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Legislation

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Note to our Swedish and Finnish readers (see page 3 of the cover)

(¹) Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 617/95**of 21 March 1995****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 3254/94 ⁽³⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation ;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 March 1995.

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

Done at Brussels, 21 March 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 346, 31. 12. 1994, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	CN code	a) b) c)	ECU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	54,27 312,03 521,83	700,64 356,47 2 060,58	99,54 45,30 45,19	401,94 126 891,13	16 314,97 111,69	9 253,21 10 563,16
1.30	Onions (other than seed) 0703 10 19	a) b) c)	46,67 268,34 448,75	602,52 306,55 1 772,01	85,60 38,96 38,86	345,65 109 121,24	14 030,21 96,04	7 957,39 9 083,89
1.40	Garlic 0703 20 00	a) b) c)	143,04 822,38 1 375,30	1 846,56 939,48 5 430,72	262,35 119,40 119,10	1 059,33 334 425,86	42 998,65 294,35	24 387,16 27 839,57
1.50	Leeks ex 0703 90 00	a) b) c)	50,54 290,55 485,90	652,40 331,93 1 918,71	92,69 42,18 42,08	374,27 118 155,00	15 191,73 104,00	8 616,15 9 835,92
1.60	Cauliflowers ex 0704 10 10 ex 0704 10 90	a) b) c)	129,66 745,45 1 246,66	1 673,83 851,60 4 922,74	237,81 108,23 107,96	960,24 303 143,78	38 976,57 266,82	22 105,99 25 235,47
1.70	Brussels sprouts 0704 20 00	a) b) c)	53,71 308,79 516,41	693,36 352,77 2 039,18	98,51 44,83 44,72	397,77 125 573,44	16 145,55 110,53	9 157,13 10 453,47
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	50,53 290,52 485,86	652,34 331,89 1 918,53	92,68 42,18 42,07	374,23 118 143,54	15 190,25 103,99	8 615,32 9 834,96
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>) ex 0704 90 90	a) b) c)	79,26 455,69 762,07	1 023,20 520,58 3 009,22	145,37 66,16 65,99	586,99 185 309,09	23 826,03 163,10	13 513,20 15 426,22
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	44,62 256,56 429,06	576,08 293,10 1 694,25	81,85 37,25 37,16	330,49 104 332,57	13 414,51 91,83	7 608,19 8 685,26
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 90	a) b) c)	156,73 901,09 1 506,93	2 023,29 1 029,40 5 950,49	287,46 130,83 130,50	1 160,72 366 433,17	47 113,98 322,52	26 721,21 30 504,05
1.120	Endives ex 0705 29 00	a) b) c)	21,82 125,45 209,80	281,68 143,31 828,43	40,02 18,21 18,17	161,60 51 014,94	6 559,22 44,90	3 720,14 4 246,78
1.130	Carrots ex 0706 10 00	a) b) c)	34,98 201,10 336,31	451,55 229,74 1 328,00	64,15 29,20 29,12	259,04 81 778,92	10 514,69 71,98	5 963,52 6 807,76
1.140	Radishes ex 0706 90 90	a) b) c)	74,66 429,21 717,80	963,75 490,33 2 834,40	136,92 62,32 62,16	552,89 174 543,11	22 441,80 153,63	12 728,11 14 529,99
1.160	Peas (<i>Pisum sativum</i>) 0708 10 10 0708 10 90	a) b) c)	190,20 1 093,51 1 828,73	2 455,35 1 249,22 7 221,18	348,84 158,77 158,37	1 408,58 444 682,89	57 174,90 391,39	32 427,37 37 018,01

Code	Description	Amount of unit values per 100 kg						
	CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
1.170	Beans :							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	a)	177,09	2 286,14	324,80	1 311,51	53 234,62	30 192,60
	0708 20 10	b)	1 018,15	1 163,13	147,82	414 036,99	364,42	34 466,87
	0708 20 90	c)	1 702,70	6 723,53	147,45			
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	a)	236,93	3 058,57	434,54	1 754,63	71 221,23	40 393,90
	0708 20 10	b)	1 362,15	1 556,12	197,77	553 929,45	487,55	46 112,34
	0708 20 90	c)	2 278,00	8 995,23	197,27			
1.180	Broad beans	a)	92,83	1 198,38	170,26	687,49	27 905,25	15 826,77
	ex 0708 90 00	b)	533,71	609,70	77,49	217 035,61	191,03	18 067,32
		c)	892,54	3 524,43	77,29			
1.190	Globe artichokes	a)	123,27	1 591,36	226,09	912,93	37 056,12	21 016,79
	0709 10 10	b)	708,72	809,64	102,90	288 207,30	253,67	23 992,07
		c)	1 185,23	4 680,18	102,64			
1.200	Asparagus :							
1.200.1	— green	a)	451,19	5 824,56	827,51	3 341,43	135 629,76	76 923,91
	ex 0709 20 00	b)	2 594,01	2 963,39	376,62	1 054 872,56	928,46	87 813,78
		c)	4 338,09	17 130,02	375,67			
1.200.2	— other	a)	166,42	2 148,38	305,23	1 232,48	50 026,85	28 373,28
	ex 0709 20 00	b)	956,80	1 093,04	138,92	389 088,30	342,46	32 389,99
		c)	1 600,10	6 318,38	138,57			
1.210	Aubergines (eggplants)	a)	160,21	2 068,16	293,83	1 186,46	48 158,76	27 313,77
	0709 30 00	b)	921,07	1 052,23	133,73	374 559,09	329,67	31 180,50
		c)	1 540,35	6 082,45	133,39			
1.220	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	a)	83,36	1 076,13	152,89	617,35	25 058,55	14 212,23
	ex 0709 40 00	b)	479,26	547,51	69,58	194 895,08	171,54	16 224,21
		c)	801,49	3 164,89	69,41			
1.230	Chantarelles	a)	963,14	12 433,56	1 766,48	7 132,87	289 525,66	164 207,66
	0709 51 30	b)	5 537,37	6 325,87	803,96	2 251 811,69	1 981,97	187 454,01
		c)	9 260,43	36 567,05	801,94			
1.240	Sweet peppers	a)	194,67	2 513,04	357,04	1 441,68	58 518,13	33 189,20
	0709 60 10	b)	1 119,20	1 278,57	162,50	455 129,97	400,59	37 887,69
		c)	1 871,69	7 390,83	162,09			
1.250	Fennel	a)	73,55	949,49	134,90	544,70	22 109,57	12 539,69
	0709 90 50	b)	422,86	483,07	61,39	171 959,16	151,35	14 314,89
		c)	707,17	2 792,44	61,24			
1.270	Sweet potatoes, whole, fresh (intended for human consumption)	a)	63,14	815,16	115,81	467,64	18 981,56	10 765,60
	ex 0714 20 10	b)	363,03	414,73	52,71	147 630,74	129,94	12 289,65
		c)	607,12	2 397,37	52,58			
2.10	Chestnuts (<i>Castanea</i> spp.), fresh	a)	83,78	1 081,55	153,66	620,46	25 184,77	14 283,82
	ex 0802 40 00	b)	481,68	550,26	69,93	195 876,80	172,40	16 305,93
		c)	805,53	3 180,83	69,76			
2.30	Pineapples, fresh	a)	53,64	692,46	98,38	397,25	16 124,51	9 145,19
	ex 0804 30 00	b)	308,39	352,31	44,78	125 409,78	110,38	10 439,85
		c)	515,74	2 036,52	44,66			
2.40	Avocados, fresh	a)	110,35	1 424,56	202,39	817,24	33 172,02	18 813,88
	ex 0804 40 10	b)	634,44	724,78	92,11	257 998,37	227,08	21 477,30
	ex 0804 40 90	c)	1 061,00	4 189,62	91,88			

Code	Description	Amount of unit values per 100 kg						
	CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	135,71 780,22 1 304,80	1 751,90 891,32 5 152,33	248,90 113,28 112,99	1 005,03 317 282,31	40 794,43 279,26	23 137,01 26 412,44
2.60	Sweet oranges, fresh :							
2.60.1	— Sanguines and semi-sanguines	a) b) c)	48,05 276,28 462,03	620,35 315,62 1 824,45	88,14 40,11 40,01	355,88 112 350,47	14 445,41 98,89	8 192,87 9 352,71
	0805 10 01							
	0805 10 11							
	0805 10 21							
	0805 10 32							
	0805 10 42							
	0805 10 51							
2.60.2	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	a) b) c)	34,44 198,00 331,12	444,58 226,19 1 307,51	63,16 28,75 28,67	255,05 80 516,63	10 352,39 70,87	5 871,47 6 702,68
	0805 10 05							
	0805 10 15							
	0805 10 25							
	0805 10 34							
	0805 10 44							
	0805 10 55							
2.60.3	— Others	a) b) c)	22,94 131,89 220,56	296,14 150,67 870,95	42,07 19,15 19,10	169,89 53 633,49	6 895,90 47,21	3 911,09 4 464,77
	0805 10 09							
	0805 10 19							
	0805 10 29							
	0805 10 36							
	0805 10 46							
	0805 10 59							
2.70	Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :							
2.70.1	— Clementines	a) b) c)	94,93 545,76 912,71	1 225,45 623,48 3 604,05	174,10 79,24 79,04	703,02 221 938,38	28 535,63 195,34	16 184,29 18 475,45
	ex 0805 20 11							
	ex 0805 20 21							
	ex 0805 20 31							
2.70.2	— Monreales and Satsumas	a) b) c)	5,21 29,95 50,09	67,26 34,22 197,81	9,56 4,35 4,34	38,58 12 180,93	1 566,16 10,72	888,26 1 014,01
	ex 0805 20 13							
	ex 0805 20 23							
	ex 0805 20 33							
2.70.3	— Mandarines and wilkings	a) b) c)	50,74 291,72 487,86	655,02 333,26 1 926,42	93,06 42,35 42,25	375,77 118 629,61	15 252,75 104,41	8 650,76 9 875,42
	ex 0805 20 15							
	ex 0805 20 25							
	ex 0805 20 35							
2.70.4	— Tangerines and others	a) b) c)	53,86 309,68 517,90	695,36 353,78 2 045,05	98,79 44,96 44,85	398,91 125 934,90	16 192,02 110,84	9 183,48 10 483,56
	ex 0805 20 17							
	ex 0805 20 19							
	ex 0805 20 27							
	ex 0805 20 29							
	ex 0805 20 37							
	ex 0805 20 39							
2.80	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	a) b) c)	29,67 170,58 285,26	383,01 194,87 1 126,43	54,42 24,77 24,70	219,72 69 366,06	8 918,71 61,05	5 058,34 5 774,44
	ex 0805 30 20							
	ex 0805 30 30							
	ex 0805 30 40							
2.85	Limes (<i>Citrus aurantifolia</i>), fresh	a) b) c)	154,21 886,59 1 482,69	1 990,74 1 012,84 5 854,76	282,83 128,72 128,40	1 142,05 360 537,93	46 356,00 317,33	26 291,32 30 013,29
	ex 0805 30 90							

Code	Description	Amount of unit values per 100 kg						
	CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.90	Grapefruit, fresh :							
2.90.1	— white	a)	31,14	401,95	57,11	230,59	9 359,64	5 308,42
	ex 0805 40 10	b)	179,01	204,50	25,99	72 795,42	64,07	6 059,92
	ex 0805 40 90	c)	299,37	1 182,12	25,92			
2.90.2	— pink	a)	42,40	547,36	77,76	314,01	12 745,66	7 228,84
	ex 0805 40 10	b)	243,77	278,48	35,39	99 130,54	87,25	8 252,21
	ex 0805 40 90	c)	407,67	1 609,78	35,30			
2.100	Table grapes	a)	122,68	1 583,68	225,00	908,52	36 877,20	20 915,31
	0806 10 21	b)	705,30	805,73	102,40	286 815,73	252,45	23 876,22
	0806 10 29	c)	1 179,51	4 657,59	102,14			
	0806 10 30							
	0806 10 61							
	0806 10 69							
2.110	Water melons	a)	68,93	889,90	126,43	510,51	20 721,94	11 752,68
	0807 10 10	b)	396,32	452,76	57,54	161 166,77	141,85	13 416,47
		c)	662,79	2 617,18	57,40			
2.120	Melons (other than water melons) :							
2.120.1	— Amarillo, Cuper, Honey Dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	a)	72,53	936,29	133,02	537,13	21 802,29	12 365,41
	ex 0807 10 90	b)	416,98	476,36	60,54	169 569,27	149,25	14 115,94
		c)	697,34	2 753,63	60,39			
2.120.2	— other	a)	134,73	1 739,28	247,11	997,79	40 500,65	22 970,39
	ex 0807 10 90	b)	774,60	884,90	112,46	314 997,39	277,25	26 222,23
		c)	1 295,41	5 115,23	112,18			
2.130	Apples	a)	76,88	992,43	141,00	569,34	23 109,54	13 106,83
	0808 10 10	b)	441,99	504,92	64,17	179 736,49	158,20	14 962,32
	0808 10 51	c)	739,15	2 918,73	64,01			
	0808 10 53							
	0808 10 59							
	0808 10 61							
	0808 10 63							
	0808 10 69							
2.140	Pears							
2.140.1	Pears — Nashi (<i>Pyrus pyrifolia</i>)	a)	104,85	1 353,55	192,30	776,50	31 518,48	17 876,05
	0808 20 10	b)	602,81	688,65	87,52	245 137,78	215,76	20 406,71
	0808 20 31	c)	1 008,11	3 980,78	87,30			
	0808 20 37							
	0808 20 41							
2.140.2	Other	a)	62,77	810,36	115,13	464,89	18 869,91	10 702,28
	0808 20 10	b)	360,90	412,29	52,40	146 762,41	129,18	12 217,36
	0808 20 31	c)	603,55	2 383,27	52,27			
	0808 20 37							
	0808 20 41							
2.150	Apricots	a)	508,75	6 567,62	933,08	3 767,70	152 932,37	86 737,28
	0809 10 10	b)	2 924,93	3 341,43	424,67	1 189 445,16	1 046,91	99 016,39
	0809 10 50	c)	4 891,51	19 315,34	423,60			
2.160	Cherries	a)	87,78	1 133,19	161,00	650,09	26 387,19	14 965,79
	0809 20 11	b)	504,67	576,54	73,27	205 228,76	180,64	17 084,45
	0809 20 19	c)	843,99	3 332,70	73,09			
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							

Code	Description	Amount of unit values per 100 kg						
	CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.170	Peaches ex 0809 30 19 ex 0809 30 59	a)	129,86	1 676,45	238,18	961,74	39 037,42	22 140,50
		b)	746,62	852,93	108,40	303 616,99	267,23	25 274,86
		c)	1 248,60	4 930,42	108,13			
2.180	Nectarines ex 0809 30 11 ex 0809 30 51	a)	142,61	1 841,00	261,56	1 056,14	42 869,27	24 313,78
		b)	819,90	936,65	119,04	333 419,58	293,46	27 755,80
		c)	1 371,17	5 414,38	118,74			
2.190	Plums 0809 40 10 0809 40 40	a)	116,50	1 503,89	213,66	862,75	35 019,34	19 861,60
		b)	669,77	765,14	97,24	272 366,02	239,73	22 673,34
		c)	1 120,09	4 422,94	97,00			
2.200	Strawberries 0810 10 10 0810 10 90	a)	174,16	2 248,34	319,43	1 289,83	52 354,56	29 693,47
		b)	1 001,32	1 143,90	145,38	407 192,29	358,40	33 897,07
		c)	1 674,55	6 612,37	145,01			
2.205	Raspberries 0810 20 10	a)	1 276,33	16 476,65	2 340,89	9 452,31	383 672,46	217 604,05
		b)	7 337,99	8 382,90	1 065,39	2 984 046,78	2 626,46	248 409,56
		c)	12 271,70	48 457,78	1 062,72			
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a)	194,02	2 504,68	355,85	1 436,88	58 323,58	33 078,86
		b)	1 115,48	1 274,32	161,95	453 616,82	399,26	37 761,72
		c)	1 865,47	7 366,26	161,55			
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 90 10	a)	73,04	942,90	133,96	540,92	21 956,26	12 452,74
		b)	419,93	479,72	60,97	170 766,79	150,30	14 215,63
		c)	702,27	2 773,07	60,82			
2.230	Pomegranates ex 0810 90 85	a)	87,74	1 132,73	160,93	649,82	26 376,46	14 959,70
		b)	504,47	576,30	73,24	205 145,30	180,56	17 077,50
		c)	843,65	3 331,34	73,06			
2.240	Khakis (including Sharon fruit) ex 0810 90 85	a)	114,77	1 481,61	210,50	849,97	34 500,55	19 567,37
		b)	659,85	753,81	95,80	268 331,11	236,18	22 337,46
		c)	1 103,49	4 357,42	95,56			
2.250	Lychees ex 0810 90 30	a)	126,15	1 628,55	231,37	934,26	37 922,11	21 507,94
		b)	725,29	828,56	105,30	294 942,58	259,60	24 552,75
		c)	1 212,93	4 789,56	105,04			

COMMISSION REGULATION (EC) No 618/95

of 22 March 1995

providing for the grant of compensation to producer's organizations in respect of tuna delivered to the canning industry during the period 1 October to 31 December 1993

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, in the version as last amended by Regulation (EEC) No 1891/93⁽²⁾, and in particular Article 18 (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 Articles 12 and 13 (1) thereof,

Whereas the compensation referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the canning industry, during the calendar quarter for which prices were recorded, where both the average quarterly price recorded on the Community market and the free-at-frontier price, plus, where it is applied, the countervailing charge, are both lower than 93 % of the Community producer price for the product in question;

Whereas examination of the situation of the Community market has shown that for three species of the product in question, for the period 1 October to 31 December 1993, both the average quarterly market price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 93 % of the Community producer price in force as laid down in Commission Regulation (EEC) No 351/93⁽⁵⁾ fixing, in respect of the 1993 fishing year, the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604;

Whereas the quantities eligible for compensation, within the meaning of Article 18 (2) of Regulation (EEC) No 3759/92, shall not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 4 of that Article;

Whereas during the quarter concerned the quantities sold and delivered to canning industries established in Community customs territory are, in the case of Bigeye Tuna, higher than those sold and delivered during the same quarter of the last three fishing years and for Yellowfin tuna, weighing more than 10 kg, and the Albacore higher than 110 % of those sold and delivered during the same quarter of the fishing years 1984 to 1986; whereas these quantities exceed the limits set by second indent of Article 18 (4) of (EEC) No 3759/92 for Bigeye tuna and third indent for Yellowfin tuna of over 10 kg and Albacore, the total quantities of these products should therefore be limited to those eligible for compensation and the quantities granted to each producers' organization concerned should be determined in accordance with their respective output during the same quarter of the 1984 to 1986 fishing years;

Whereas the granting of compensation for the products in question should be decided for the period from 1 October to 31 December 1993;

Whereas Article 9 of Commission Regulation (EC) No 2381/89⁽⁶⁾ stipulates that the conversion rate applicable to the compensatory allowance for tuna for canning shall be the agricultural conversion rate in force on the day of sale of the product; whereas the agricultural conversion rate for the period 1 October to 31 December 1993 is, pursuant to Commission Regulation (EEC) No 1209/93⁽⁷⁾, affected by a correcting factor of 1,207509; whereas this must be taken into account in the compensation rate set;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensation referred to in Article 18 of Regulation (EEC) No 3759/92, shall be granted for the period 1 October to 31 December 1993, in respect of the products listed and within the limits set out below:

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 172, 15. 7. 1993, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 30. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 41, 18. 2. 1993, p. 12.

⁽⁶⁾ OJ No L 225, 3. 8. 1989, p. 33.

⁽⁷⁾ OJ No L 122, 18. 5. 1993, p. 41.

<i>(ECU/tonne)</i>	
Products	Maximum amount of allowance within the meaning of the first and second indents of Article 18 (3) of Regulation (EEC) No 3759/92
Yellowfin tuna, larger than 10 kg	59
Bigeye tuna	89
Albacore	165

Article 2

1. The total quantities of products set out below that may be eligible for the allowance are hereby limited for the three species as follows :

<i>(in tonnes)</i>	
Yellowfin tuna, larger than 10 kg	18 189
Bigeye tuna	588
Albacore	256

2. The allocation of the total quantities amongst the producers' organizations concerned is specified in the Annex hereto.

Article 3

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

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

Done at Brussels, 22 March 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

Allocation amongst the producers' organizations of the quantities of tuna, which may be eligible, during the period 1 October to 31 December 1993 for compensation, in accordance with Article 18 (5) of Regulation (EEC) No 3759/92, showing quantities by segment of compensation percentage

— Yellowfin tuna larger than 10 kg

(in tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	5 280	528	159	5 967
Organización de Productores de Túnidos Congelados (Optuc)	5 802	580	168	6 550
Organisation de producteurs de thon congelé (Orthongel)	5 453	219	—	5 672
Total quantities	16 535	1 327	327	18 189

— Bigeye tuna

(in tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	233	—	—	233
Organización de Productores de Túnidos Congelados (Optuc)	134	13	25	172
Organisation de producteurs de thon congelé (Orthongel)	14	—	—	14
Madeira	0	0	3	3
Apasa (Açores)	69	6	91	166
Total quantities	450	19	119	588

— Albacore

(in tonnes)

Producers' organization	Quantities that may be eligible for the allowance			Total quantities
	100 % Article 18 (5), (first indent)	95 % Article 18 (5), (second indent)	90 % Article 18 (5), (third indent)	
Organización de Productores Asociados de Grandes Congeladores (Opagac)	7	—	—	7
Organización de Productores de Túnidos Congelados (Optuc)	2	—	28	30
Organisation de producteurs de thon congelé (Orthongel)	23	—	—	23
Madeira	0	0	0	0
Apasa (Açores)	152	15	29	196
Total quantities	184	15	57	256

COMMISSION REGULATION (EC) No 619/95

of 22 March 1995

on the free supply to Azerbaijan of intervention wheat pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan and Moldavia⁽¹⁾, as amended by Regulation (EC) No 2621/94⁽²⁾ and in particular Article 4 thereof,

Whereas Commission Regulation (EC) No 2065/94⁽³⁾, as amended by Regulation (EC) No 3078/94⁽⁴⁾, established the detailed rules applicable to the free supply of agricultural products held in intervention stocks to Georgia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan and Moldavia foreseen by Regulation (EC) No 1999/94; whereas, in addition, specific rules should be laid down for the supply of intervention wheat; whereas, taking account of budgetary resources and the proper management of intervention stocks, a tendering procedure should be organized for the supply of 50 000 tonnes of wheat held by the German intervention agency to Azerbaijan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products in one lot only;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 50 000 tonnes (net) of wheat as indicated in Annex I, in accordance with the provisions of Regulation

(EC) No 2065/94, and in particular Articles 2 (1) and 2 (2) thereof.

The invitation to tender relates to one lot of 50 000 tonnes.

2. The supply costs shall include the take-over at the stores indicated in Annex II and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I (one boat per date of delivery).

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

Commission of the European Communities,
EAGGF-Guarantee,
Division VI/G.2 (Office 10/05),
120, rue de la Loi,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 31 March 1995 at 12 noon. (Brussels time).

In the case of non-acceptance of offers on 31 March 1995, a second closing date for the lodgement of offers shall be 10 April 1995 at 5 p.m. (Brussels time).

In this case all of the dates referred to in Annex I shall be carried forward by 10 days.

2. The offer shall relate to the total of the quantities referred to in Article 1.

Tenderers, where appropriate, shall take account of the unloading and transit prices to Azerbaijan, fixed by agreement between the authorities in question, referred to in Annex V.

3. The tendering security referred to in Article 6 (1) (f) of Regulation (EC) No 2065/94 is fixed at 25 ECU per tonne.

4. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at 170 ECU per tonne.

5. The securities referred to in paragraphs 3 and 4 shall be drawn up in favour of the Commission of the European Communities.

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 280, 29. 10. 1994, p. 2.

⁽³⁾ OJ No L 213, 18. 8. 1994, p. 3.

⁽⁴⁾ OJ No L 325, 17. 12. 1994, p. 15.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the places and by the authorities referred to in Annex III, on the basis of the model in Annex IV.

certificate certifying the total removal of the quantities, upon completion of that operation.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency shall deliver a

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

Article 5

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

Done at Brussels, 22 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

- 10 000 tonnes of intervention wheat destined for Azerbaijan.

Delivery stage :

Pbeiuk-Kesik (via the ports of Poti or Batumi) or frontier point to be designated by the tenderer (Goods not unloaded).

Final delivery date at the port or frontier point : 9 May 1995.

- 20 000 tonnes of intervention wheat destined for Azerbaijan.

Delivery stage :

Pbeiuk-Kesik (via the ports of Poti or Batumi) or frontier point to be designated by the tenderer (Goods not unloaded).

Final delivery date at the port or frontier point : 16 May 1995.

- 20 000 tonnes of intervention wheat destined for Azerbaijan.

Delivery stage :

Pbeiuk-Kesik (via the ports of Poti or Batumi) or frontier point to be designated by the tenderer (Goods not unloaded).

Final delivery date at the port or frontier point : 30 May 1995.

No quantity may be stored in the ports of Poti or Batumi ; the wheat must be unloaded immediately on to the means of transport.

ANNEX II

Places of storage	Quantity (tonnes)
Raiffeisen-Hauptgenossenschaft Nord AG D-25718 Friedrichskoog	2 452
Raiffeisen-Hauptgenossenschaft Nord AG D-25724 Neufeld	3 887
Stöfen GmbH & Co. D-25764 Wesselburenkoog	4 113
Speditions- und Handelsgesellschaft Kock KG D-25764 Wesselburen	1 954
Stöfen GmbH & Co. D-25774 Karolinenkoog	3 176
Raiffeisen-Hauptgenossenschaft Nord AG D-24321 Helmsdorf	3 203
Raiffeisen-Hauptgenossenschaft Nord AG D-24321 Giekau	2 810
Märka Märkische Kraftfutter GmbH D-16225 Eberswalde	8 152
KÖMI Agrarhandel GmbH D-17291 Prenzlau	1 734
Seehafen Rostock Umschlagsgesellschaft mbH D-18134 Rostock	1 699
Nordkorn Agrarhandel GmbH D-19061 Schwerin	5 898
Pommerscher Landhandel GmbH Wolgast D-17495 Züssow	2 323
Raiffeisen Agrodienst LEV Grevesmühlen GmbH & Co. D-23942 Klein Voigtshagen	3 519
Clausen Lager und Handelskontor GmbH D-19376 Siggelkow	2 200
Rostocker Getreide- und Futtermittelhandel GmbH D-18233 Neubukow	2 880

The characteristics of the lots shall be supplied to the tenderers by the German intervention agency.

Address of the intervention agency :

GERMANY

BLE

Adickesallee 40

D-60322 Frankfurt am Main

Postfach 18 02 03

D-60083 Frankfurt am Main

Tel. : 49 69 15 64-0 ; telefax : 49 69 15 64-790/791/792.

ANNEX III

Place of take-over in Azerbaijan :

1. Pbeiuk-Kesik — Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the above-mentioned station after verification of the integrity of the seals and the number of wagons.

The wagons which are not in order will be refused by the authorities of Azerbaijan ; the unloading charges at Poti or Batumi and the transit charges on Georgian territory will not be paid to the Georgian authorities. They will be deducted from the amount to be paid to the successful tenderer.

2. Frontier point to be designated by the tenderer — goods not unloaded. However, the take-over certificate may only be issued after unloading and qualitative and quantitative control of the goods.

3. Authority entitled to deliver the take-over certificate :

Gossudarstvenaya Companija Chleboproductov,
370033 Baku
Ul. Usif Zaade No 13
Mr F.R. Mustafaev-President
Tel : (7-8922) 66 74 51/66 38 20

ANNEX IV

Take-over certificate

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
No	of sacks (flour) :	
	of cartons (butter/meat) (¹) :	
Place and date of take-over :		
Rail wagon numbers / name of boat / heavy goods vehicle registration numbers (¹) :		
Numbers of seals on arrival :		
Name and address of transport company :		

Name/address of monitoring agency :

.....

.....

Name and signature of its on-the-spot representative :

.....

.....

Observations or remarks :

.....

.....

.....

.....

Signature and stamp

.....

(¹) Delete as appropriate.

ANNEX V

Transit prices on Georgian territory

AZERBAIJAN

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain				
— grab	US \$ 4	US \$ 14,1	US \$ 15,5	US \$ 120
— vacuator	US \$ 5,5			
General cargo in covered wagons	US \$ 6	US \$ 14,1	US \$ 15,5	US \$ 120
Thermos wagons	US \$ 6	US \$ 29,8	US \$ 32,8	US \$ 120

COMMISSION REGULATION (EC) No 620/95
of 22 March 1995
amending Regulation (EC) No 407/95 on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Commission Regulation (EC) No 407/95 ⁽³⁾ issued an invitation to tender for the supply, as food aid, of 53 816 tonnes of cereals; whereas some of the conditions specified in Annex I to that Regulation should be altered,

Article 1

For lot E, note ⁽¹⁵⁾ of Annex I to the Regulation (EC) No 407/95 is replaced by the following:

⁽¹⁵⁾ The cargo shall be fumigated in transit on board the ship by using a recirculation system with alumine phosphine (application rate: minimum 1 g phosphine per cubic metre of hold), in accordance with the Recommendations on the safe use of pesticides in ships by the International Maritime Organization.'

Article 2

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

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

Done at Brussels, 22 March 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 44, 28. 2. 1995, p. 11.

COMMISSION REGULATION (EC) No 621/95**of 22 March 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 573/95 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 573/95 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 Regulation (EC) No 573/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 March 1995.

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

Done at Brussels, 22 March 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 58, 16. 3. 1995, p. 5.

⁽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 22 March 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	37,81 ⁽¹⁾
1701 11 90 910	34,73 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	37,81 ⁽¹⁾
1701 12 90 910	34,73 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4110
	— ECU/100 kg —
1701 99 10 100	41,10
1701 99 10 910	41,02
1701 99 10 950	41,02
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4110

⁽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 REGULATION (EC) No 622/95**of 22 March 1995****fixing the maximum export refund for white sugar for the 42nd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94**

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 first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EC) No 1021/94 of 29 April 1994 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1021/94, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 42nd partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93 ⁽⁴⁾ prohibits trade between the European Community and the

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 42nd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 44,177 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 23 March 1995.

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

Done at Brussels, 22 March 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 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 623/95**of 22 March 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 23 March 1995.

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

Done at Brussels, 22 March 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 22 March 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 15	052	111,8
	204	82,6
	212	95,9
	624	163,5
	999	113,5
0707 00 15	052	100,7
	053	166,9
	068	88,8
	204	48,9
	624	207,3
0709 90 73	999	122,5
	052	143,7
	204	97,6
	624	196,3
	999	145,9

⁽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 624/95

of 22 March 1995

introducing a countervailing charge on pears originating in Switzerland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 3290/94⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) (EC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,7245 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EC) No 1557/94 of 30 June 1994 fixing for the 1994/95 marketing year the reference prices for pears⁽³⁾ fixed the reference price for products of class I at ECU 61,98 per 100 kilograms net for the month of March 1995;

Whereas Article 1 (a) of Council Regulation (EC) No 1165/94⁽⁴⁾ lays down, by way of derogation for apples and pears, that the entry price for a given exporting country is to be equal to the lowest representative price or to the weighted average of the lowest representative prices recorded for at least 60% of the quantities from the exporting country in question marketed on all representative markets for which prices are available, such price or prices being reduced by the duties and charges referred to in Article 24 (3); whereas what is meant by representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by

Regulation (EEC) No 249/93⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for pears originating in Switzerland the entry price calculated in this way has remained at least ECU 0,7245 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these pears;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 157/95⁽¹⁰⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 21,80 per 100 kilograms net is applied to pears (CN codes 0808 20 31 and 0808 20 37) originating in Switzerland.

Article 2

This Regulation shall enter into force on 24 March 1995.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 166, 1. 7. 1994, p. 55.

⁽⁴⁾ OJ No L 130, 25. 5. 1994, p. 14.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 24, 1. 2. 1995, p. 1.

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

Done at Brussels, 22 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 625/95

of 22 March 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 616/95 ⁽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 21 March 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 23 March 1995.

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

Done at Brussels, 22 March 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 64, 22. 3. 1995, p. 14.

ANNEX

to the Commission Regulation of 22 March 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	38,46 ⁽¹⁾
1701 11 90	38,46 ⁽¹⁾
1701 12 10	38,46 ⁽¹⁾
1701 12 90	38,46 ⁽¹⁾
1701 91 00	48,17
1701 99 10	48,17
1701 99 90	48,17 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 11 January 1995

concerning a coordinated programme for the official control of foodstuffs for 1995

(95/77/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 155 thereof,

Having regard to Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs⁽¹⁾, and in particular Article 14 (3) thereof,

After consultation with the Standing Committee for Foodstuffs,

Whereas it is necessary, with a view to the sound operation of the internal market, to arrange for coordinated food inspection programmes at Community level;

Whereas such programmes should not only establish compliance with the Community legislation but also serve for checking that the food is fit for consumption;

Whereas simultaneous implementation of national programmes and coordinated programmes can provide experience which is still widely lacking at present,

HEREBY RECOMMENDS THAT THE MEMBER STATES TAKE SAMPLES OF THE FOLLOWING PRODUCTS AND ANALYSE THE SPECIFIED PARAMETERS IN 1995:

1. adulteration of soluble coffee with non-bean material;
2. *listeria monocytogenes*, *escherichia coli* and *aeromonas* in refrigerated salads and seasoned crudités;

3. botanic and geographical claims on honey, both Community produced as well as imported from third countries;

4. temperature of quick frozen foodstuffs, sold in the retail sector.

For the third consecutive time, a coordinated programme of inspections is recommended to the Member States as a consequence of Article 14 (3) of Directive 89/397/EEC. The subjects have been amply discussed with the Member States, and like last year, the subjects chosen cover the protection of public health and consumer interests, as well as fair trade.

Where appropriate, for each subject, a method of analysis is suggested. As far as sampling is concerned, no uniform rates have been set. The number of samples taken should be extensive enough to provide an overview of the market in the foodstuffs concerned in each Member State.

The number of samples and the methods of analysis used should be mentioned or described briefly on the answer sheets annexed hereto.

I. Adulteration of soluble coffee

Soluble coffee may sometimes be adulterated with non-bean matter from the coffee plant such as husks, skins, stems and stalks or maltodextrins. This is not in conformity with Council Directive 77/436/EEC⁽²⁾.

⁽¹⁾ OJ No L 186, 30. 6. 1989, p. 23.

⁽²⁾ OJ No L 172, 12. 7. 1977, p. 20.

II. *Listeria monocytogenes*, *escherichia coli* and *aeromonas* in refrigerated salads and seasoned crudités

Epidemiological studies show cases of listeriosis associated with consumption of raw vegetables and various scientific publications refer to a possible contamination of these products with *escherichia coli*, *listeria monocytogenes* and *aeromonas* spp.

III. Botanic and geographical claims on honey, both Community produced and imported from third countries

Lately, the market for honey in the Community has become subject to severe competition and surveys suggest that false claims are made both to the botanical origin of the product as well as to the area it stems from.

IV. Temperature of quick frozen foodstuffs, sold in the retail sector (application of Council Directive 89/108/EEC ⁽¹⁾ and Commission Directive 92/2/EEC ⁽²⁾)

In view of the relationship between the shelf life and storage temperature of perishable foodstuffs, it seems appropriate to monitor the temperature of quick frozen foodstuffs, especially where handling operations are critical.

Done at Brussels, 11 January 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 34.

⁽²⁾ OJ No L 34, 11. 2. 1992, p. 30.

ANNEX

Coordinated programme of inspections, as provided for by Article 14 (3) of Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs

Member State :

I. Adulteration of soluble coffee with non-bean material

Product	Number of samples analysed	Number of samples rejected	Legal basis for rejection

Method of analysis used

Coordinated programme of inspections, as provided for by Article 14 (3) of Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs

Member State :

II. *Listeria monocytogenes*, *escherichia coli* and *aeromonas* in refrigerated salads and seasoned crudités per gram of product

	Number of samples analysed	Not detectable-10	10-10 ²	10 ² -10 ³	10 ³ -10 ⁴	10 ⁴ -10 ⁵	10 ⁵ -10 ⁶	10 ⁶ -10 ⁷	Limit or guide value for rejection	Legal basis for rejection
<i>Listeria monocytogenes</i>										
<i>Escherichia coli</i>										
<i>Aeromonas hydrophila</i>										
Methods of analysis used										

Coordinated programme of inspections, as provided for by Article 14 (3) of Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs

Member State :

III. Botanic and geographical claims on honey, both Community-produced, as well as imported from third countries

Product	Number of samples analysed	Number of samples rejected	Legal basis for rejection
Methods of analysis used			

COMMISSION DECISION**of 13 March 1995****amending Decision 90/180/Euratom, EEC authorizing the Netherlands not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base****(Only the Dutch text is authentic)****(95/78/EC, Euratom)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax ⁽¹⁾, and in particular Article 13 thereof,

Whereas, under Article 28 (3) of the Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of the first paragraph of Article 1 (1) and point 2 (a) of Directive 89/465/EEC ⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of Netherlands, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/180/Euratom, EEC ⁽⁴⁾ authorizing

the Netherlands, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 1 January 1993, the Netherlands has taxed the transactions referred to in point 11 of Annex F to the Sixth VAT Directive; whereas the authorization granted in this connection should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 (4) of Decision 90/180/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 1 January 1993.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 13 March 1995.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 30.

COMMISSION DECISION

of 13 March 1995

on an additional financial contribution from the Community for the eradication
of classical swine fever in Germany

(Only the German text is authentic)

(95/79/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the Commission adopted Commission Decision 94/189/EC of 18 March 1994 on a financial contribution from the Community for the eradication of classical swine fever in Germany ⁽³⁾; whereas this Community contribution was designed to respond to outbreaks of classical swine fever between July and December 1993;

Whereas new outbreaks of classical swine fever occurred in Germany throughout 1994; whereas, in view of the serious danger to the Community's pig population which this disease represents, eradication should be continued with the assistance of a new financial contribution from the Community to make good the losses sustained by pig farmers;

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

Whereas the conditions for a new financial contribution by the Community have been met;

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

HAS ADOPTED THIS DECISION:

Article 1

Germany may obtain an additional financial contribution from the Community for the outbreaks of classical swine

fever which occurred on its territory between 1 January and 31 December 1994. The contribution by the Community shall amount to:

- 50 % of the costs incurred by Germany in compensating owners for the slaughter and destruction of pigs and the destruction of pigmeat products where necessary,
- 50 % of the costs incurred by Germany for the cleaning, disinsectization and disinfection of equipment and holdings,
- 50 % of the costs incurred by Germany in compensating owners for the destruction of contaminated feedingstuffs and equipment.

Article 2

1. The Community financial contribution shall be granted after supporting documents have been submitted.
2. Germany shall forward the supporting documents referred to in paragraph 1 not later than six months after the notification of this Decision.
3. However, if it so requests, Germany may receive an advance of ECU 3 million.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 13 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 89, 6. 4. 1994, p. 30.

COMMISSION DECISION**of 15 March 1995****granting the Portuguese Republic the derogation provided for in Article 3 (2) of
Council Directive 92/102/EEC on the identification and registration of animals****(Only the Portuguese text is authentic)****(Text with EEA relevance)****(95/80/EC)**

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

Having regard to Council Directive 92/102/EEC of 27
November 1992 on the identification and registration of
animals⁽¹⁾, as amended by the Act of Accession of
Austria, Finland and Sweden, and in particular Article 3
(2) thereof,

Whereas the abovementioned Article provides for the
possibility of authorizing Member States to exclude from
the list of holdings required by Article 3 (1) (a) of Direc-
tive 92/102/EEC those holdings with fewer than three
sheep or goats, for which they may not claim premium
payments, or one pig, provided that the animals are
intended for use or consumption by the owner and that
they are subject to the controls required by the Directive
before any movement;

Whereas the Portuguese authorities have requested this
authorization and have given the appropriate assurances
in respect of veterinary controls;

Whereas, therefore, the Portuguese Republic should be
authorized to apply this derogation;

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

The Portuguese Republic is hereby authorized to apply
the derogation provided for in Article 3 (2) of Directive
92/102/EEC.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 15 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 355, 5. 12. 1992, p. 32.