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Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EC) No 783/95 of 6 April 1995 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products 1
- * Commission Regulation (EC) No 784/95 of 5 April 1995 amending Regulation (EC) No 2558/94 re-establishing the levying of customs duties on certain industrial products originating in China, Brazil, Singapore, Thailand and Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply 4
- * Commission Regulation (EC) No 785/95 of 6 April 1995 laying down detailed rules for the application of Council Regulation (EC) No 603/95 on the common organization of the market in dried fodder 5
- * Commission Regulation (EC) No 786/95 of 6 April 1995 amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs 12
- Commission Regulation (EC) No 787/95 of 6 April 1995 laying down the extent to which applications lodged on 3 and 4 April 1995 for certificates for the advance-fixing of the export refund for certain poultrymeat products may be accepted 13
- Commission Regulation (EC) No 788/95 of 6 April 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables 14
- Commission Regulation (EC) No 789/95 of 6 April 1995 repealing Regulation (EC) No 597/95 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus 16

Contents (continued)

Commission Regulation (EC) No 790/95 of 6 April 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal	17
Commission Regulation (EC) No 791/95 of 6 April 1995 fixing the import levies on white sugar and raw sugar	19
Commission Regulation (EC) No 792/95 of 6 April 1995 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	21

II *Acts whose publication is not obligatory*

Commission

95/107/EC :

- ★ **Commission Decision of 17 March 1995 allocating production and import quotas for methyl bromide, import quotas for hydrobromofluorocarbons and consumption quotas for hydrochlorofluorocarbons for the period 1 January to 31 December 1995** 24

95/108/EC :

- ★ **Commission Decision of 28 March 1995 concerning health protection measures against African swine fever in Sardinia, Italy** 29

95/109/EC :

- ★ **Commission Decision of 29 March 1995 concerning additional guarantees relating to infectious bovine rhinotracheitis for bovines destined for certain parts of the territory of the Community ⁽¹⁾** 32
-

Corrigenda

- ★ **Corrigendum to Council Directive 93/15/EEC of 5 April 1993 on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses (OJ No L 121 of 15. 5. 1993)** 34
-

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 783/95****of 6 April 1995****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽²⁾, as last amended by Regulation (EEC) No 1900/92⁽³⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁴⁾, as last amended by Regulation (EEC) No 1901/92⁽⁵⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as last amended by Regulation (EEC) No 413/86⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁸⁾, as last amended by Regulation (EEC) No 1902/92⁽⁹⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹⁰⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹¹⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹³⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 3 and 4 April 1995

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽³⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁵⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹³⁾ OJ No L 263, 19. 9. 1991, p. 1.

leads to the minimum levies being fixed as indicated in Annex I to this Regulation ;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products ; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 7 April 1995.

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

Done at Brussels, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	59,00 (*)
1509 10 90	59,00 (*)
1509 90 00	70,00 (*)
1510 00 10	72,00 (*)
1510 00 90	116,00 (*)

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

(*) For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,7245 per 100 kg ;

(b) Turkey : ECU 13,8645 (*) per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : ECU 15,3245 (*) per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

(*) For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 4,661 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,731 per 100 kg.

(*) For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 8,754 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 7,004 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	12,98
0711 20 90	12,98
1522 00 31	29,50
1522 00 39	47,20
2306 90 19	5,76

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

COMMISSION REGULATION (EC) No 784/95

of 5 April 1995

amending Regulation (EC) No 2558/94 re-establishing the levying of customs duties on certain industrial products originating in China, Brazil, Singapore, Thailand and Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, extended for 1994 by Regulation (EC) No 3668/93⁽²⁾, and in particular Article 9 thereof,

Whereas, on the basis of information forwarded to the Commission by the Member States pursuant to Article 12 (2) of Regulation (EEC) No 3831/90, the tariff ceiling for

products of CN code ex 3904 (order No 10.0458) originating in Brazil had been exceeded by September 1994, and the levying of the customs duties for this product originating in Brazil was re-established by Commission Regulation (EC) No 2558/94⁽³⁾;

Whereas the aforementioned tariff ceiling was subsequently found not to have been reached, following investigations, and the relevant conditions laid down in Article 7 of Regulation (EEC) No 3831/90 had therefore not been met; whereas it is appropriate to delete from Regulation (EC) No 2558/94 the mention of products of order No 10.0458 originating in Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

The following text is deleted from Article 1 of Regulation (EC) No 2558/94:

'10.0458	3904 10 00	Polymers of vinyl chloride or of other halogenated	Brazil'
	3904 21 00	olefins, in primary forms:	
	3904 22 00	— Polyvinyl chloride, not mixed with any other substances	
		— Non-plasticized	
		— Plasticized	

Article 2

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

It shall apply with effect from 25 October 1994.

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

Done at Brussels, 5 April 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 22.

⁽³⁾ OJ No L 272, 22. 10. 1994, p. 1.

COMMISSION REGULATION (EC) No 785/95**of 6 April 1995****laying down detailed rules for the application of Council Regulation (EC) No 603/95 on the common organization of the market in dried fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 603/95 of 21 February 1995 on the common organization of the market in dried fodder⁽¹⁾, and in particular Article 18 thereof,

Whereas, in order to ensure efficient application of the system of aid for dried fodder, certain concepts should be defined ;

Whereas, in order to avoid any risk of double payment, it is appropriate to exclude all of the products benefitting from the aid of arable crops listed in Annex I of Council Regulation (EEC) No 1765/92⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, with the exception of sweet lupins until the flowering stage, from the scope of the aid for dried fodder ;

Whereas, having regard to the criteria laid down in Article 8 of Regulation (EC) No 603/95, the minimum quality for the products in question, expressed in terms of moisture and protein content, should be laid down ; whereas, taking account of commercial practices, the moisture content should be differentiated according to certain production processes ;

Whereas Article 12 of Regulation (EC) No 603/95 lays down that Member States must carry out checks to verify that all undertakings and buyers of fodder for drying satisfy the conditions set out in that Regulation ; whereas, in order to facilitate such checks and to ensure fulfilment of the conditions of eligibility for aid, processing undertakings and buyers of fodder for drying should be subject to an approval procedure ; whereas, to the same end, the details to be included in aid applications, stock records and delivery declarations of processing undertakings should be specified ; whereas the other supporting documents to be supplied should be specified ;

Whereas, in order to ensure uniform application of the system of aid, the payment procedures should be defined ;

Whereas, in order to facilitate the marketing of fodder for processing and to enable the competent authorities to carry out the checks necessary for verifying entitlement to aid, contracts between processing undertakings and farmers should be concluded before delivery of the raw materials and lodged with the competent authorities before a certain date to enable them to know the expected volume of production ; whereas, to that end, contracts must be in writing, indicate the date of conclusion, the period of validity, the names and addresses of the contracting parties and the nature of the products to be processed and identify the agricultural parcel on which the fodder to be processed was grown ;

Whereas, where there are no such contracts, delivery declarations, subject to the conditions applicable to contracts, must be drawn up by the processing undertaking ;

Whereas, in order to verify that the quantities of raw materials delivered to undertakings tally with the quantities of dried fodder leaving them, the said undertakings should weigh all fodder for processing and determine its moisture content ;

Whereas, in order to permit effective verification of the right to aid, in view of the different levels of aid provided for artificially dried fodder and sun-dried fodder, it is essential that processing undertakings manufacture and stock the different products in separate premises ;

Whereas rigorous checks must be carried out to ensure fulfilment of the quality requirements for dried fodder based on regular sampling of finished products leaving undertakings ; whereas, where those products are mixed with other materials, samples must be taken before mixing ;

Whereas Regulation (EC) No 603/95 provides for a series of checks to be carried out at each stage of the production process, *inter alia* linked to the integrated verification and management system ; whereas, therefore, checks on the identification of the agricultural parcels concerned should be coordinated with the checks carried out under that system ;

Whereas, in order to ensure efficient management of the market for dried fodder, the Commission must receive certain information on a regular basis ;

⁽¹⁾ OJ No L 63, 21. 3. 1995, p. 1.

⁽²⁾ OJ No L 181, 1. 7. 1992, p. 12.

Whereas, in order to ensure fulfilment of the conditions laid down in the relevant rules, in particular regarding eligibility for aid, penalties should be laid down to prevent any infringements;

Whereas Commission Regulation (EEC) No 1528/78⁽¹⁾, as last amended by Regulation (EEC) No 1069/93⁽²⁾, and Commission Regulation (EEC) No 2743/78⁽³⁾ are replaced by this Regulation; whereas they should therefore be repealed;

Whereas Regulation (EC) No 603/95 applies as from 1 April 1995, the date on which the marketing year 1995/96 begins; whereas this Regulation should therefore apply as from the same date;

Whereas the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the detailed rules for the application of the common organization of the market in dried fodder set up by Regulation (EC) No 603/95.

Article 2

For the purposes of this Regulation:

1. 'dried fodder' means the products referred to in Article 1 of Regulation (EC) No 603/95, drawing a distinction between:
 - (a) 'dehydrated fodder' which means the products referred to in the first and third indents of Article 1 (a) of Regulation (EC) No 603/95, artificially heat-dried, with the exception of all products listed in Annex I of Regulation (EEC) No 1765/92 and their forage products, with the exception of sweet lupin until the flowering stage;
 - (b) 'sun-dried fodder' which means the products referred to in the second and fourth indents of Article 1 (a) of Regulation (EC) No 603/95, otherwise dried and ground;
 - (c) 'protein concentrates' which means the products referred to in the first indent of Article 1 (b) of Regulation (EC) No 603/95;

(d) 'dehydrated products' which means the products as referred to in the second indent of Article 1 (b) of Regulation (EC) No 603/95;

2. 'processing undertaking' means any dried fodder processing undertaking referred to in Article 6 of Regulation (EC) No 603/95, duly approved by the Member State in which it is located, where:

- (a) either fresh fodder is dehydrated by means of a drier which satisfies the following requirements:
 - air temperature at the entry point not less than 93 °C,
 - residence time of the fodder being dehydrated not exceeding three hours,
 - in case of drying in layers of fodder, bed depth of each layer no deeper than one metre;

(b) or sun-dried fodder is milled;

(c) or protein concentrates are manufactured;

3. 'purchaser of fodder for drying and for grinding' means a natural or legal person referred to in the third indent of Article 9 (c) of Regulation (EC) No 603/95, duly approved by the Member State where he is established, who purchases fresh fodder from producers in order to deliver it to processing undertakings;

4. 'lot' means a specific quantity of fodder of uniform quality as regards composition, moisture content and protein content, leaving a processing undertaking at the same time.

Article 3

1. For the purposes of this Regulation, in order to obtain entitlement to the aid referred to in Article 3 of Regulation (EC) No 603/95, the products referred to in Article 2 (1) shall be considered to have left the processing undertaking where:

- (a) they leave in the unaltered state:
 - the precincts of the processing undertaking,
 - where the dried fodder cannot be stored in those precincts, any storage place outside them offering adequate safeguards for the purposes of checking the fodder stored and which has been approved in advance by the competent authority,
 - in the case of mobile drying equipment, the equipment in which the dehydration is carried out and, if the dehydrated fodder is stored by the person having dried it, any storage place which satisfies the conditions of the second indent;
- (b) they leave the precincts or any storage place referred to at (a) having been mixed within the processing undertaking with raw materials, other than those specified in Article 1 of Regulation (EC) No 603/95 and those used for binding, with a view to the manu-

⁽¹⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 114.

⁽³⁾ OJ No L 330, 25. 11. 1978, p. 19.

facture of compound feed, and, at the time they leave the processing undertaking, are of sound and fair merchantable quality meeting the requirements for being placed on the market as feedingstuffs and have the following characteristics :

- (i) maximum moisture content :
 - 12 % for sun-dried fodder, dehydrated fodder having undergone a grinding procedure, protein concentrates and dehydrated products,
 - 14 % for other dehydrated fodder ;
- (ii) minimum crude protein content in comparison to dry matter :
 - 15 % for dehydrated fodder, sun-dried fodder and dehydrated products,
 - 45 % for protein concentrates.

2. Dried fodder which has left a processing undertaking may not be readmitted within the precincts of the same or any other undertaking or any storage place referred to in paragraph 1 (a).

However, during the 1995/96 marketing year, dried fodder leaving an undertaking may be admitted to another undertaking on the condition that that operation takes place under the supervision of, and under the conditions fixed by, the competent authority of the Member States concerned.

Article 4

1. For the purposes of approval referred to in Article 2 (2), the processing undertaking :
 - (a) must possess the technical equipment needed to carry out the operations referred to in Article 2 (2) (a), (b) or (c) ;
 - (b) must comply with :
 - the conditions laid down in Regulation (EC) No 603/95,
 - the conditions laid down in this Regulation.

The processing undertaking shall have its approval withdrawn for a period to be specified by the competent authority, commensurate with the seriousness of the infringements found, if at least one of the conditions referred to at (a) and (b) of the first subparagraph is no longer met.

2. For the purposes of approval as referred to in Article 2 (3), a purchaser of fodder for drying and grinding must :
 - lodge with the competent authority, not later than the date provided for in Article 8 (5), the contracts concluded with producers together with a list of all the agricultural parcels concerned,
 - keep a register of the products in question, showing at least the daily purchases and sales of each product and, in respect of each lot, the quantity involved, a reference to the contract with the producer who de-

livered the product and, where applicable, the processing undertaking for which the product is intended,

- keep his financial accounts available for inspection by the competent authority,
- facilitate the verification procedures.

A purchaser of fodder for drying and grinding shall have his approval withdrawn for a period to be specified by the competent authority, commensurate with the seriousness of the infringements found, if at least one of the conditions referred to in the first subparagraph is no longer met.

Article 5

1. In order to qualify for the aid referred to in Article 3 of Regulation (EC) No 603/95, processing undertakings must submit an aid application within 45 days following the month during which the dried fodder left the undertaking.

However, no aid applications for a marketing year may be submitted after 15 April following the end of the marketing year in question.

Except in cases of *force majeure*, late submission of an application shall result in a reduction of 1 % per working day of the amount of aid covered by the application to which the undertaking would have been entitled if it had submitted its application in time. Applications submitted more than 20 days late shall not be accepted.

2. Applications for aid shall contain at least the following :
 - the name, forename, address and signature of the applicant,
 - particulars of the quantities in respect of which application for aid is made, broken down by lot,
 - the date at which each quantity left the undertaking,
 - an indication that samples were taken from each lot, in accordance with Article 11 (3), at the time it left the undertaking, together with all the information needed to identify the samples.
3. The aid to be granted for mixtures containing both dried fodder and raw materials other than those referred to in Article 1 of Regulation (EC) No 603/95 and for dried fodder containing binding matter shall be calculated on a pro rata basis for the quantities of dried fodder contained in those products.

Article 6

1. The advance payment provided for in Article 6 (1) of Regulation (EC) No 603/95 shall be paid once the competent authority has ascertained entitlement to the aid for the quantities covered by the aid application and not later than 90 days after the date on which the application was submitted. The advance shall be paid to the processing undertaking for the dried fodder which left it during a given month.

2. The balance provided for in Article 6 (3) of Regulation (EC) No 603/95 shall be paid within 60 days of the date of publication by the Commission in the *Official Journal of the European Communities* of the amount of the balance, on the basis of the communications received from the Member States indicating the total quantity of dried fodder qualifying for aid during the marketing year in question.

Article 7

The operative event for the agricultural conversion rate applicable for the purposes of Regulation (EC) No 603/95 shall occur on the date on which the dried fodder leaves the processing undertaking.

Article 8

1. In addition to the information specified in Article 11 of Regulation (EC) No 603/95, each contract as provided for in Article 9 (c) of that Regulation shall include, in particular:

- (a) the names, forenames and addresses of the contracting parties;
- (b) the date on which it is concluded;
- (c) the term for which it is concluded;
- (d) the type or types of crop to be processed and the foreseeable quantity involved;
- (e) identification of the parcel or parcels on which the fodder to be processed was grown, in accordance with the parcel identification system provided for in the integrated management and verification system; and
- (f) where a processing undertaking is executing a processing contract as provided for in Article 11 (2) of Regulation (EC) No 603/95 concluded with an independent producer or with one or more of its own members, the contract shall also indicate:
 - the finished product to be delivered,
 - the costs to be paid by the producer.

2. Where an undertaking processes its own production or, in the case of a group, that of its members, a delivery declaration shall be drawn up giving at least the following information:

- the date of delivery or, where appropriate, an indicative date if delivery is to take place after the date on which the declaration is submitted to the competent authority,
- the quantity of fodder received or to be received,
- the type or types of crop to be processed,
- where applicable, the name and address of the member of the group making the delivery, and

- identification of the parcel or parcels on which the fodder to be processed was grown, in accordance with the parcel identification system provided for in the integrated management and verification system.

3. Where an undertaking obtains supplies from an approval purchaser, a delivery declaration shall be drawn up giving at least the following information:

- the identity of the approved purchaser,
- the date of delivery or, where appropriate, an indicative date if delivery is to take place after the date on which the declaration is submitted to the competent authority,
- the quantity of fodder received or to be received, broken down according to the producers with whom contracts were concluded by the approved purchaser, specifying the reference of the contracts,
- the type or types of crop to be processed,
- identification of the parcel or parcels on which the fodder to be processed was grown, in accordance with the parcel identification system provided for in the integrated management and verification system.

4. The contracts referred to in paragraph 1 shall be concluded in writing at least 15 days before the date of delivery and not later than 31 July following the beginning of the marketing year in question.

5. Not later than 31 August following the beginning of the marketing year in question, processing undertakings shall submit to the competent authority a copy of the contracts referred to in paragraph 1 and a copy of the delivery declarations referred to in paragraphs 2 and 3, with a list of the parcels concerned.

Except in cases of *force majeure*, late submission of the abovementioned documents shall result in a reduction of 1 % per working day of the total amount of aid to which the undertaking would be entitled if it had submitted them in time. Where the delay exceeds 20 days, undertakings shall lose their entitlement to the aid.

Article 9

Processing undertakings shall determine, for fodder to be dehydrated and, where applicable, for sun-dried fodder delivered to them for processing, the quantities delivered, measured by systematic weighing. However, this provision shall not apply where the fodder to be dehydrated is processed in a mobile dehydration unit. In such cases only, the delivered quantities may be estimated on the basis of the areas sown.

The average moisture content of the quantities of fodder to be dehydrated shall be measured by comparing the quantities used and the quantities of finished product obtained.

Article 10

Where a processing undertaking carries out the manufacture, on the one hand, of dehydrated fodder and/or protein concentrates and, on the other hand, of sun-dried fodder:

- the dehydrated fodder must be manufactured in premises or places separate from those where sun-dried fodder is manufactured,
- products obtained from the two manufacturing operations must be stored in different places,
- it shall be prohibited to mix within the undertaking a product belonging to one of the groups with a product belonging to the other group.

Article 11

The sampling and determination of the weight of dried fodder referred to in Article 12 (2) of Regulation (EC) No 603/95 shall be carried out by the processing undertaking when the dried fodder leaves the undertaking.

However, where the dried fodder is mixed, on the premises of the processing undertaking, with raw materials other than those referred to in Article 1 of Regulation (EC) No 603/95, sampling shall be carried out before mixing takes place.

2. The competent authority may require each processing undertaking to notify it at least two working days in advance each time dried fodder leaves the undertaking or is mixed, specifying the dates and quantities, to enable the latter to carry out the necessary checks.

The competent authority shall regularly take samples relating to at least 5 % of the volume of dried fodder leaving the undertaking and at least 5 % of the volume of dried fodder mixed on its premises with raw materials other than those referred to in Article 1 of Regulation (EC) No 603/95 each marketing year.

3. The determination of moisture and crude protein content provided for in Article 3 shall be carried out by taking a sample for every 100 tonnes (maximum) of each lot of dried fodder leaving the processing undertaking or mixed on its premises with raw materials other than those referred to in Article 1 of Regulation (EC) No 603/95 in accordance with the method laid down in the Community provisions establishing Community methods of analysis for the official control of feedingstuffs⁽¹⁾.

Where several lots of the same quality with regard to composition, moisture content and protein content, to-

gether weighing 100 tonnes or less, leave the undertaking or are mixed on its premises, a sample shall be taken from each lot. However, the analysis shall be carried out on a representative mixture of these samples.

Article 12

1. In addition to the details referred to in Article 9 (a) of Regulation (EC) No 603/95, the stock accounts of processing undertakings shall include at least details of:

- the species referred to in Article 1 of Regulation (EC) No 603/95 of fodder to be dehydrated and, where applicable, sun-dried fodder entering the undertaking,
- the moisture content of fodder to be dehydrated,
- the references of the contract and/or delivery declaration provided for in Article 8,
- the dates on which the dried fodder left the undertaking, specifying the quantities which left on each date,
- the stock of dried fodder at the end of each marketing year.

2. Processing undertakings shall keep separate stock accounts for dehydrated fodder, sundried fodder, protein concentrates and dehydrated products.

3. Where a processing undertaking also dries or processes products other than fodder referred to in Article 2 (1), it shall keep separate accounts in respect of such other drying or processing activities.

Article 13

The documentary evidence to be made available by processing undertakings to the competent authority at the latter's request shall include:

(a) in the case of all processing undertakings:

- details whereby the production capacity of the plant may be determined,
- details of the fuel stocks held in the plant at the beginning and end of production,
- invoices for the purchase of fuel and the meter readings for electricity consumption during the production period,
- details of the number of hours the driers and, in the case of sundried fodder, the crushers were in operation;

(b) in the case of processing undertakings which sell their own output, the invoices in respect of their sales of dried fodder, with details in particular of:

- the quantity and composition of the fodder sold,
- the name and address of the purchaser;

⁽¹⁾ (a) Sampling: First Commission Directive (76/371/EEC) (OJ No L 102, 15. 4. 1976, p. 1);

(b) measurement of moisture: Second Commission Directive (71/393/EEC) (OJ No L 279, 20. 12. 1971, p. 7);

(c) measurement of crude protein: Third Commission Directive (72/199/EEC) (OJ No L 123, 29. 5. 1972, p. 6).

(c) in the case of undertakings processing fodder produced by their members and delivering them dried fodder, the delivery orders or any other accounting document acceptable to the competent authority, with details in particular of:

- the quantity and composition of the processed fodder delivered,
- the names of the persons to whom such fodder was delivered;

(d) in the case of undertakings processing for farmers fodder supplied by and delivered back to those farmers, invoices in respect of their processing charges, with details in particular of:

- the quantity and composition of dried fodder produced,
- the names of the farmers concerned.

Article 14

1. The competent authorities shall carry out cross-checks of the agricultural parcels referred to in the contracts and/or declarations and those declared by the producers in their area aid applications in order to prevent any aid being granted without justification.

2. The competent authorities shall inspect the stock records of all approved undertakings. They shall also carry out random checks on the financial supporting documents relating to the transactions carried out by these undertakings. Each undertaking must be inspected for this purpose at least once every marketing year.

However, in the case of newly-approved undertakings, the inspection shall cover all applications submitted during the first year of operation.

3. The competent authorities shall:

- regularly check in particular the accounts of approved undertakings,
- undertake regular additional checks on suppliers of raw materials and on operators to whom dried fodder has been supplied.

The competent authorities may also make unannounced checks of the same type as those referred to above.

4. Applications subjected to on-the-spot checking shall be selected by the competent authority on the basis of a risk analysis and an element of representativeness of the aid applications submitted.

The risk analysis shall take account, in particular, of:

- the amount of aid involved,
- changes from the previous year,
- the findings of checks made in past years,
- other factors to be defined by the Member State.

Article 15

Member States shall inform the Commission:

(a) — at the beginning of each quarter, of the quantities of dried fodder in respect of which applications for the aid referred to in Article 3 of Regulation (EC) No 603/95 were lodged during the previous quarter, such particulars to be broken down by the months in which the quantities concerned left the undertaking,

- not later than 31 May each year, of the quantities of dried fodder in respect of which entitlement to the aid was recognized during the previous marketing year.

The particulars provided shall distinguish between the products referred to respectively in Article 2 (1) (a), (b), (c) and (d) and will be used by the Commission to determine whether the maximum guaranteed quantity has been complied with;

(b) not later than 31 December each year, of the areas and quantities in respect of which the contracts and declarations referred to in Article 8 have been submitted. The particulars shall be broken down by species referred to in Article 1 of Regulation (EC) No 603/95 and shall distinguish between the cases provided for in Article 8 (1), (2) and (3);

(c) not later than 30 April of each year, of the estimated quantities of stocks of dried fodder held in the processing undertakings at 31 March of that year;

(d) not later than 1 May 1995, of the measures adopted to implement Regulation (EC) No 603/95 and this Regulation.

Article 16

Where inspections reveal that the quantity of dried fodder indicated in one or more aid applications is greater than that which actually left the processing undertaking, the amount of aid to be granted shall be calculated on the basis of the quantity which actually left the undertaking, reduced by twice the difference found.

If the difference found exceeds 20 % of the quantity which actually left the undertaking, no aid shall be granted.

However, in the case of a false indication of quantities in one or more applications made intentionally or as a result of serious recklessness:

- the processing undertaking in question shall be excluded from the aid scheme concerned as regards the application or applications in question, and
- in the case of a false indication of quantities in one or more applications intentionally made, the said undertaking shall be excluded from the aid scheme for the following marketing year, in respect of a quantity equal to that for which the aid application(s) in question was or were rejected.

Article 17

Regulation (EEC) No 1528/78 and (EEC) No 2743/78 are hereby repealed. However, those provisions concerning the management of the aid scheme in force during the 1994/95 marketing year shall continue to apply until the accounts for that marketing year have been finally cleared.

Article 18

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

It shall apply from 1 April 1995. However, the following provisions shall apply from 1 April 1996 :

- (a) Article 4 (1) providing for the approval of processing undertakings ;
- (b) the first sentence of Article 9 providing for the determination by systematic weighing, in the case of undertakings which have no weighing apparatus ;
- (c) Article 14 (1) providing for cross-checks. However, in so far as one or more elements of the integrated system are in operation before 1 January 1996, Member States shall use that or those elements in their management and verification activities and, in particular, to the extent possible, to carry out the cross-checks.

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

Done at Brussels, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 786/95

of 6 April 1995

amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs

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

Having regard to Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs⁽¹⁾, as last amended by Regulation (EC) No 3117/94⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 1274/91⁽³⁾, as last amended by Regulation (EC) No 3239/94⁽⁴⁾, lays down the necessary provisions for the implementation of marketing standards;

Whereas the provisions relating to the indications on packs containing the words 'extra' or 'extra fresh' must be amended to take account of the last amendment of Regulation (EEC) No 1907/90;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 24 of Regulation (EEC) No 1274/91, paragraphs 1 and 2 are replaced by the following:

'1. The band or label referred to in Article 12 of Regulation (EEC) No 1907/90 must be printed or affixed in such a way that none of the information on

the pack is obscured by the position of the band or label. The term "extra" shall be printed on the band or label in italics at least 1 cm high followed by the word "until" and the two sets of figures referred to in the second subparagraph of Article 14 (1) indicating the seventh day after packing or the ninth day after the laying date.

Where the packing date is indicated on the packs, the indication referred to above may be replaced by the following indication:

"extra until seventh day after packing".

Where the laying date is indicated on the packs, the indication referred to above may be replaced by the following indication:

"extra until ninth day after laying".

The term "extra" may be followed by the word "fresh".

2. Where the band or label referred to in paragraph 1 cannot be removed from the pack, the pack must be removed from the sales area not later than the seventh day after packing or the ninth day after laying and the eggs must be repacked.'

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, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 6. 7. 1990, p. 5.

⁽²⁾ OJ No L 330, 21. 12. 1994, p. 4.

⁽³⁾ OJ No L 121, 16. 5. 1991, p. 11.

⁽⁴⁾ OJ No L 338, 28. 12. 1994, p. 48.

COMMISSION REGULATION (EC) No 787/95

of 6 April 1995

laying down the extent to which applications lodged on 3 and 4 April 1995 for certificates for the advance-fixing of the export refund for certain poultrymeat products may be accepted

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

Having regard to Commission Regulation (EC) No 437/95 of 28 February 1995 laying down detailed rules for granting a special refund for exports of poultrymeat sector products to certain third countries⁽¹⁾, and in particular Article 3 thereof,

Whereas the export refunds for poultrymeat are laid down by Commission Regulation (EC) No 187/95⁽²⁾, as amended by Regulation (EC) No 442/95⁽³⁾;

Whereas Regulation (EC) No 437/95 lays down that refunds must be fixed in advance for control purposes;

Whereas pursuant to Article 3 of Regulation (EC) No 437/95, it may be decided to terminate the lodging of applications for advance-fixing certificates and to reduce the quantities applied for when the total quantity exceeds

40 000 tonnes; whereas, in view of the quantities for which advance-fixing certificates have been applied for, applications may be granted in full,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for certificates for the advance-fixing of the refund for products falling within CN codes 0207 21 10 and 0207 21 90 referred to in the Annex to amended Regulation (EC) No 187/95 and which must be exported under the conditions laid down in Regulation (EC) No 437/95, submitted on 3 and 4 April 1995, shall be granted in full.

Article 2

This Regulation shall enter into force on 10 April 1995.

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

Done at Brussels, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 45, 1. 3. 1995, p. 30.

⁽²⁾ OJ No L 24, 1. 2. 1995, p. 72.

⁽³⁾ OJ No L 45, 1. 3. 1995, p. 42.

COMMISSION REGULATION (EC) No 788/95**of 6 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 7 April 1995.

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

Done at Brussels, 6 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 6 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	75,5
	204	88,1
	212	95,9
	624	171,7
	999	107,8
0707 00 15	052	100,7
	053	166,9
	066	60,5
	068	73,8
	204	49,1
	624	207,3
	999	109,7
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 789/95
of 6 April 1995
repealing Regulation (EC) No 597/95 applying the duty in the Common Customs
Tariff to imports of fresh lemons originating in Cyprus

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

Having regard to Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EC) No 597/95⁽²⁾ applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1252/73, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive

market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Cypriot products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas Regulation (EC) No 597/95 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 597/95 is hereby repealed.

Article 2

This Regulation shall enter into force on 7 April 1995.

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

Done at Brussels, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 113.

⁽²⁾ OJ No L 60, 18. 3. 1995, p. 18.

COMMISSION REGULATION (EC) No 790/95**of 6 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 5 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 7 April 1995.

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

Done at Brussels, 6 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 6 April 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	115,17 ⁽²⁾ ⁽³⁾
0712 90 19	115,17 ⁽²⁾ ⁽³⁾
1001 10 00	60,39 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	108,63
1001 90 99	108,63 ⁽³⁾ ⁽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	116,44 ⁽⁴⁾
1008 10 00	58,99 ⁽⁹⁾
1008 20 00	67,86 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	0
1101 00 11	199,75 ⁽⁸⁾
1101 00 15	199,75 ⁽⁸⁾
1101 00 90	199,75 ⁽⁸⁾
1102 10 00	245,15
1103 11 10	135,17
1103 11 90	227,15
1107 10 11	206,50
1107 10 19	157,62
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 791/95
of 6 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 780/95⁽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 5 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 7 April 1995.

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

Done at Brussels, 6 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 77, 6. 4. 1995, p. 23.

ANNEX

to the Commission Regulation of 6 April 1995 fixing the import levies on white sugar and raw sugar*(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	38,76 ⁽¹⁾
1701 11 90	38,76 ⁽¹⁾
1701 12 10	38,76 ⁽¹⁾
1701 12 90	38,76 ⁽¹⁾
1701 91 00	49,05
1701 99 10	49,05
1701 99 90	49,05 ⁽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 792/95

of 6 April 1995

fixing the export refunds 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 the third subparagraph of Article 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾, as last amended by Regulation (EC) No 3304/94⁽³⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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⁾;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 April 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 48.

⁽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.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 6 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 6 April 1995 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 11 000	—	—
1001 10 00 400	—	—	1101 00 15 100	01	75,00
1001 90 91 000	—	—	1101 00 15 130	01	71,00
1001 90 99 000	03	50,00	1101 00 15 150	01	65,00
	02	10,00	1101 00 15 170	01	60,00
1002 00 00 000	04	65,00	1101 00 15 180	01	57,00
	05	85,00	1101 00 15 190	—	—
	02	10,00	1101 00 90 000	—	—
1003 00 10 000	—	—	1102 10 00 500	01	75,00
1003 00 90 000	03	59,00	1102 10 00 700	—	—
	02	10,00	1102 10 00 900	—	—
1004 00 00 200	—	—	1103 11 10 200	01	0 (3)
1004 00 00 400	—	—	1103 11 10 400	01	0 (3)
1005 10 90 000	—	—	1103 11 10 900	—	—
1005 90 00 000	—	—	1103 11 90 200	01	0 (3)
			1103 11 90 800	—	—

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein, Ceuta and Melilla,
- 04 Switzerland, Liechtenstein and Hungary,
- 05 Slovenia.

(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.

(3) No refund is granted when this product contains compressed meal.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 March 1995

allocating production and import quotas for methyl bromide, import quotas for hydrobromofluorocarbons and consumption quotas for hydrochlorofluorocarbons for the period 1 January to 31 December 1995

(95/107/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 7 (1) of Regulation (EC) No 3093/94 states that without prejudice to Article 4 (8) and unless the substances are intended for destruction by a technology approved by the Parties, for feedstock use in the manufacture of other chemicals or for quarantine and preshipment, the release for free circulation in the Community of controlled substances, for this Decision methyl bromide, hydrobromofluorocarbons and hydrochlorofluorocarbons, imported from third countries shall be subject to quantitative limits and that these limits may be modified pursuant to Article 7 (3);

Whereas any increase of these quantitative limits may not lead to a Community consumption of controlled substances beyond the quantitative limits established according to the Montreal Protocol on substances that deplete the ozone layer;

Whereas the amounts of substances resulting from the increase of these quantitative limits are allocated to applicants intending to import used or recycled substances, or

substances to be used as a feedstock for the production of other substances, or substances to be destroyed by a technology approved by the Parties, which does not cause any additional harm to the environment;

Whereas the release into free circulation in the Community of hydrobromofluorocarbons imported from non-Parties to the Montreal Protocol shall be prohibited one year after the date of the entry into force of the second amendment to the protocol in accordance with Article 8 of the aforesaid Regulation;

Whereas the Commission is required under Article 7 (2) of Regulation (EC) No 3093/94 in accordance with the procedure set out in Article 16, to allocate quotas to undertakings that request import quotas;

Whereas the Commission has published a notice to importers in the European Community of controlled substances that deplete the ozone layer⁽²⁾ regarding the same Regulation and has thereby received applications for import quotas;

Whereas the Commission published a notice to producers and importers of methyl bromide in the European Community⁽³⁾ to provide the Commission with details of their historical activities in order to establish the Community consumption of methyl bromide in 1991, 1992 and 1993;

⁽¹⁾ OJ No L 333, 22. 12. 1994, p. 1.

⁽²⁾ OJ No C 215, 5. 8. 1994, p. 2.

⁽³⁾ OJ No C 215, 5. 8. 1994, p. 7.

Whereas the applications for the production and import quotas of methyl bromide exceed the total quota available under Article 7 (2) by 4,0 % ;

Whereas the Commission consequently cannot fully satisfy the methyl bromide applications and has to allocate production and import quotas to the applicants, taking primarily the different environmental impact of the potential imports, the individual background of the applicants in importing methyl bromide and the amounts applied for into consideration ;

Whereas for methyl bromide the allocations of individual quotas to the applicants are to be based on the principles of continuity, equality and proportionality leading from the historical information available from the replies to the aforesaid notice ;

Whereas for methyl bromide the import quotas are allocated to the primary importers, considered by the Commission to be the importers who deal directly by way of invoicing with the producers outside the Community ;

Whereas for methyl bromide the procedure by which the primary importers are in receipt of the import quotas shall be the subject of a review during 1995 to establish whether individual Member States consider the system to be equitable in practice ;

Whereas for hydrobromofluorocarbons in 1995 there are no quantitative limits on imports, under Article 7 (2) of the aforesaid Regulation a quota has nevertheless been given to one company for monitoring purposes ;

Whereas for hydrochlorofluorocarbons consumption quotas of virgin material for dispersive uses have not been allocated at this time in accordance with Article 4 (8) of the aforesaid Regulation ;

Whereas imports of virgin substances and of substances for possible dispersive uses are potentially more harmful to the environment than imports of reclaimed or recovered substances to be used as feedstock for the production of other substances ;

Whereas for hydrochlorofluorocarbons import quotas of reclaimed and recovered material are not subject to quantitative limits, requests from some companies have been revised downwards and import quotas given for 1995, with the understanding quotas in 1996 will depend on how close actual imports in 1995 were to the quotas requested and allocated for that year ;

Whereas import licences shall be issued in accordance with Article 6 of the aforesaid Regulation, after verification of compliance by the importer with Articles 7, 8 and 12 ;

Whereas Article 16 of the aforesaid Regulation sets out the procedure according to which decisions can be taken concerning the implementation of the same Regulation ;

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

HAS ADOPTED THIS DECISION :

Article 1

1. The amount of methyl bromide controlled by Regulation (EC) No 3093/94 and indicated in group VI of Annex I thereto which may be released into free circulation in the European Community in 1995 and which is produced within the Community or is imported from sources outside the Community shall be 11 530 ODP weighted tonnes.

2. The amount of hydrobromofluorocarbons controlled by Regulation (EC) No 3093/94 and indicated in group VII of Annex I thereto which may be released into free circulation in the European Community in 1995 and which is imported from sources outside the Community shall be 0,03 ODP weighted tonnes.

3. The amount of hydrochlorofluorocarbons controlled by Regulation (EC) No 3093/94 which may be released into free circulation in the European Community in 1995 and which is produced in the Community or which is imported from sources outside the Community shall be 7 655 ODP weighted tonnes. When 80 per cent of this amount has been placed on the market or used for their own account by producers and importers the balance will be subject to quotas as described in Article 4 (8) of the aforesaid Regulation. The Commission will allocate these quotas in accordance with the procedure laid down in Article 16 of the aforesaid Regulation.

Article 2

1. The amount of hydrochlorofluorocarbons controlled by Regulation (EC) No 3093/94 and indicated in Annex 1 as reclaimed and recovered which may be released into free circulation in the European Community in 1995 and which is imported from sources outside the Community shall be 814,89 ODP weighted tonnes.

2. The amount of hydrochlorofluorocarbons controlled by Regulation (EC) No 3093/94 and indicated in Annex 1 for feedstock purposes, for destruction by approved technologies or for production transfers in the European Community in 1995 and which is imported from sources outside the Community shall be 654,89 ODP weighted tonnes.

Article 3

The allocation of import quotas for methyl bromide, hydrobromofluorocarbons and hydrochlorofluorocarbons during the period 1 January to 31 December 1995 shall be in Annex 3 ⁽¹⁾ hereto.

The undertakings authorized to import controlled substances in accordance with the quantities set out in Annex 3 are listed in Annex 2.

Article 4

This Decision is addressed to the undertakings listed in Annex 2 hereto.

Done at Brussels, 17 March 1995.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ Annex 3 is not published because it contains confidential commercial information.

ANNEX 1

GROUP VI

Importers of *methyl bromide for uses other than quarantine and pre-shipment* in accordance with Regulation (EC) No 3093/94

ALBEMARLE SA	B
Aldrich Chemical Co.	UK
ALFA AGRICULTURAL SUPPLIES SA	GR
Bromine & Chemicals Limited	UK
Eurobrom BV	NL
Great Lakes Chemical (Europe) Ltd	UK
Sigma-Aldrich Chemie GmbH	D

GROUP VI

Producer of *methyl bromide* within the European Community for uses other than quarantine and pre-shipment in accordance with Regulation (EC) No 3093/94

Elf Atochem	F
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GROUP VII

Importer of *virgin hydrobromofluorocarbons for other than feedstock uses*

Aldrich Chemical Co.	UK
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GROUP VIII

Importers of *reclaimed and recovered hydrochlorofluorocarbons* in accordance with Regulation (EC) No 3093/94

COGAL	B
Dehon Service	F
Friogas	E
ICI KLEA	UK
National Refrigerants	UK
ORCHIDIS	F
Refrigerant products	UK
Rhône-Poulenc	UK
Solvay	D
United Refrigeration	UK

GROUP VIII

Importers of *virgin hydrochlorofluorocarbons* in accordance with Regulation (EC) No 3093/94 for feedstock, destruction or production transfer purposes

Dehon	F
Elf Atochem	F
Friogas	E
ICI KLEA	UK
SOTRAGAL	B
Unichemie BV	NL

ANNEX 2

1. ALBEMARLE SA
Monsieur K. Willemen
avenue Louise 523
B-1050 Bruxelles
2. Aldrich Chemical Co. Ltd
Dr C.D. Hewitt
The Old Brickyard
New Road
Gillingham
GB-Dorset SP8 4JL
3. ALFA AGRICULTURAL SUPPLIES SA
M. W. Paissios
13 Tim Filimonos Street
GR-115 21 Athens
4. Bromine & Chemicals Limited
Mr M. Kessler
6 Arlington Street
St James
GB-London SW1A 1RE
5. Cogal SA
Monsieur M. Fuzier
Boulevard Henri Cahn
Gare des marchandises
BP 27
F-94363 Bry-sur-Marne Cedex
6. Dehon Service
Monsieur C. Brian
26, avenue du Petit Parc
F-94683 Vincennes Cedex
7. Elf Atochem
Monsieur M. Verhille
La Défense 10 Cedex 42
F-92091 Paris-La Défense
8. Eurobrom BV
De Heer V. Levy
Postbus 158
NL-2280 AD Rijswijk
9. Friogas SA
Sr. D. J. M. Dehon
Polígono Industrial SEPES
Parcela 10
E-46500 Sagunto
10. Great Lakes Chemical (Europe) Ltd
Mr C. Musson
Ellesmere Port
GB-South Wirral L65 4GD
11. ICI KLEA
Mr A. J. Elphick
PO Box 13
The Heath
Runcorn
GB-Cheshire WA7 4QF
12. National Refrigerants of America Ltd
Mr M. Sweeney
Units A5/A6
Electra Park
Electric Avenue
Witton
GB-Birmingham B6 5SH
13. Orchidis/PCB
M. Y. Merolle
rue Auguste-Perret 11
F-94000 Créteil Cedex
14. Refrigerant Products Limited
N9 Central Park Estate
Westinghouse Road
Trafford Park
GB-Manchester M3 2ER
15. Rhône-Poulenc Chemicals
Mr B. Paul
PO Box 46
St Andrews Road
Avonmouth
GB-Bristol BS11 9YF
16. Sigma-Aldrich Chemie GmbH
Herrn Dr. G. Backes
Geschäftsbereich Fluka Chemie
Messerschmittstr. 17
D-89231 Neu-Ulm
17. Solvay Fluor and Derivates GmbH
Herrn F. Grosskopf
Hans-Bockler-Allee 20
D-30173 Hannover
18. Sotragal Belgium
Monsieur C. Schmid
avenue Carton de Wiart 79
B-1090 Bruxelles
19. Uniechemie BV
De Heer C. J. L. van der Lande
Aruba 21
NL-7332 BJ Apeldoorn
20. United Refrigeration Ltd
Mr J. Sweeney
Units 14/15
Park Street
Aston
GB-Birmingham B6 5SH

COMMISSION DECISION

of 28 March 1995

concerning health protection measures against African swine fever in Sardinia,
Italy

(95/108/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas, as a result of the African swine fever situation in Italy, the Commission adopted Decision 92/451/EEC of 30 July 1992 concerning certain health protection measures against African swine fever in Sardinia, Italy⁽⁴⁾;

Whereas, African swine fever must be considered an endemic disease in the province of Nuoro, Sardinia, Italy;

Whereas the disease situation is liable to endanger the herds in other regions of Italy and of other Member States, in view of trade in live pigs, fresh pigmeat and certain meat-based products;

Whereas it is the objective within the eradication programme adopted by Commission Decision 94/881/EC of 21 December 1994 approving the programme for the eradication and surveillance of African swine fever presented by Italy and fixing the level of the Community financial contribution⁽⁵⁾ to eliminate African swine fever from the remaining infected areas of Sardinia;

Whereas in the light of the animal health situation in the provinces of Sassari, Oristano and Cagliari and in the interests of clarity Decision 92/451/EEC should be repealed and a new text adopted;

Whereas the Italian authorities have taken legal measures to prohibit the movement of live pigs, fresh pigmeat and

certain meat-based pork products from the territory of Sardinia; whereas the adoption of these legal measures guarantees the efficacy of the implementation of this Decision;

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

Italy prohibits the movement of animals of the family *Suidae* from the territory of the region of Sardinia.

Article 2

1. Italy prohibits the movement of fresh pigmeat originating from any animal of the *Suidae* family from the territory of the region of Sardinia.

2. In derogation from the provisions of paragraph 1 fresh pigmeat can be sent to areas outside the territory of the region of Sardinia on condition that the meat in question:

(a) originates from pigs which have entered the territory of the region of Sardinia as pigs for slaughter in accordance with the provisions of Council Directive 64/432/EEC⁽⁶⁾ or Directive 72/462/EEC⁽⁷⁾.

The said pigs for slaughter have been transported directly from the port of entry to a designated slaughterhouse. On arrival at the slaughterhouse they have been slaughtered within 12 hours, or

(b) originates from pigs which

— have been kept on a holding approved by the competent veterinary authority; the holding shall be situated in the province of Sassari, Oristano or Cagliari,

— have been kept for at least four months at the holding of origin,

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 248, 28. 8. 1992, p. 78.

⁽⁵⁾ OJ No L 352, 31. 12. 1994, p. 106.

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

⁽⁷⁾ OJ No L 302, 31. 12. 1972, p. 28.

- have been kept on a holding which is located at least 10 km distant from any outbreak of African swine fever which has occurred in the last three months,
- have been kept on a holding into which no pigs have been introduced during the previous 30 days,
- have been included in a pig population on a holding which is covered by the serological testing programme required under the African swine fever eradication programme adopted by Decision 94/881/EC and no antibodies to African swine fever virus have been detected within the last six months,
- have undergone a serological test within four days prior to transport for slaughter and have been found free of antibodies to the African swine fever virus,
- have undergone a clinical examination on the holding of origin within 24 hours prior to transport. All pigs on the holding of origin shall be examined and related facilities must be inspected. The animals shall be identified by ear tags at the holding of origin so that they can be traced back to the holding of origin,
- have been transported direct from the holding of origin to the designated slaughterhouse. The means of transport shall be cleaned and disinfected before loading and shall be officially sealed. The pigs shall be accompanied by a health document certifying that they comply with the requirements given under the first to seventh indents and signed by the competent authority,
- on arrival at the slaughterhouse, have been slaughtered within 12 hours.

3. The meat referred to in paragraph 2 shall be kept separately from meat which does not comply with the conditions in (a) or (b) of the said paragraph.

Article 3

Meat consigned from the territory of the region of Sardinia shall be accompanied by a certificate from an official veterinarian. The certificate shall bear the following words:

'Meat conforming to Commission Decision 95/108/EC concerning health protection measures against African swine fever in Sardinia, Italy.'

Article 4

1. Italy prohibits the movement of pigmeat products from the territory of the region of Sardinia.

2. In derogation from paragraph 1 pigmeat products may be sent to areas outside the territory of the region of Sardinia on condition that the products in question:

- (a) have undergone treatment in accordance with the provisions of Article 4 (1) (a) of Council Directive 80/215/EEC⁽¹⁾, or
- (b) have been manufactured at a designated establishment and only from meat which:
 - (i) complies with the provision of Article 2 paragraphs 2 and 3, or
 - (ii) have entered the territory of Sardinia as fresh pigmeat in accordance with the provisions of Council Directive 64/433/EEC⁽²⁾.

Article 5

Meat products referred to in Article 4 (2) (b) consigned from the territory of the region of Sardinia shall be accompanied by a certificate from an official veterinarian. The certificate shall bear the following words:

'Meat products conforming to Commission Decision 95/108/EC concerning health protection measures against African swine fever in Sardinia, Italy.'

Article 6

Italy shall present to all Member States and the Commission a list containing name(s) and location of designated slaughterhouse(s) referred to in Article 2 and name(s) and location of designated establishment(s) referred to in Article 4 paragraph 2 (b) and approved by the Central Veterinary Authority.

Article 7

1. Italy shall establish a National Coordination and Monitoring Committee. The chairman of the Committee shall be provided by the Central Veterinary Authority, which shall be in charge of the implementation of this Decision and the monitoring of measures to eradicate African swine fever. The Committee shall:

- collect data on the surveillance activities carried out by authorities of the region of Sardinia;
- have data-handling facilities;
- have rapid communication links with the region of Sardinia.

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽²⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

2. The Central Veterinary Authority may introduce further protection measures other than those referred to in this Decision if they are deemed necessary.

Article 8

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

Article 9

Decision 92/451/EEC is hereby repealed.

Article 10

This Decision is addressed to the Member States.

Done at Brussels, 28 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 29 March 1995

concerning additional guarantees relating to infectious bovine rhinotracheitis
for bovines destined for certain parts of the territory of the Community

(Text with EEA relevance)

(95/109/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC⁽¹⁾ of 26 June 1964, on animal health problems affecting intra-Community trade in bovine animals and swine, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9 thereof,

Whereas Austria is undertaking an eradication programme for infectious bovine rhinotracheitis; whereas this programme has been approved by Commission Decision 95/62/EC⁽²⁾;

Whereas Sweden is undertaking an eradication programme for infectious bovine rhinotracheitis; whereas this programme has been approved by Commission Decision 95/71/EC⁽³⁾;

Whereas it is appropriate to propose certain additional guarantees to secure the progress already made and to ensure that the programmes are successfully concluded;

Whereas the authorities of Austria and of Sweden control the national movement of bovines for breeding and production with rules at least equivalent to those set out in this Decision;

Whereas those additional guarantees must not be required of Member States or regions of Member States regarded as being free from infectious bovine rhinotracheitis under Decision 93/42/EEC⁽⁴⁾, because bovines from those areas present a minimal risk of spreading the disease;

Whereas all the regions of Austria and Sweden are subject to the same provisions as regards the movement of bovine animals; whereas in those circumstances no additional

guarantees for trade between those regions should be laid down;

Whereas the guarantees envisaged in this Decision may also be granted to other parts of the territory of the Community which are in the same position as Austria and Sweden;

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

Bovine animals intended for breeding or production coming from other Member States, or regions thereof, and destined for areas listed in the Annex must fulfil the following conditions:

1. According to official information, no clinical or pathological evidence of infectious bovine rhinotracheitis may have been recorded in the herd of origin for the past 12 months.
2. The bovines must have been isolated in accommodation approved by the competent authority for the 30 days immediately prior to movement.
3. The bovines must have been subjected to serological screening for infectious bovine rhinotracheitis on sera taken at least 21 days after entry into isolation, with negative results. All animals in isolation must also have shown negative results to the test.

Article 2

The health certificate set out as Model 1 of Annex F to Directive 64/432/EEC must be supplemented by the

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

⁽²⁾ OJ No L 55, 11. 3. 1995, p. 45.

⁽³⁾ OJ No L 59, 17. 3. 1995, p. 33.

⁽⁴⁾ OJ No L 16, 25. 1. 1993, p. 50.

following remark for bovines from other Member States or regions thereof destined for the Member States or regions listed in the Annex:

'bovines in accordance with Commission Decision 95/109/EC'.

Article 3

The conditions under Articles 1 and 2 shall not apply to bovine animals intended for breeding or production coming from regions listed in the Annex to Decision 93/42/EEC.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 29 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Austria : All regions.

Sweden : All regions.

CORRIGENDA

Corrigendum to Council Directive 93/15/EEC of 5 April 1993 on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses*(Official Journal of the European Communities No L 121 of 15 May 1993)*

Page 21, footnote 1 :

for: '(') OJ No L 256, 13. 9. 1991.',*read:* '(') OJ No L 256, 13. 9. 1991, p. 51.'

Page 22, Article 2 (2), sixth line :

for: 'has assessed ...',*read:* 'has been assessed ...'.

Page 23 :

Article 6 (2), fourth paragraph, first line :

for: '... hase ...',*read:* '... has ...';

Article 7 (2), fourth line :

for: '... visibility',*read:* '... visibility'.

Page 24 :

Article 9 (4), last line :

for: '... Article 12 ...',*read:* '... Article 13 ...';

Article 9 (7), sixth indent :

for: '... arrival',*read:* '... arrival';

Article 9 (8), penultimate line :

for: '... possess ...',*read:* '... possess ...';

Article 9 (9) penultimate line :

for: '... paragraphs ...',*read:* '... paragraphs ...';

Article 10 (2), second indent :

for: '... adress ...',*read:* '... address ...'.

Page 26 :

Article 16, first line :

for: '... authorization ...',*read:* '... authorization ...';

Article 18, last line :

for: '... illicitly ...',*read:* '... illicitly ...';

Article 19 (4), second line :

for: '... markets ...',*read:* '... market ...'.

Page 27 :

Annex I, title :

for: 'ESSENTIAL SAFETETY-REQUIREMENTS',*read:* 'ESSENTIAL SAFETY REQUIREMENTS';

Chapter I, point 1, penultimate line :

for: '... standard practices including until such time as it is used.'

read: '... standard practices until such time as it is used.';

Chapter II :

Point 1, first line :

for: '... must be considered.'

read: '... must be considered or tested.';

Point 1 (a), first line :

for: 'Construction and characteristic properties, including chemical composition, degree of blending ...',

read: 'Design and characteristic properties, including chemical composition, degree of homogeneity ...';

Point 1 (h), first line :

for: '... (e.g. environment endangered by firedamp, hot masses, etc.) ...',

read: '... (e.g. firedamp atmospheres, hot masses, etc.) ...';

Point 1 (1), first line :

for: 'The ability of the explosive, its covering or ...',

read: 'The ability of the explosive, its wrapping or ...'.

Page 28 :

Point 2 (A) (c) :

for: '(c) The gases produced by blasting explosives intended for underground use may contain carbon monoxide, nitrous gases, other gases, vapours or airborne ...',

read: '(c) The fumes produced by blasting explosives intended for underground use may contain carbon monoxide, nitrous gases, other gases, vapours or airborne ...';

Point 2 (B), heading :

for: 'Detonating cords, safety fuses, igniter cords and shock-tubes',

read: 'Detonating cords, safety fuses, other fuses and and shock tubes';

Point 2 (B) (a), first line :

for: '... and igniter cords must ...',

read: '... and other fuses must ...';

Point 2 (C) (b) :

for: 'Relays must be capable of being reliably initiated.'

read: 'Delay connectors for detonating cords must be reliably initiated.';

Annex II :

Page 29, Chapter 1, point 5, second line :

for: '... adres ...',

read: '... address ...'.

Page 30 :

Chapter 1, point 6, second line :

for: '... modidfications ...',

read: '... modifications ...';

Chapter 2, point 4, first paragraph, third line :

for: '... and appropriate test, ...',

read: '... and appropriate tests, ...'.

Page 31, Chapter 3 :

Item 3.3, second paragraph, first line :

for: '... conclusions ...',

read: '... conclusions ...';

Item 3.4, third paragraph, first line :

for: '... an ...',

read: '... and ...'.

Page 32, Chapter 3, point 5, third indent, first line :

for: '... form ...',

read: '... from ...'.

Page 33, Chapter 4 :

Item 3.2, first indent :

for: '... responsibilities ...',

read: '... responsibilities ...';

Item 4.4, last line :

for: '... with a test reports',

read: '... with a test report.';

Point 5, last indent :

for: '... form ...',

read: '... from ...'.

Page 34 :

Chapter 5, item 4.2, first line :

for: '... shall affix ...',

read: '... shall affix, ...';

Chapter 6, point 2, second paragraph, first line :

for: '... or cuase ...',

read: '... or cause ...';

Annex III, page 35 :

Point 1, fourth line :

for: '... markteting ...',

read: '... marketing ...';

Point 2, second line :

for: '... paritcularly financial, which might influence thier judgement ...',

read: '... particularly financial, which might influence their judgement ...';

Point 3, first line :

for: '... is ...',

read: '... its ...';

Point 4, second indent :

for: '... requirments of the tests they carry out and andequate ...',

read: '... requirements of the tests they carry out and adequate ...';

Point 6, first line :

for: '... assumend ...',

read: '... assumed ...';

Point 7, second line :

for: '... (vis-à-vis) ...',

read: '... (vis-à-vis) ...'.

Muistutamme suomen- ja ruotsinkielisiä lukijoitamme siitä, että 1. tammikuuta 1995 lähtien *Virallinen lehti* on saatavissa myös näillä kielillä.

Vi vill påminna våra svenska och finska läsare om att från och med den 1 januari 1995 finns *Europeiska gemenskapernas officiella tidning* att tillgå även på dessa båda språk.

We would like to remind our Swedish and Finnish readers that as of 1 January 1995 the *Official Journal of the European Communities* is also available in these two languages.