organization

1. For the purpose of this Convention, the territories of Contracting Parties which form a regional economic integration organization may be taken to be a single territory.
2. Nothing in this Convention shall prevent a regional economic integration organization Contracting Party to this Convention, from enacting special provisions applicable to the use of Pool containers in the territory of that organization, provided those provisions do not reduce the facilities provided for by this Convention.

Article 9

Controls

1. Each Contracting Party shall have the right to carry out controls regarding the correct application of this Convention.
2. Pool members established in the territory of a Contracting Party shall provide the Customs authorities of that Contracting Party, on their request, with the list of the numbers of containers placed at the disposal of the Pool, and the number of Pool containers of each type in its territory.

Article 10

Infringements

1. Any infringement of the provisions of this Convention shall render the perpetrator liable, on the territory of the Contracting Party in which the infringement was

committed, to any measures provided for by the laws of that Contracting Party.

2. When it is not possible to determine the territory on which an irregularity has been committed, it shall be deemed to have been committed on the territory of the contracting Party where it was detected.

Article 11

Exchange of information

The Contracting Parties shall communicate to each other, on demand and in so far as their laws permit, the information required to implement the provisions of this Convention.

Article 12

Greater facilities

This Convention shall not prevent the application of greater facilities which Contracting Parties grant or may wish to grant either by unilateral provisions or by virtue of bilateral or multilateral agreements provided that such facilities do not impede the application of the provisions of this Convention.

Article 13

Safeguard clause

This Convention shall not affect the provisions regarding competition applicable in one or several Contracting Parties.

CHAPTER II

FINAL PROVISIONS

Article 14

Signature, ratification and accession

1. Member States of the United Nations or its specialized agencies may become Contracting Parties to this Convention by :
 - (a) signature without reservation of ratification ;
 - (b) depositing an instrument of ratification, after signature subject to ratification ;
 - (c) depositing an instrument of accession.
2. Any State other than those referred to in paragraph 1 of this Article, to which an invitation to that effect has been addressed by the depositary at the request of the Administrative Committee, may become a Contracting Party to this Convention by acceding thereto after its entry into force.

3. Any regional economic integration organization may become, in accordance with the provisions of paragraph 1 of this Article, a Contracting Party to this Convention. Such organization, Contracting Party to this Convention, shall inform the depositary of its competence and any subsequent changes thereto, with respect to the matters governed by this Convention. The organization concerned shall, for the matters its competence, exercise the rights and fulfil the responsibilities which this Convention confers on States which are Contracting Parties to this Convention. In matters within the competence of the organization, of which the depositary has been informed, the Member States of the organization, which are Contracting Parties to this Convention, shall not be entitled to exercise individually these rights, including *inter alia* the right to vote.

4. This Convention shall be open for signature from 15 April 1994 to 14 April 1995 inclusive, at the Office of the United Nations in Geneva. Thereafter, it shall be open for accession.

Article 15

Reservation

Any Contracting Party may enter reservations to paragraph 2 of Articles 6 and 7, concerning the requirement of Customs document and security. Any Contracting Party which has entered reservations may withdraw them, in whole or in part, at any time, by notification to the depositary specifying the date on which such withdrawal takes effect.

Article 16

Entry into force

1. This Convention shall enter into force six months after the date on which five States or regional economic integration organizations referred to in Article 14 (1) and (3), have signed this Convention without reservation of ratification or have deposited their instruments of ratification or accession. For the purpose of this paragraph, any signature without reservation of ratification of, or any instrument deposited by, such a regional economic integration organization shall not be counted as additional to those of its Member States.

2. This Convention shall enter into force for all additional States or regional economic integration organizations referred to in Article 14 (1), (2) and (3), six months after the date of signature without reservation of ratification, or of deposit of instruments of ratification or accession.

3. Any instrument of ratification or accession deposited after the entry into force of an amendment to this Convention in accordance with Article 21 shall be deemed to apply to this Convention as amended.

4. Any such instrument deposited after an amendment has been accepted but before it has entered into force shall be deemed to apply to this Convention as amended on the date when the amendment enters into force.

5. This Convention shall apply to a specific Pool only when all the States or regional economic integration organizations concerned by that Pool have become Contracting Parties to this Convention.

Article 17

Denunciation

1. Any Contracting Party may denounce this Convention by so notifying the depositary.

2. Denunciation shall take effect fifteen months after the date of receipt by the depositary of the notification of denunciation.

Article 18

Termination

If, after the entry into force of this Convention, the number of Contracting Parties is for any period of 12 consecutive months reduced to less than five, the Convention shall cease to have effect from the end of the 12-month period. For the purpose of the present Article, the presence of a regional economic integration organization shall not be counted as additional to its Member States.

Article 19

Administrative Committee

1. There shall be established an Administrative Committee (hereinafter called 'the Committee') to consider the operation of the present Convention, to consider any amendments proposed thereto and to consider measures to secure uniformity in the interpretation and application thereof.

2. The Contracting Parties shall be members of the Committee. The Committee may decide that the competent administration of any State or regional economic integration organization which is not a Contracting Party, or representatives of international organizations may, for questions which interest them, attend the sessions of the Committee as observers.

3. The Executive Secretary of the United Nations Economic Commission for Europe, (hereinafter called the 'Executive Secretary') shall provide the Committee with secretariat services.

4. The Committee shall, on the occasion of every session, elect a Chairman and a Vice-Chairman.

5. The competent administrations of the Contracting Parties shall communicate to the Executive Secretary proposals for amendments to the present Convention and the reasons therefor, together with any requests for the inclusion of items on the agenda of the sessions of the Committee. The Executive Secretary shall bring these communications to the attention of the competent administrations of the Contracting Parties and to the depositary.

6. The Executive Secretary shall convene the Committee :

- (a) two years after the Convention has entered into force ;
- (b) thereafter, at a date fixed by the Committee, but not less frequently than every five years ;
- (c) at the request of the competent administrations of at least two Contracting Parties.

He shall circulate the draft agenda to the competent administrations of the Contracting Parties and to the observers referred to in paragraph 2 of this Article, at least six weeks before the Committee meets.

7. On the decision of the Committee taken by virtue of the provisions of paragraph 2 of this Article, the Executive Secretary shall invite the competent administrations of the States and the organizations referred to in the said paragraph 2 to be represented by observers at the sessions of the Committee.

8. A quorum consisting of not less than one-third of the Contracting Parties is required for the purposes of taking decisions. For the purpose of this paragraph, the presence of a regional economic integration organization shall not be counted as additional to its Member States.

9. Proposals shall be put to the vote. Except as provided in paragraph 10 of this Article, each Contracting Party represented at the meeting shall have one vote. Proposals other than proposals for amendments shall be adopted by the Committee by a majority of the members present and voting. Proposals for amendments shall be adopted by a two-thirds majority of the members present and voting.

10. Where Article 14 (3) applies, the regional economic integration organizations, Contracting Parties to this

Convention, shall have, in case of voting, only a number of votes equal to the total votes allotted to their Member States which are Contracting Parties to this Convention.

11. Before the closure of its session, the Committee shall adopt a report.

12. In the absence of relevant provisions in this Article, the Rules of Procedure of the United Nations Economic Commission for Europe shall be applicable unless the Committee decides otherwise.

Article 20

Settlement of disputes

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention shall, in so far as possible, be settled by direct negotiation between them.

2. Any dispute which is not settled by direct negotiation shall be referred by the Contracting Parties in dispute to the Committee which shall consider the dispute and make recommendations for its settlement.

3. The Contracting Parties in dispute may agree in advance to accept the recommendations of the Committee as binding.

Article 21

Amendment procedure

1. In accordance with Article 19 of this Convention, the Committee may recommend amendments to this Convention.

2. The text of any amendment so recommended shall be communicated by the depositary to all Contracting Parties to this Convention and to the other signatories.

3. Any recommended amendment communicated in accordance with paragraph 2 of this Article shall enter into force with respect to all Contracting Parties three months after the expiry of a period of 18 months following the date of communication of the recommended amendment if no objection to the recommended amendment has been notified during that period to the depositary by a Contracting Party.

4. If an objection to the recommended amendment has been notified to the depositary by a Contracting Party before the expiry of the period of 18 months specified in paragraph 3 of this Article, the amendment shall be deemed not to have been accepted and shall have no effect whatsoever.

*Article 22***Depositary**

1. The Secretary-General of the United Nations is designated as the depositary of this Convention.
2. The functions of the Secretary-General of the United Nations as depositary shall be as set out in Part VII of the Vienna Convention on the Law of Treaties, concluded at Vienna on 23 May 1969.
3. In the event of any difference appearing between a Contracting Party and the depositary as to the performance of the latter's functions, the depositary or that

Contracting Party shall bring the question to the attention of the other Contracting Parties and the signatories or, where appropriate, to the Committee.

*Article 23***Registration and authentic texts**

In accordance with Article 102 of the Charter of the United Nations, this Convention shall be registered with the secretariat of the United Nations.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Convention.

DONE at Geneva, this twenty-first day of January 1994 in a single copy in the Arabic, Chinese, English, French, Russian and Spanish languages, the six texts being equally authentic.

*ANNEX II***Community reservation referred to in Article 1 of the Decision**

Pursuant to Articles 6 and 7 of the Convention, Community legislation requires, in certain circumstances, production of customs documents and the furnishing of a form of security for component parts for repair and for accessories and equipment of containers. These circumstances are:

- cases of serious risk of failure to comply with the obligation to re-export, and
- cases where payment of the customs debt likely to arise is not entirely certain.

*ANNEX III***Notification referred to in the third subparagraph of Article 1 of the Decision**

In accordance with Article 14 (3) of the Convention, the Community hereby notifies the Secretary-General of the United Nations Organization, as depositary of the said Convention, that the Community, as a regional economic integration organization, is competent for all the matters governed by the Convention, with the exception of:

- the determination of the duties, taxes, fees or other charges referred to in Article 1 (a) of the Convention other than Community customs duties, charges having equivalent effect to Community customs duties, agricultural levies or other import charges provided for under the Community's agricultural policy,
 - the sanctions provided for in cases of infringement of the provisions of the Convention.
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COMMISSION

COMMISSION DECISION

of 30 March 1995

laying down the methods of control for maintaining the officially tuberculosis-free status of bovine herds in the Netherlands

(Only the Dutch text is authentic)

(Text with EEA relevance)

(95/138/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 3 (14) thereof,

Whereas more than 99,9 % of bovine herds in the Netherlands have been declared officially tuberculosis-free within the meaning of point (d) of Article 2 of Directive 64/432/EEC and as having fulfilled the conditions for this qualification for at least ten years ; whereas, every year for the past six years at least, bovine tuberculosis has not been found to be present in more than one herd per 10 000 herds ;

Whereas all bovine slaughtered in the Netherlands are subjected to a *post mortem* examination by an official veterinarian ;

Whereas in order to maintain the qualification of 'officially tuberculosis-free' it is necessary to lay down control measures ensuring efficacy which are adapted to the particular health situation of bovine herds in the Netherlands ;

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. An identification system making it possible to trace, for each bovine animal, the herds of origin and transit shall be set up.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

2. Every animal slaughtered must be subjected to a *post mortem* examination by an official veterinarian.

3. Every suspected case of tuberculosis in a living, dead or slaughtered animal must be notified to the competent authorities.

4. For each suspected case, the competent authorities shall carry out the investigations required in order to confirm or invalidate the suspicion, including tracing back to the herds of origin and transit. If lesions giving rise to a suspicion of tuberculosis are found at the *post mortem* examination or on slaughtering, the competent authorities shall submit such lesions for laboratory examination.

5. The officially tuberculosis-free status of the herds of origin and transit of the suspected bovine animals shall be suspended and the period of suspension shall continue until clinical or laboratory examinations, or tuberculin tests have ruled out the presence of bovine tuberculosis.

6. If the suspicion of tuberculosis is confirmed, either by tuberculin tests or by clinical or laboratory examinations, the officially tuberculosis-free status of the herds of origin and transit shall be withdrawn.

Article 2

The status of being officially free from tuberculosis shall remain withdrawn until such time as :

- all the animals deemed to be infected have been removed from the herd,
- the premises and utensils have been disinfected,
- all the remaining bovine animals over six weeks of age have reacted negatively to at least two official intradermal tuberculin tests in accordance with Annex B

of Directive 64/432/EEC, the first one being carried out at least six months after the infected animal has left the herd and the second one at least six months after the first.

Article 3

Details of any breakdown herds, as well as an epidemiological report, shall be communicated to the Commission without delay, it being understood that a 'breakdown herd' means a herd of origin or transit which has contained a bovine animal that has proved positive when tested for *Mycobacterium bovis*.

Article 4

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 6 April 1995

authorizing the Kingdom of Belgium, the French Republic and the Kingdom of the Netherlands to permit temporarily the marketing of flax seed not complying with the requirements of Council Directive 69/208/EEC

(95/139/EC)

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

Having regard to Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 16 thereof,

Having regard to the requests made by Belgium, France and the Netherlands,

Whereas in Belgium, France and the Netherlands the production of flax seed complying with the requirements of Directive 69/208/EEC has been insufficient in 1994 and is not adequate to supply the needs of these countries;

Whereas it has not been possible to cover these seeds sufficiently with seed from Member States, or from third countries, meeting all the requirements laid down in the said Directive;

Whereas Belgium, France and the Netherlands should therefore be authorized to permit, for a period expiring on 30 June 1995, the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas it also appears desirable to authorize each of the other Member States to permit the marketing of such seed, if its marketing has been authorized in other Member States under this Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the French Republic and the Kingdom of the Netherlands are authorized to permit, for

a period expiring on 30 June 1995, the marketing in their territories of a maximum of 1 000 tonnes of flax seed (*Linum usitatissimum* L.) of the categories 'certified seed of the first generation', 'certified seed of the second generation' and 'certified seed of the third generation' which does not satisfy the requirements laid down in Annex II to Directive 69/208/EEC with regard to the minimum germination capacity. This maximum applies to all three Member States taken together. The following requirements are satisfied:

- (a) the germination capacity is at least 90 % of pure seed;
- (b) the official label shall bear the following endorsements: 'Minimum germination capacity 90 %'.

Article 2

The other Member States are authorized to permit, subject to the conditions laid down in Article 1 and for the purposes intended by the applicant Member States, the marketing in their territories of the seed authorized to be marketed under Article 1.

Article 3

The Member States shall notify the Commission and the other Member States before 30 September 1995 the quantities of seed certified and marketed in their territories pursuant to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

COMMISSION DECISION

of 7 April 1995

amending Commission Decision 91/449/EEC laying down the specimen animal health certificates in respect of meat products imported from third countries

(Text with EEA relevance)

(95/140/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 ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 21a and 22 thereof,

Whereas Commission Decision 91/449/EEC ⁽²⁾, as last amended by Decision 94/847/EC ⁽³⁾, lays down the specimen animal health certificates in respect of meat products from third countries;

Whereas no outbreaks of foot-and-mouth disease has occurred in Argentina since April 1994; whereas, however, a vaccination policy against this disease is carried out in this country;

Whereas the categories of meat products which can be imported from third countries depend on the health situation of the country of fabrication;

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 Annex E, part II of Decision 91/449/EEC the following country is added: 'Argentina'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽³⁾ OJ No L 352, 31. 12. 1994, p. 56.