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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC, EURATOM, ECSC) No 793/95
of 31 March 1995
adjusting the weightings applicable to the remuneration of officials serving in
third countries**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EC) No 3608/93 ⁽²⁾, and in particular Article 13 (1) of Annex X thereto,

Having regard to the proposal from the Commission,

Whereas, to take account of changes in the cost of living in countries outside the Community, weightings applicable to the portion of remuneration payable in the currency of their country of employment to officials serving in third countries must be determined with effect from 1 July 1993,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1993, the weightings applicable to remuneration payable in the currency of the country of employment shall be adjusted as shown in the Annex.

The exchange rates for the payment of such remuneration shall be those used for implementation of the general budget of the European Communities for the month preceding the date of application of this Regulation.

Article 2

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

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

Done at Brussels, 31 March 1995.

For the Council

The President

F. BAYROU

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 328, 29. 12. 1993, p. 1.

ANNEX

Country of employment	Weightings applicable with effect from 1 July 1993	Country of employment	Weightings applicable with effect from 1 July 1993
Algeria	99,42	Mali	116,68
Angola	349,20	Malta	72,79
Antigua and Barbuda	92,01	Mauritania	85,34
Argentina	112,09	Mauritius	75,37
Australia	87,60	Mexico	89,68
Austria	128,22	Morocco	74,42
Bahamas (*)	0,00	Mozambique	72,22
Bangladesh	68,47	Namibia	72,81
Barbados	84,92	Netherlands Antilles	81,06
Belize	84,49	New Caledonia	124,15
Benin	94,15	Niger	104,03
Botswana	73,32	Nigeria	50,63
Brazil	61,96	Norway	129,74
Bulgaria	38,69	Pakistan	35,77
Burkina Faso	118,40	Papua New Guinea	105,25
Burundi	81,52	Peru	117,63
Cameroon	139,95	Philippines	54,37
Canada	76,46	Poland	74,94
Central African Republic	175,35	Republic of Cape Verde	79,93
Chad	150,08	Romania	39,01
Chile	77,21	Russia	134,03
China	82,45	Rwanda	92,14
Colombia	51,73	Sao Tomé and Príncipe (*)	0,00
Comoros	117,76	Saudi Arabia	59,40
Congo	139,57	Senegal	135,49
Costa Rica	68,00	Seychelles	119,05
Côte d'Ivoire	126,89	Sierra Leone	74,22
Cyprus	94,86	Solomon Islands	77,87
Czechoslovakia	51,62	Somalia (*)	0,00
Djibouti	120,38	South Africa (The Cape)	77,84
Dominican Republic	73,10	South Africa (Pretoria)	73,40
Egypt	46,02	South Korea	106,45
Equatorial Guinea	115,34	Sudan	51,79
Ethiopia	39,99	Suriname	413,37
Fiji	66,47	Swaziland	54,84
Finland	106,43	Sweden	115,16
Gabon	186,24	Switzerland	129,43
Gambia	84,74	Syria	180,42
Ghana	50,56	Tanzania	44,42
Grenada	99,57	Thailand	75,78
Guatemala	50,53	Togo	102,63
Guinea	96,52	Tonga	80,86
Guinea Bissau	98,77	Trinidad and Tobago	65,37
Guyana	52,38	Tunisia	58,63
Haiti	58,83	Turkey	63,08
Hong Kong	95,05	Uganda	48,12
Hungary	61,52	United States of America (New York)	111,58
India	39,03	United States of America (Washington)	101,11
Indonesia	87,45	Uruguay	89,81
Israel	101,62	Vanuatu	87,12
Jamaica	53,79	Venezuela	51,69
Japan	200,58	Vietnam	32,31
Jordan	78,64	Western Samoa	66,16
Kenya	52,00	Yugoslavia (*)	0,00
Lebanon	24,00	Zaire (*)	0,00
Lesotho	60,32	Zambia	59,01
Liberia	168,73	Zimbabwe	51,70
Madagascar	75,12		
Malawi	54,43		
Malaysia	88,26		

(*) Not available.

COMMISSION REGULATION (EC) No 794/95
of 7 April 1995
on the supply of cereals as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain beneficiaries 19 652 tonnes of cereals;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation Nos** ⁽¹⁾: 1356/94 (A1) and 1357/94 (A2)
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: Euronaid PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 330 57 57; fax 364 17 01; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽¹³⁾: to be designated by the recipient
5. **Place or country of destination**: Peru
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900, 1006 30 94 900, 1006 30 96 900)
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (f))
8. **Total quantity**: 1 188 tonnes (2 852 tonnes of cereals)
9. **Number of lots**: one in two parts (A1: 540 tonnes and A2: 648 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁸⁾ ⁽¹²⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (c) and II.A.3)
Language to be used for the marking: Spanish
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 5 — 11. 6. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment: 5. — 25. 6. 1995
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: refund applicable on 21. 4. 1995, fixed by Commission Regulation (EC) No 723/95 (OJ No L 73, 1. 4. 1995, p. 37)

LOT B

1. **Operation No** ⁽¹⁾: 1433/94
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: Rwanda
4. **Representative of the recipient**: Rwandan Food Aid Programme, Dépôt Rwandex, Gikondo, BP 515 Kigali (Rwanda) (tel and fax (250) 73 968 Mr Alain Houyoux)
5. **Place or country of destination** ⁽³⁾: Rwanda
6. **Product to be mobilized**: milled rice (product code 1006 30 94 900 / 1006 30 96 900 / 1006 30 92 900)
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA. 1 (f))
8. **Total quantity**: 500 tonnes (1 200 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁸⁾ ⁽¹¹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA. 2 (a) and IIA. 3)
Markings in French
11. **Method of mobilization of product**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 22. 5 — 4. 6. 1995
18. **Deadline for the supply**: 30. 7. 1995
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 6. 1995
 - (c) deadline for the supply: 13. 8. 1995
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstaat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 21. 4. 1995, fixed by Commission Regulation (EC) No 723/95 (OJ No L 73, 1. 4. 1995, p. 37)

LOT C

1. **Operation No** ⁽¹⁾: 1401/94
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: Peru
4. **Representative of the recipient**: Programa Nacional de Asistencia Alimentaria (Pronaa), av. Argentina No 3017, Callao (tel 29 10 65; fax 33 76 35)
5. **Place or country of destination** ⁽³⁾: Peru
6. **Product to be mobilized**: milled rice (product code 1006 30 94 900 / 1006 30 96 900 / 1006 30 92 900)
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A. 1 (f))
8. **Total quantity**: 1 500 tonnes (3 600 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁴⁾ ⁽⁵⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A. 2 (b) and II.A. 3)
Markings in Spanish; supplementary markings: 'Distribución gratuita'
11. **Method of mobilization of product**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: warehouse PRONAA (see point 4)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 22. 5 — 4. 6. 1995
18. **Deadline for the supply**: 9. 7. 1995
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 6. 1995
 - (c) deadline for the supply: 23. 7. 1995
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on application by the successful tenderer** ⁽⁶⁾: refund applicable on 21. 4. 1995, fixed by Commission Regulation (EC) No 723/95 (OJ No L 73, 1. 4. 1995, p. 37)

LOT D

1. **Operation No⁽¹⁾**: 1430/94
2. **Programme**: 1994
3. **Recipient⁽²⁾**: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (telex 626675 WFP I)
4. **Representative of the recipient**: to be designed by the recipient
5. **Place or country of destination**: Liberia
6. **Product to be mobilized**: milled rice (product code 106 30 94 900/1006 30 96 900/1006 30 92 900)
7. **Characteristics and quality of the goods⁽³⁾ (7)**: OJ No C 114, 29. 4. 1991, p. 1 (under IIA 1 (f))
8. **Total quantity**: 5 000 tonnes (12 000 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking⁽⁸⁾ (9)**: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA 2 (b) and IIA 3)
Markings in English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed⁽¹⁰⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 29. 5 — 18. 6. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment: 12. 6 — 2. 7. 1995
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer⁽⁴⁾**: refund applicable on 21. 4. 1995, fixed by Commission Regulation (EC) No 723/95 (OJ No L 73, 1. 4. 1995, p. 37)

Notes:

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 157/95 (OJ No L 24, 1. 2. 1995, p. 1) shall not apply to this amount.
- (5) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33. (Lot C: Manuel Gonzalez Olachea n° 247, San Isidro, Lima (tel. (51 14) 415827 ; fax 418017))
- (6) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.
- (7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- phytosanitary certificate,
 - lot A : fumigation certificate (the cargo shall be fumigated with alumine phosphine).
- (8) Notwithstanding OJ No C 114, point II.A. 3 (c) is replaced by the following : 'the words "European Community"'.
- (9) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (10) Notwithstanding Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include all loading, handling and stowage costs.
- (11) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.
- (12) See second amendment to OJ No C 114 published in OJ No C 135, 26. 5. 1992, p. 20.
- (13) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO box 1315, NL-1000 BH Amsterdam.

COMMISSION REGULATION (EC) No 795/95
of 7 April 1995
on the supply of milk products as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 032 tonnes of milk powder ;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No

790/91 ⁽⁵⁾ ; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION :

Article 1

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

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

Article 2

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

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A and B

1. **Operation Nos** ⁽¹⁾: 1335/94 (Lot A) and 1336/94 (Lot B)
2. **Programme** : 1994
3. **Recipient** ⁽²⁾: UNRWA, Supply Division, Vienna International Centre, PO box 700, A-1400 Vienna, Austria (telex 135310 UNRWA A; fax (1) 230 75 29)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer
Lot A: Ashdod: West Bank, PO box 19149, Jerusalem (tel. (972) (2) 89 05 55; telex 26194 UNRWA IL; fax (972) (2) 81 65 64)
Lot B: Beirut: PO box 947, Beirut, Lebanon (tel. (961 9) 86 31 32; telex 21430 UNRWA LE; fax 87 11 45 02 32 (via satellite)).
5. **Place or country of destination** ⁽³⁾: Lot A: Israel; Lot B: Lebanon
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under I.C.1)
8. **Total quantity**: 300 tonnes
9. **Number of lots**: two (Lot A: 180 tonnes; Lot B: 120 tonnes)
10. **Packaging and marking** ⁽⁷⁾ ⁽¹⁰⁾: 1 kg sachets
See OJ No C 114, 29. 4. 1991, p. 1 (under I.C.2, I.C.3 and I.A.2.1)
Markings in English
Supplementary markings: 'NOT FOR SALE'
11. **Method of mobilization**: Community market
The whole milk powder must be manufactured after the award of the tender
12. **Stage of supply**: Lot A: free at port of landing — landed; Lot B: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Ashdod
16. **Address of the warehouse and, if appropriate, port of landing**:
Lot B: UNRWA warehouses, Beirut, Lebanon
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 22. 5 — 4. 6. 1995
18. **Deadline for the supply**: 25. 6. 1995
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
(b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage: 5 — 18. 6. 1995
(c) deadline for the supply: 9. 7. 1995
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 5. 4. 1995, fixed by Commission Regulation (EC) No 701/95 (OJ No L 71, 31. 3. 1995, p. 73)

LOT C

1. **Operation No** (1): 1355/94
2. **Programme**: 1994
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** (3): to be designated by the recipient
5. **Place or countries of destination**: Cuba
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods** (3) (4): see OJ No C 114, 29. 4. 1991, p. 1 (under I.C.1)
8. **Total quantity**: 260 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (7) (8): 25 kg
See OJ No C 114, 29. 4. 1991, p. 1 (under I.C.2, I.A.2 (3) and I.C.3)
Language to be used for the marking: Spanish
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 5 — 11. 6. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment: 5 — 25. 6. 1995
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on application by the successful tenderer** (4): refund applicable on 5. 4. 1995 fixed by Commission Regulation (EC) No 701/95 (OJ No L 71, 31. 3. 1995, p. 73)

LOT D

1. **Operation No⁽¹⁾**: 232/94
2. **Programme**: 1994
3. **Recipient⁽²⁾**: UNHCR (for the attention of Mme Seinet), Case postale 2500, CH-1211 Genève 2 Dépôt (tel. (22) 739 81 37; fax 739 85 63)
4. **Representative of the recipient⁽³⁾**:
UNHCR, c/o FICR, BP 650 Pointe Noire, Congo; tel. + fax: (242) 945518
5. **Place or country of destination⁽⁴⁾**: Congo
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽⁵⁾ (6)**: see OJ No C 114, 29. 4. 1991, p. 1 (under I. B. 1)
8. **Total quantity**: 39 tonnes
9. **Number of lots**: one
10. **Packaging and marking⁽⁷⁾ (1)**: see OJ No C 114, 29. 4. 1991, p. 4 (under I. B. 2, I. A. 2 (3) and I. B. 3)
Markings in French
Supplementary markings 'Date d'expiration: ...'
11. **Method of mobilization of product**: Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Pointe-Noire
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 — 28. 5. 1995
18. **Deadline for the supply**: 25. 6. 1995
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 5 — 11. 6. 1995
 - (c) deadline for the supply: 9. 7. 1995
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer⁽⁸⁾**: refund applicable on 5. 4. 1995, fixed by Commission Regulation (EC) No 701/95 (OJ No L 71, 31. 3. 1995, p. 73)

LOT E

1. **Operation No (1):** 229/94
2. **Programme:** 1994
3. **Recipient (2):** UNHCR (for the attention of Mme Seinet), Case postale 2500, CH-1211 Genève 2 Dépôt (tel. (22) 739 81 37; fax 739 85 63)
4. **Representative of the recipient:**
 - UNHCR Bamako c/o PNUD, BP 120, Bamako/Mali (tel. 220369; fax 230369; telex 2552 2752 (PNUD))
5. **Place or country of destination (3):** Mali
6. **Product to be mobilized:** vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods (3) (4):** see OJ No C 114, 29. 4. 1991, p. 1, I. B. 1
8. **Total quantity:** 43 tonnes
9. **Number of lots:** one
10. **Packaging and marking (7) (11):** see OJ No C 114, 29. 4. 1991, p. 1 (under I. B. 2, I. A. 2 (3) and I. B. 3)
Markings in French
Supplementary markings: 'Date d'expiration ...'
11. **Method of mobilization of product:** Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply:** free at destination
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:**
16. **Address of the warehouse and, if appropriate, port of landing:** see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 15 — 28. 5. 1995
18. **Deadline for the supply:** 2. 7. 1995
19. **Procedure for determining the costs of supply:** invitation to tender
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 5 — 11. 6. 1995
 - (c) deadline for the supply: 16. 7. 1995
22. **Amount of the tendering security:** ECU 20 per tonne
23. **Amount of the delivery security:** 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities (1):** Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer (4):** refund applicable on 5. 4. 1995, fixed by Commission Regulation (EC) No 701/95 (OJ No L 71, 31. 3. 1995, p. 73)

LOTS F and G

1. **Operation Nos** ⁽¹⁾: 1132/94 (lot F) and 1136/94 (lot G)
2. **Programme** : 1994
3. **Recipient** ⁽²⁾: UNHCR (for the attention of Mme Seinet), Case postale 2500, CH-1211 Genève 2 Dépôt (tel. (22) 739 81 37 ; fax 739 85 63)
4. **Representative of the recipient** :
 - lot F: UNHCR, av. Président Mobutu, Goma (tel. (243) 124 93 97 ; telefax (871) 175 45 71 ; telex (563) 1754443)
 - lot G: UNHCR, 1 av. du Large, 4620 Bujumbura. (tel. (257) 21 45 35/22 32 45 ; telefax 22 95 23)
5. **Place or country of destination** ⁽³⁾: lot F: Zaire and lot G: Burundi
6. **Product to be mobilized** : vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.1)
8. **Total quantity** : 390 tonnes
9. **Number of lots** : two (lot F: 290 tonnes ; lot G: 100 tonnes)
10. **Packaging and marking** ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.2, I.A.2.3 and I.B.3)
Markings in French
Supplementary markings: 'Date d'expiration ...'
11. **Method of mobilization of product** : Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** : free at destination
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : —
16. **Address of the warehouse and, if appropriate, port of landing** : see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 22. 5 — 4. 6. 1995
18. **Deadline for the supply** : 23. 7. 1995
19. **Procedure for determining the costs of supply** : invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon (Brussels time) on 24. 4. 1995
21. **In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 8. 5. 1995
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 5 — 18. 6. 1995
 - (c) deadline for the supply : 6. 8. 1995
22. **Amount of the tendering security** : ECU 20 per tonne
23. **Amount of the delivery security** : 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B ; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer** ⁽⁸⁾: refund applicable on 5. 4. 1995, fixed by Commission Regulation (EC) No 701/95 (OJ No L 71, 31. 3. 1995, p. 73)

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 157/95 (OJ No L 24, 1. 2. 1995, p. 1), shall not apply to this amount.

- (⁵) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - health certificate,
 - lot C : veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing. The veterinary certificate must state the temperature and duration of the pasteurization, the temperature and duration in the spray-drying tower and the expiry date for consumption.
- (⁷) Notwithstanding OJ No C 114, point I.B.3 (c) or I.C. 3 (c) is replaced by the following : 'the words "European Community"'.
 - (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

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

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

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

- (⁹) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO box 1315, NL-1000 BH Amsterdam.
- (¹⁰) Shipment to take place in 20-foot containers. Lot A : The contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

Ashdod : consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.

(¹¹) The bags shall be stacked, maximum 40, on wooden pallets (made of pine, fir, or poplar wood) measuring more than 1 200 x 1 400 mm, and with the following features :

- four-way entry, non-reversible, with wings,
- a top deck consisting of a minimum of seven planks (width : 100 mm ; thickness : 22 mm),
- a bottom deck consisting of three planks (width : 100 mm ; thickness : 22 mm),
- three bearers (width : 100 mm ; thickness : 22 mm),
- nine dowels : 100 x 100 x 78 mm minimum.

The palletized bags shall be covered by a shrink film of a thickness of at least 150 microns. The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

The bags are further protected by board or wood placed between the bags and straps.

COMMISSION REGULATION (EC) No 796/95

of 7 April 1995

amending Regulation (EEC) No 1858/93 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 12 (8) and 14 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 12 thereof,

Whereas Commission Regulation (EEC) No 1858/93 ⁽⁵⁾, as last amended by Regulation (EC) No 705/94 ⁽⁶⁾, laid down detailed rules for the application of the system of compensatory aid for loss of income from the marketing of bananas;

Whereas, with effect from 1 February 1995, Article 13 (2) of Regulation (EEC) No 3813/92 amended the value in ecus of certain prices and amounts in order to neutralize the effects of the abolition of the correcting factor of 1,207509 applicable to the conversion rates used for agriculture until 31 January 1995; whereas the new values in ecus of the prices and amounts in question were established with effect from 1 February 1995 in accordance with the rules laid down in Article 13 (2) of Regulation (EEC) No 3813/92 and Article 18 (1) of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽⁷⁾, as last amended by Regulation (EC) No 157/95 ⁽⁸⁾;

Whereas, to avoid confusion and to facilitate the application of the system of compensatory aid for loss of income from marketing, the value in ecus of the flat-rate

reference income fixed in Article 2 (2) of Regulation (EEC) No 1858/93 should be replaced with effect from the start of the marketing period which covers the months of March and April 1995;

Whereas Regulation (EEC) No 1858/93 contains a number of transitional provisions for the implementation of the system which are no longer applicable; whereas for the sake of clarity they should be repealed; whereas, in the light of experience, the time limits for the submission of applications for advances and for payment of the balance of the aid should be extended;

Whereas, in the interests of good management, provision should be made for the entry into force of this Regulation without delay;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1858/93 is amended as follows:

1. In Article 1, the second paragraph is deleted.

2. Article 2 (2) is replaced by the following:

'2. The flat-rate reference income shall be ECU 59,29/100 kg net weight of green bananas ex-packing shed.'

3. Article 6 is deleted.

4. Article 7 (2) is replaced by the following:

'2. Applications shall be submitted:

(a) in the case of advances, at the latest on 20 March, 20 May, 20 July, 20 September and 20 November for bananas actually marketed during the two month period preceding the month of application;

(b) in the case of payment of the balance of the aid, at the latest on 31 January of the year following that in respect of which the aid is applied for. The balance shall comprise:

— the aid for bananas marketed during November and December,

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 170, 13. 7. 1993, p. 5.

⁽⁶⁾ OJ No L 85, 30. 3. 1994, p. 7.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 24, 1. 2. 1995, p. 1.

— and, where applicable, the adjustment to the amounts paid for bananas marketed during the periods referred to in (a), on the basis of the definitive amount of aid.'

5. The second paragraph of Article 8 is deleted.

6. Article 9 is replaced by the following:

'Article 9

1. Where, the quantities laid down for each region in Article 12 (2) of Regulation (EEC) No 404/93 are exceeded, the aid shall be granted for all the quantities applied for, up to a total quantity of 854 000 tonnes net weight.

2. If the total quantity actually marketed exceeds 854 000 tonnes, the quantities marketed giving entitlement to the aid shall be reduced for each producer region concerned in proportion to the overrun of the quantity fixed for that region.

The Commission shall fix the reduction percentages applicable for each region and shall inform the Members States thereof.

Where the second subparagraph is applied, the competent authorities shall apply the uniform reduction

percentage to the quantities indicated in each aid application.'

7. Article 11 is replaced by the following:

'Article 11

The rate applicable for conversion of the amount of advances and aid into national currency shall be the agricultural conversion rate in force on the first day of each of the marketing periods referred to in Article 7 (2).'

Article 2

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

However, point 2 of Article 1 shall apply from 1 March 1995.

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 797/95**of 7 April 1995****fixing the compensatory aid for Community bananas marketed in 1994 and the advance for 1995 and derogating from Regulation (EEC) No 1858/93 as regards the time limit for the payment of the balance of aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 12 (6) and 14 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 Commission Regulation (EEC) No 1858/93 ⁽⁵⁾, as last amended by Regulation (EC) No 796/95 ⁽⁶⁾, lays down detailed rules for applying Regulation (EEC) No 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector;

Whereas, pursuant to Article 12 of Regulation (EEC) No 404/93, compensatory aid is to be calculated on the basis of the difference between the flat-rate reference income for bananas produced and marketed within the Community and the average production income obtained on the Community market during the year in question; whereas additional aid is granted in favour of a production region if the average production income there is significantly lower than the Community average;

Whereas prices for bananas produced and marketed in the Community during 1994 were such that the average of the prices at the stage of delivery at the first port of

unloading in the rest of the Community, less the average costs of transport and delivery fob, is less than the reference income fixed in Article 2 (2) of Regulation (EEC) No 1858/93; whereas the compensatory aid for 1994 should therefore be fixed;

Whereas, due to very unfavourable production conditions, the average production income obtained from marketing bananas produced in Madeira was significantly lower than the Community average during 1994; whereas, therefore, additional aid should be granted for bananas produced in Madeira;

Whereas, moreover, advances and securities for quantities of bananas marketed during a given year depend on the amount of aid paid in respect of the preceding year pursuant to Article 4 (2) of Regulation (EEC) No 1858/93;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1858/93, the rates to be used for converting advances and the balance of aid into national currency are the agricultural conversion rates applicable on the first day of each of the marketing periods for which the amounts are paid; whereas, the operative event for the conversion rate for both the balance of aid to be paid for 1994 and the first advance for 1995 occurs before 1 February; whereas, therefore, in fixing the amounts, account should be taken of a correcting factor of 1,207509 to be applied to the conversion rate;

Whereas the final amount of compensatory aid for 1994 could not be fixed in time to permit payment within the time limits laid down in Article 10 of Regulation (EEC) No 1858/93; whereas, therefore, the time limit for the payment of the balance of compensatory aid should be two months from the date of publication of this Regulation;

Whereas this Regulation must enter into force on the day of its publication to be fully effective;

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

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 170, 13. 7. 1993, p. 5.

⁽⁶⁾ See page 17 of this Official Journal.

HAS ADOPTED THIS REGULATION :

Article 1

1. The compensatory aid referred to in Article 12 of Regulation (EEC) No 404/93 for Community bananas falling within CN code ex 0803, excluding plantains, marketed fresh during 1994 shall be ECU 17,2 per 100 kg.
2. The amount of aid referred to in paragraph 1 shall be increased by ECU 4 per 100 kg for bananas produced in the region of Madeira.
3. The advance for Community bananas marketed during January and February 1995 shall be ECU 12 per

100 kg. The security relating thereto shall be ECU 6 per 100 kg.

For bananas marketed during the rest of 1995, the advance and the security shall be ECU 14,49 per 100 kg and ECU 7,24 per 100 kg respectively.

Article 2

Notwithstanding Article 10 of Regulation (EEC) No 1858/93, the competent authorities of the Member States shall pay the balance of compensatory aid for 1994 within two months of publication of this Regulation.

Article 3

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, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 798/95

of 7 April 1995

amending Regulations (EEC) No 1912/92, (EEC) No 1913/92, (EEC) No 2254/92, (EEC) No 2255/92, (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed implementing rules for the specific measures for supplying the Canary Islands, the Azores, Madeira and the French overseas departments with products from the beef and veal sector as regards the amount of the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93⁽²⁾, and in particular Articles 4 (4) and 5 (2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures for the Azores and Madeira concerning certain agricultural products⁽³⁾, as last amended by Regulation (EEC) No 1974/93, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽⁴⁾, as amended by Commission Regulation (EEC) No 3714/92⁽⁵⁾, and in particular Articles 4 (5) and 9 thereof,

Whereas the aids for the products included in the forecast supply balance and originating in the Community market are fixed by Commission Regulations (EEC) No 1912/92⁽⁶⁾ and (EEC) No 1913/92⁽⁷⁾, as last amended by Regulation (EC) No 233/95⁽⁸⁾, by Regulations (EEC) No 2254/92⁽⁹⁾, (EEC) No 2255/92⁽¹⁰⁾, and (EEC) No 2312/92⁽¹¹⁾, as last amended by Regulation (EC) No 3023/94⁽¹²⁾ and by Regulation (EEC) No 1148/93⁽¹³⁾, as last amended by Regulation (EC) No 2491/94⁽¹⁴⁾;

Whereas the application of the criteria for fixing the Community aid to the current market situation in the

sector in question and, in particular, to the rates or prices for those products in the continental part of the Community and on the world market results in the fixing of the aid for supplies to the Canary Islands and to Madeira of products from the beef and veal sector at the amounts included in the Annex hereto;

Whereas, in accordance with the second subparagraph of Article 2 (1) of Council Regulation (EEC) No 3813/92⁽¹⁵⁾, as last amended by Regulation (EC) No 150/95⁽¹⁶⁾, the agricultural conversion rate applicable on 1 February 1995 is that determined for that date in accordance with the rules in force on 31 January 1995, divided by 1,207509; whereas, to ensure that this does not result in a reduction in the value of the Community contribution in national currency compared to the situation before 1 February, the aid amounts entering into force after 1 February 1995 must be fixed at a level that takes account of the reduction in the conversion rate resulting from the above division; whereas, however, when calculating the aid amounts fixed by Regulation (EC) No 233/95, the adjustments to the agrimonetary arrangements had not yet been taken into account; whereas these amounts must accordingly be replaced by the amounts listed in Annexes I and II to this Regulation, with effect from the date of entry into force of Regulation (EC) No 233/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Annexes II and IIa to Regulation (EEC) No 1912/92 are hereby replaced by Annex I to this Regulation.

2. Annex II to Regulation (EEC) No 1913/92 is hereby replaced by Annex II to this Regulation.

3. Annex II to Regulations (EEC) No 2254/92, (EEC) No 2255/92 and (EEC) No 2312/92 is hereby replaced by Annex III to this Regulation.

(¹) OJ No L 173, 27. 6. 1992, p. 13.
 (²) OJ No L 180, 23. 7. 1993, p. 26.
 (³) OJ No L 173, 27. 6. 1992, p. 1.
 (⁴) OJ No L 356, 24. 12. 1991, p. 1.
 (⁵) OJ No L 378, 23. 12. 1992, p. 23.
 (⁶) OJ No L 192, 11. 7. 1992, p. 31.
 (⁷) OJ No L 192, 11. 7. 1992, p. 35.
 (⁸) OJ No L 27, 4. 2. 1995, p. 12.
 (⁹) OJ No L 219, 4. 8. 1992, p. 34.
 (¹⁰) OJ No L 219, 4. 8. 1992, p. 37.
 (¹¹) OJ No L 222, 7. 8. 1992, p. 32.
 (¹²) OJ No L 321, 14. 12. 1994, p. 6.
 (¹³) OJ No L 116, 12. 5. 1993, p. 15.
 (¹⁴) OJ No L 265, 15. 10. 1994, p. 21.

(¹⁵) OJ No L 387, 31. 12. 1992, p. 1.
 (¹⁶) OJ No L 22, 31. 1. 1995, p. 1.

4. The amount of the aid given in Annex III to Regulation (EEC) No 1912/92 is hereby replaced by the amount indicated in Annex IV to this Regulation.

5. Annex III to Regulation (EEC) No 1913/92 is hereby replaced by Annex V to this Regulation.

6. The amount of the aid given in Annex III to Regulation (EEC) No 2312/92 is hereby replaced by the amount indicated in Annex VI to this Regulation.

7. The amount of the aid given in the Annex to Regulation (EEC) No 1148/93 is hereby replaced by the amount indicated in Annex VII to this Regulation.

Article 2

Regulation (EC) No 233/95 is hereby repealed.

Article 3

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

However, paragraphs 1 and 2 of Article 1 and Article 2 shall apply with effect from 7 February 1995.

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

ANNEX II

Aid on products listed in Annex I and coming from the Community market

(ECU/100 kg net weight)	
Product code	Aid
0201 10 00 110 ⁽¹⁾	83,9
0201 10 00 120	63,4
0201 10 00 130 ⁽¹⁾	113,5
0201 10 00 140	86,3
0201 20 20 110 ⁽¹⁾	113,5
0201 20 20 120	86,3
0201 20 30 110 ⁽¹⁾	83,9
0201 20 30 120	63,4
0201 20 50 110 ⁽¹⁾	143,1
0201 20 50 120	109,3
0201 20 50 130 ⁽¹⁾	83,9
0201 20 50 140	63,4
0201 20 90 700	63,4
0201 30 00 100 ⁽²⁾	204,7
0201 30 00 150 ⁽³⁾	123,2
0201 30 00 190 ⁽³⁾	82,7
0202 10 00 100	58,6
0202 10 00 900	79,1
0202 20 10 000	79,1
0202 20 30 000	58,6
0202 20 50 100	99,6
0202 20 50 900	58,6
0202 20 90 100	58,6
0202 30 90 400 ⁽³⁾	112,3
0202 30 90 500 ⁽³⁾	75,5
1602 50 10 190	52,5
1602 50 10 240	20,5
1602 50 10 260	15,7
1602 50 10 280	8,5
1602 50 31 195	39,2
1602 50 31 395	39,2
1602 50 39 195	39,2
1602 50 39 395	39,2
1602 50 39 495	39,2
1602 50 39 505	39,2
1602 50 39 595	39,2
1602 50 39 615	39,2
1602 50 39 625	17,5
1602 50 39 705	20,5
1602 50 39 805	15,7
1602 50 39 905	8,5
1602 50 80 195	39,2
1602 50 80 395	39,2
1602 50 80 495	39,2
1602 50 80 505	39,2
1602 50 80 515	17,5
1602 50 80 595	39,2
1602 50 80 615	39,2
1602 50 80 625	17,5
1602 50 80 705	20,5
1602 50 80 805	15,7
1602 50 80 905	8,5

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 440/95 (OJ No L 45, 1. 3. 1995, p. 37).

ANNEX II A

Aid granted on certain processed products listed in Annex I and coming from the Community market

<i>(ECU/100 kg net weight)</i>	
Product code	Aid
1602 50 10 120	111,7 (°)
1602 50 10 140	99,0 (°)
1602 50 10 160	79,7 (°)
1602 50 10 170	52,5 (°)
1602 50 31 125	126,2 (°)
1602 50 31 135	79,7 (°)
1602 50 31 325	112,3 (°)
1602 50 31 335	71,2 (°)
1602 50 39 125	126,2 (°)
1602 50 39 135	79,7 (°)
1602 50 39 325	112,3 (°)
1602 50 39 335	71,2 (°)

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 440/95 (OJ No L 45, 1. 3. 1995, p. 37).¹

ANNEX II

ANNEX II

Aid on products listed in Annex I and coming from the Community market

(ECU/100 kg net weight)

Product code	Aid
0201 10 00 110 ⁽¹⁾	83,9
0201 10 00 120	63,4
0201 10 00 130 ⁽¹⁾	113,5
0201 10 00 140	86,3
0201 20 20 110 ⁽¹⁾	113,5
0201 20 20 120	86,3
0201 20 30 110 ⁽¹⁾	83,9
0201 20 30 120	63,4
0201 20 50 110 ⁽¹⁾	143,1
0201 20 50 120	109,3
0201 20 50 130 ⁽¹⁾	83,9
0201 20 50 140	63,4
0201 20 90 700	63,4
0201 30 00 100 ⁽²⁾	204,7
0201 30 00 150 ⁽²⁾	123,2
0201 30 00 190 ⁽²⁾	82,7
0202 10 00 100	63,4
0202 10 00 900	86,3
0202 20 10 000	86,3
0202 20 30 000	63,4
0202 20 50 100	109,3
0202 20 50 900	63,4
0202 20 90 100	63,4
0202 30 90 400 ⁽²⁾	123,2
0202 30 90 500 ⁽²⁾	82,7

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 440/95 (OJ No L 45, 1. 3. 1995, p. 37).

ANNEX III

ANNEX II

Amounts of aid that can be granted to male bovine animals for fattening coming from the Community market

(ECU/head)

CN code	Amount of aid
ex 0102 90 05	90,6
ex 0102 90 29	181,1
ex 0102 90 49	241,5
0102 90 79	362,3'

ANNEX IV

ANNEX III

Amount of aid that can be granted in the Canary Islands for pure-bred breeding bovines originating in the Community

(ECU/head)

CN code	Description	Aid
0102 10 00	Pure-bred breeding bovines (')	905,6

(') Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

ANNEX V

ANNEX III

PART 1

Azores : Supply of pure-bred breeding bovines originating in the Community for the period
1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (')	1 150	603,8

(') Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

PART 2

Madeira : Supply of pure-bred breeding bovines originating in the Community for the period
1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (')	200	784,9

(') Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

ANNEX VI

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period
1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	180	1 207,5

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the
period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	350	1 207,5

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period
1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	40	1 207,5

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the
period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	50	1 207,5

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

ANNEX VII

ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	16	1 207,5

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	10	1 207,5

⁽¹⁾ Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 20. 8. 1990, p. 55).

COMMISSION REGULATION (EC) No 799/95

of 7 April 1995

amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down in particular the detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Commission Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance ⁽⁵⁾, as last amended by Regulation (EC) No 291/95 ⁽⁶⁾, establishes the forecast supply balance for milk products for Madeira; whereas that supply balance may be revised where necessary by providing for an increase during the year in the total quantity set on the

basis of the region's requirement; in order to satisfy the needs of Madeira for milk products and in particular for cheese, the quantities for cheese provided for in the forecast supply balance should be increased; whereas, therefore, Annex I to Regulation (EEC) No 2219/92 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 218, 1. 8. 1992, p. 75.

⁽⁶⁾ OJ No L 34, 14. 2. 1995, p. 21.

*ANNEX**ANNEX I*

**Forecast supply balance for Madeira relating to milk products for the period 1 July 1994 to
30 June 1995**

<i>(tonnes)</i>		
CN code	Description	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	12 000
ex 0402	Skimmed-milk powder	800
ex 0402	Whole-milk powder	700
0405	Butter	1 200
0406	Cheese	1 200'

COMMISSION REGULATION (EC) No 800/95**of 7 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 8 April 1995.

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

Done at Brussels, 7 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 7 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	74,9
	204	89,5
	212	95,9
	624	171,7
	999	108,0
0707 00 15	052	100,7
	053	166,9
	066	73,7
	068	73,8
	204	49,1
	624	207,3
	999	111,9
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 801/95
of 7 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 791/95 ⁽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 6 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 8 April 1995.

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

Done at Brussels, 7 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 79, 7. 4. 1995, p. 19.

ANNEX

to the Commission Regulation of 7 April 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	38,41 ⁽¹⁾
1701 11 90	38,41 ⁽¹⁾
1701 12 10	38,41 ⁽¹⁾
1701 12 90	38,41 ⁽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 802/95
of 7 April 1995
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 1554/93⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EC) No 195/95⁽⁴⁾, as last amended by Regulation (EC) No 782/95⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 195/95 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 48,297 per 100 kilograms.

Article 2

This Regulation shall enter into force on 8 April 1995.

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 109.

⁽⁵⁾ OJ No L 77, 6. 4. 1995, p. 26.

COMMISSION REGULATION (EC) No 803/95

of 7 April 1995

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 705/95⁽⁵⁾, as amended by Regulation (EC) No 768/95⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 April 1995.

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 71, 31. 3. 1995, p. 89.

⁽⁶⁾ OJ No L 76, 5. 4. 1995, p. 14.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽¹⁰⁾ OJ No L 45, 1. 3. 1995, p. 32.

ANNEX

to the Commission Regulation of 7 April 1995 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1102 30 00	151,25	154,90
1103 14 00	151,25	154,90
1103 29 50	151,25	154,90
1104 19 91	256,84	264,14
1108 19 10	216,89	254,12

(1) 6 % *ad valorem*, subject to certain conditions.

(2) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(3) 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.

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

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

(6) For imported products falling within these codes, the levy applicable is restricted within the conditions provided for in Council Regulation (EC) No 774/94.

COMMISSION REGULATION (EC) No 804/95
of 7 April 1995
fixing the import levies on rice and broken rice

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 178/95 ⁽⁴⁾, as last amended by Regulation (EC) No 742/95 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 8 April 1995.

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

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 52.

⁽⁵⁾ OJ No L 73, 1. 4. 1995, p. 76.

ANNEX

to the Commission Regulation of 7 April 1995 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	ACP Bangladesh (⁽¹⁾)(⁽²⁾)(⁽³⁾)(⁽⁴⁾)	Third countries (except ACP and Bangladesh) ⁽⁵⁾
1006 10 21	—	187,96	384,62
1006 10 23	—	193,42	395,55
1006 10 25	—	193,42	395,55
1006 10 27	296,66	193,42	395,55
1006 10 92	—	187,96	384,62
1006 10 94	—	193,42	395,55
1006 10 96	—	193,42	395,55
1006 10 98	296,66	193,42	395,55
1006 20 11	—	236,03	480,78
1006 20 13	—	242,87	494,44
1006 20 15	—	242,87	494,44
1006 20 17	370,83	242,87	494,44
1006 20 92	—	236,03	480,78
1006 20 94	—	242,87	494,44
1006 20 96	—	242,87	494,44
1006 20 98	370,83	242,87	494,44
1006 30 21	—	290,88	610,57
1006 30 23	—	336,74	702,20
1006 30 25	—	336,74	702,20
1006 30 27	526,65	336,74	702,20
1006 30 42	—	290,88	610,57
1006 30 44	—	336,74	702,20
1006 30 46	—	336,74	702,20
1006 30 48	526,65	336,74	702,20
1006 30 61	—	310,21	650,25
1006 30 63	—	361,46	752,76
1006 30 65	—	361,46	752,76
1006 30 67	564,57	361,46	752,76
1006 30 92	—	310,21	650,25
1006 30 94	—	361,46	752,76
1006 30 96	—	361,46	752,76
1006 30 98	564,57	361,46	752,76
1006 40 00	—	68,32	143,89

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

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

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

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

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

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

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES MEETING WITHIN THE COUNCIL**

of 27 March 1995

**on certain measures applicable with regard to Kazakhstan concerning trade in
certain steel products covered by the ECSC Treaty**

(95/110/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. During the period 1 January to 30 June 1995, imports into all the Member States of steel products covered by the ECSC Treaty referred to in Annex I originating in Kazakhstan shall be subject to licensing. Licences shall be issued only within the limits defined in Article 2. Steel products originating in Kazakhstan, covered by a monitoring document or documents issued before the date of entry into force of this Decision, and which were already sent to the Community before that date, shall be admitted without the applicable document or licence for the products covered by autonomous quota.

2. If an agreement between the Community and Kazakhstan on trade in the steel products referred to in Annex I is not concluded by 30 June 1995, imports of those products will be subject to licensing for the period 1 July to 31 December 1995. Licences shall be issued only within the same limits as for the first half of the year. Licences issued but unused during the first half of the

year may be used during the second half of the year, within the limits of their validity.

Article 2

Quantities of authorized imports shall be determined, for each product group and for the whole of the Community, according to the quotas indicated in Annex II.

Article 3

Member States shall issue licences and inform the Commission thereof immediately. The Commission shall keep the Member States regularly informed of the extent to which the quantities have been used up.

The Member States and the Commission shall confer together in order to ensure that these quantities are not exceeded.

Article 4

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

It shall apply from 1 January 1995.

Done at Brussels, 27 March 1995.

The President
J. PUECH

ANNEX I

PRODUCT LIST

A. Flat-rolled products

1. Coils

7208 11 00
7208 12 10
7208 12 91
7208 12 95
7208 12 98
7208 13 10
7208 13 91
7208 13 95
7208 13 98
7208 14 10
7208 14 91
7208 14 99
7208 21 10
7208 21 90
7208 22 10
7208 22 91
7208 22 95
7208 22 98
7208 23 10
7208 23 91
7208 23 95
7208 23 98
7208 24 10
7208 24 91
7208 24 99
7211 12 10
7211 19 10
7211 22 10
7211 29 10
7219 11 10
7219 11 90
7219 12 10
7219 12 90
7219 13 10
7219 13 90
7219 14 10
7219 14 90
7225 10 10
7225 20 20
7225 30 00

2. Heavy plates

7208 31 00
7208 32 10
7208 32 30
7208 32 51
7208 32 59
7208 32 91
7208 32 99

7208 33 10
7208 33 91
7208 33 99
7208 41 00
7208 42 10
7208 42 30
7208 42 51
7208 42 59
7208 42 91
7208 42 99
7208 43 10
7208 43 91
7208 43 99
7211 11 00
7211 21 00

3. Other flat-rolled products

7208 34 10
7208 34 90
7208 35 10
7208 35 90
7208 44 10
7208 44 90
7208 45 10
7208 45 90
7208 90 10
7209 11 00
7209 12 10
7209 12 90
7209 13 10
7209 13 90
7209 14 10
7209 14 90
7209 21 00
7209 22 10
7209 22 90
7209 23 10
7209 23 90
7209 24 10
7209 24 91
7209 24 99
7209 31 00
7209 32 10
7209 32 90
7209 33 10
7209 33 90
7209 34 10
7209 34 90
7209 41 00
7209 42 10
7209 42 90
7209 43 10
7209 43 90

7209 44 10
7209 44 90
7209 90 10
7210 11 10
7210 12 11
7210 12 19
7210 20 10
7210 31 10
7210 39 10
7210 41 10
7210 49 10
7210 50 10
7210 60 11
7210 60 19
7210 70 31
7210 70 39
7210 90 31
7210 90 33
7210 90 35
7210 90 39
7211 19 91
7211 19 99
7211 22 90
7211 29 91
7211 29 99
7211 30 10
7211 41 10
7211 41 91
7211 49 10
7211 90 11
7212 10 10
7212 10 91
7212 21 11
7212 29 11
7212 30 11
7212 40 10
7212 40 91
7212 50 31
7212 50 51
7212 60 11
7212 60 91
7219 21 11
7219 21 19
7219 21 90
7219 22 10
7219 22 90
7219 23 10
7219 23 90
7219 24 10
7219 24 90
7219 31 10
7219 31 90
7219 32 10
7219 32 90
7219 33 10

7219 33 90
7219 34 10
7219 34 90
7219 35 10
7219 35 90
7225 40 70
7225 40 90

B. Longs

1. Beams

7207 19 31
7207 20 71
7216 31 11
7216 31 19
7216 31 91
7216 31 99
7216 32 11
7216 32 19
7216 32 91
7216 32 99
7216 33 10
7216 33 90

2. Wire rod

7213 10 00
7213 20 00
7213 31 20
7213 31 81
7213 31 89
7213 39 10
7213 39 90
7213 41 00
7213 49 00
7213 50 20
7213 50 81
7213 50 89
7221 00 10
7221 00 90
7227 10 00
7227 20 00
7227 90 10
7227 90 30
7227 90 50
7227 90 70

3. Other longs

7207 19 11
7207 19 14
7207 19 16
7207 20 51

7207 20 55
7207 20 57
7214 20 00
7214 30 00
7214 40 10
7214 40 20
7214 40 51
7214 40 59
7214 40 80
7214 50 10
7214 50 31
7214 50 39
7214 50 90
7214 60 00
7215 90 10
7216 10 00
7216 21 00
7216 22 00
7216 40 10
7216 40 90
7216 50 10
7216 50 91
7216 50 99
7216 90 10
7218 90 50
7222 10 11
7222 10 19
7222 10 21
7222 10 29
7222 10 31
7222 10 39
7222 10 81
7222 10 89
7222 30 10
7222 40 11
7222 40 19
7222 40 30
7224 90 31
7224 90 39
7228 10 10
7228 10 30
7228 20 11
7228 20 19
7228 20 30
7228 30 20
7228 30 41
7228 30 49
7228 30 61
7228 30 69
7228 30 70
7228 30 89
7228 60 10
7228 70 10
7228 70 31
7228 80 10
7228 80 90
7301 10 00

*ANNEX II***QUOTAS**

Products in Category A :	Total :	14 656 tonnes
— of which A1 :		9 382 tonnes
A2 :		3 285 tonnes
Products in Category B :	Total :	667 tonnes

COUNCIL RECOMMENDATION**of 20 March 1995****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1993**

(95/111/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed on 20 November 1979, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 17 March 1981 applicable to the Fifth European Development Fund ⁽³⁾, and in particular Articles 66 to 70 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1979) (Fifth EDF) as at 31 December 1993 and the Court of Auditors' report relating to the financial year 1993 together with the Commission's replies ⁽⁴⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1979) (Fifth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1979) (Fifth EDF) during the financial year 1993 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1993.

Done at Brussels, 20 March 1995.

For the Council

The President

E. ALPHANDÉRY

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽²⁾ OJ No L 347, 22. 12. 1980, p. 210.

⁽³⁾ OJ No L 101, 11. 4. 1981, p. 12.

⁽⁴⁾ OJ No C 327, 24. 11. 1994, pp. 264-300 and 421-435.

COUNCIL RECOMMENDATION

of 20 March 1995

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1993

(95/112/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC ⁽³⁾, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund ⁽⁴⁾, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at 31 December 1993 and the Court of Auditors' report relating to the financial year 1993 together with the Commission's replies ⁽⁵⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 1993 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1993.

Done at Brussels, 20 March 1995.

For the Council

The President

E. ALPHANDÉRY

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 86, 31. 3. 1986, p. 210.

⁽³⁾ OJ No L 178, 2. 7. 1986, p. 13.

⁽⁴⁾ OJ No L 325, 20. 11. 1986, p. 42.

⁽⁵⁾ OJ No C 327, 24. 11. 1994, pp. 264-300 and 421-435.

COUNCIL RECOMMENDATION

of 20 March 1995

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1993

(95/113/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed in Brussels on 16 July 1990, and in particular Article 33 (3) thereof,

Having regard to the Financial Regulation of 29 July 1991 applicable to the Seventh European Development Fund ⁽³⁾, and in particular Articles 69 to 77 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (Seventh EDF) as at 31 December 1993 and the Court of Auditors' report relating to the financial year 1993 together with the Commission's replies ⁽⁴⁾,

Whereas, pursuant to Article 33 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (Seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1989) (Seventh EDF) during the financial year 1993 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1993.

Done at Brussels, 20 March 1995.

For the Council

The President

E. ALPHANDÉRY

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 229, 17. 8. 1991, p. 288.

⁽³⁾ OJ No L 266, 21. 9. 1991, p. 1.

⁽⁴⁾ OJ No C 327, 24. 11. 1994, pp. 264-300 and 421-435.

COUNCIL DECISION

of 30 March 1995

authorizing the Federal Republic of Germany and the Grand Duchy of Luxembourg to apply a measure derogating from Article 3 of the Sixth Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes

(95/114/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth 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 ⁽¹⁾, and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 27 (1) of Directive 77/388/EEC, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to introduce special measures for derogation from that Directive in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion and avoidance;

Whereas, by official letters, received by the Commission on 4 July and 17 August 1994 respectively, the Federal Republic of Germany and the Grand Duchy of Luxembourg have requested authorization to introduce a special measure concerning the construction and maintenance of a transfrontier motorway bridge crossing the river Moselle to the north of Perl and Schengen and linking the German A8 motorway going west from Saarbrücken with the Luxembourg A13 motorway going east from the Dudelange motorway junction;

Whereas, in accordance with Article 27 (3) of Directive 77/388/EEC the other Member States were informed on 16 September 1994 of the requests for authorization received from the Federal Republic of Germany and the Grand Duchy of Luxembourg;

Whereas in the absence of a special measure, for each supply of goods and services used for the construction and maintenance of the bridge in question it would have to be established whether the place of taxation was in Germany or Luxembourg; whereas such taxation arrange-

ments would give rise to considerable practical difficulties;

Whereas the purpose of this derogation is to simplify the procedure for charging the tax on the construction and maintenance of the bridge in question;

Whereas the derogation will not affect the amount of tax due at the final consumption stage and will therefore not affect the Community's own resources arising from value added tax,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 3 of Directive 77/388/EEC, the Federal Republic of Germany and the Grand Duchy of Luxembourg are hereby authorized, in respect of the motorway bridge over the river Moselle to the north of Perl and Schengen linking the German A8 motorway going west from Saarbrücken with the Luxembourg A13 motorway going east from the Dudelange motorway junction, to consider, for the duration of the construction of the bridge, the whole of the construction site as being within the territory of the Grand Duchy of Luxembourg, and, with effect from the completion of the bridge, the whole of the bridge to be within the territory of the Federal Republic of Germany.

Article 2

This Decision is addressed to the Federal Republic of Germany and the Grand Duchy of Luxembourg.

Done at Brussels, 30 March 1995.

For the Council

The President

E. ALPHANDÉRY

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1. Directive as last amended by Directive 94/76/EC (OJ No L 365, 31. 12. 1994, p. 53).

COUNCIL DECISION

of 30 March 1995

authorizing the Federal Republic of Germany to conclude with the Republic of Poland an agreement containing measures derogating from Articles 2 and 3 of the Sixth Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes

(95/115/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth 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 ⁽¹⁾, and in particular Article 30 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 30 of Directive 77/388/EEC, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to conclude with a non-member country or an international organization, an agreement which may contain derogations from the said Directive ;

Whereas, by letter officially received by the Secretary General of the Commission on 23 August 1994, the Federal Republic of Germany requested authorization to conclude with the Republic of Poland an agreement concerning the maintenance of frontier bridges linking German motorways to the main roads in Poland, which contains derogations from Articles 2 and 3 of Directive 77/388/EEC ;

Whereas, the other Member States were informed on 23 September 1994 of the request for authorization presented by the Federal Republic of Germany ;

Whereas in the absence of a special measure only the maintenance work carried out on German territory would be subject to German VAT, that carried out on Polish territory would be outside the scope of Directive 77/388/EEC ; whereas, in addition, each importation of goods from Poland into Germany used for the maintenance of frontier bridges would be subject to German VAT ;

Whereas the purpose of the derogations provided for in the said Agreement is to simplify the taxation rules for those responsible for carrying out the maintenance work on the frontier bridges ;

Whereas the derogations will have only a negligible effect on the Community's own resources arising from VAT,

HAS ADOPTED THIS DECISION :

Article 1

The Federal Republic of Germany is authorized to conclude with the Republic of Poland an agreement containing measures derogating from Directive 77/388/EEC, hereinafter referred to as 'the agreement'. These derogations are defined in Articles 2 and 3 of this Decision.

Article 2

By way of derogation from Article 2 (2) of Directive 77/388/EEC, the importation of goods into Germany from Poland is not subject to VAT in so far as these goods are used, under the terms of the agreement, for the maintenance of the frontier bridges. However, the derogation shall not apply to imports of goods undertaken by a public authority.

Article 3

By way of derogation from Article 3 of Directive 77/388/EEC, the frontier bridges of the Contracting States for which Germany has maintenance responsibility under the agreement shall be considered to be part of German territory as regards deliveries of goods and supplies of services for the maintenance of these bridges.

By way of derogation from Article 3 of Directive 77/388/EEC, the frontier bridges of the Contracting States for which Poland has maintenance responsibility under the agreement shall be considered to be part of Polish territory as regards deliveries of goods and supplies of services for the maintenance of these bridges.

Article 4

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 30 March 1995.

*For the Council**The President*

E. ALPHANDÉRY

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1. Directive as last amended by Directive 94/76/EC (OJ No L 365, 31. 12. 1994, p. 53).

COMMISSION

COMMISSION DECISION

of 24 March 1995

concerning the validity of certain binding tariff information

(Only the German text is authentic)

(95/116/EC)

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⁾, and in particular Articles 12 (5) (c) and 249 (4) thereof,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽²⁾, as last amended by Regulation (EC) No 3524/94⁽³⁾, and in particular Article 9 thereof,

Whereas the binding tariff information referred to in the Annex to this Decision is inconsistent with other binding tariff information, and the tariff classification it contains is incompatible with the general rules for the interpretation of the combined nomenclature set out in Section I A of Part I of Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁴⁾, as last amended by Commission Regulation (EC) No 3115/94⁽⁵⁾;

Whereas the said binding tariff information should cease to be valid; whereas, therefore, the customs administrations which issued the information should revoke it as soon as possible and notify the Commission to that effect;

Whereas under Article 14 (1) of Regulation (EEC) No 2454/93 the holder may make use for a given period of

time of the possibility of invoking such binding tariff information which has ceased to be valid;

Whereas the tariff and statistical nomenclature section of the Customs Code Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The binding tariff information referred to by number in column 1 of the table set out in the Annex, issued by the customs authorities named in column 2 in respect of the tariff classification shown in column 3, must be revoked as soon as possible but not later than the 21st day following that of the publication of this Decision in the *Official Journal of the European Communities*.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 24 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.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 345, 31. 12. 1994, p. 1.

ANNEX

Binding Tariff Information No	Customs authority	Tariff classification
No 1 DE F/B 1032/94/01-01	Oberfinanzdirektion Frankfurt am Main Zolltechnische Prüfungs- und Lehranstalt	6202 93 00
No 2 DE F/B 1033/94/01-01	Oberfinanzdirektion Frankfurt am Main Zolltechnische Prüfungs- und Lehranstalt	6202 93 00

COMMISSION DECISION

of 30 March 1995

fixing the criteria for the testing of poultry for slaughter originating in a surveillance zone for Newcastle disease, in application of Article 5 (3) of Council Directive 91/494/EEC

(Text with EEA relevance)

(95/117/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat⁽¹⁾, as last amended by Directive 93/121/EC⁽²⁾, and in particular Article 5 (3) thereof,

Whereas in application of the provisions of Article 5 (3) of Directive 91/494/EEC it is necessary to determine in particular the methodologies for the performance of virological tests for Newcastle disease; whereas in this regard it is appropriate to provide for details of the sampling procedure, the procedure for carrying out the tests and the interpretation of the test results;

Whereas the Scientific Veterinary Committee was consulted and delivered its report on 12 December 1994;

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

HAS ADOPTED THIS DECISION:

Article 1

In application of Article 5 (3) of Directive 91/494/EEC the virological sampling and testing to detect Newcastle disease virus must comply with the requirements of the Annex.

Article 2

This Decision shall apply with effect from 1 April 1995.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 35.

⁽²⁾ OJ No L 340, 31. 12. 1993, p. 39.

ANNEX

1. Sampling

At least 60 samples comprising at least 30 cloacal swabs and 30 tracheal swabs shall be taken from each flock. At least 60 birds shall be sampled. The samples shall be taken five days before slaughter, and transported, chilled, but not frozen to the National Newcastle Disease Laboratory for testing.

2. Treatment of samples

Not more than five samples of each type may be pooled. Swabs should be placed in sufficient antibiotic medium to ensure full immersion and after agitation left for about two hours at ambient temperature (or longer periods at 4 °C) and then clarified by centrifugation (e.g. 800 to 1 000 × g for 10 minutes).

3. Antibiotic medium

A typical example for cloacal swabs is: 10 000 units/ml penicillin, 10 mg/ml streptomycin, 0,25 mg/ml gentamycin and 5 000 units/ml mycostatin in phosphate buffered saline at pH 7,2 to 7,4. 50 µg/ml oxytetracycline may be added. The antibiotic concentrations can be reduced five-fold for tracheal swabs. It is imperative when making the medium that the pH is checked after the addition of the antibiotics and re-adjusted.

4. Virus isolation in embryonated fowls' eggs

The clarified supernatant fluid should be inoculated in 0,2 ml amounts into the allantoic cavity of each of a minimum of four embryonated, fowls' eggs which have been incubated for 8 to 11 days. Ideally, these eggs should be obtained from a specific pathogen free flock, but when this is impracticable it is acceptable to use eggs obtained from a flock shown to be free of antibodies to Newcastle disease virus. The inoculated eggs are held at 37 °C and candled daily. Eggs with dead or dying embryos as they arise, and all remaining eggs four days after inoculation, should be chilled to 4 °C and the allantoic-amniotic fluids tested for haemagglutination activity.

5. Interpretation

The test should be regarded as negative if no haemagglutination activity is detected and no virus is isolated. Isolation of a Newcastle disease virus means that the flock is treated as a suspect flock and subjected to the requirements of Article 4 of Council Directive 92/66/EEC⁽¹⁾. If the virus proves to be of vaccinal origin, the sampling and testing should be repeated.

⁽¹⁾ OJ No L 260, 5. 9. 1992, p. 1.

COMMISSION DECISION

of 31 March 1995

on certain protective measures in respect of infectious anaemia in salmon in Norway and repealing Decision 93/144/EEC

(Text with EEA relevance)

(95/118/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 18 (7) thereof,

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

Whereas, following the appearance of infectious anaemia in salmon (ISA) in Norway, the Commission adopted Decision 93/144/EEC ⁽³⁾, as last amended by Decision 94/657/EC ⁽⁴⁾, banning imports from Norway of salmon of the species *Salmo salar*, whether live or slaughtered in the non-eviscerated state;

Whereas no cases of ISA have ever been found in the region covering the Norwegian coast between the Swedish border and the border between the communes of Hå and Eigersund (Rogaland); whereas imports from that region of slaughtered salmon in the non-eviscerated state may be resumed;

Whereas it is necessary to introduce certification arrangements in order to guarantee that salmon actually come from that region;

Whereas no new cases of ISA have been found in the infected region situated north of Stavanger since January 1994; whereas, however, the absence of any virological method for identifying the virus means that it cannot be

definitively concluded that the region is henceforth free from the disease;

Whereas the import into the Community of Norwegian Atlantic salmon, whether live or slaughtered in the non-eviscerated state, from this region carries with it the risk of introducing the pathogenic agent causing ISA; whereas such imports must therefore be banned;

Whereas the requirements of this Decision must be adapted in the light of the evolution of the zoosanitary situation in Norway;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall prohibit imports of salmon of the *Salmo salar* species originating in Norway, whether live or slaughtered in the non-eviscerated state.

Article 2

1. Notwithstanding Article 1, imports of slaughtered and non-eviscerated salmon of the *Salmo salar* species originating in Norway shall be authorized provided the salmon come from the fish farms referred to in point 1 of Annex I and have been slaughtered and packaged in the establishments referred to in point 2 of Annex I, located along the Norwegian coast between the Swedish border and the border between the communes of Hå and Eigersund (region of Rogaland).

2. Packages containing the fish referred to in paragraph 1 must carry a label bearing the following:

— 'whole salmon',

— the codes of the farms and establishments as provided for in Annex I.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 56, 9. 3. 1993, p. 48.

⁽⁴⁾ OJ No L 256, 4. 10. 1994, p. 28.

3. Consignments of salmon as referred to in paragraph 1 must be accompanied by a health certificate in accordance with the model in Annex II.

Article 3

Decision 93/144/EEC is hereby repealed.

Article 4

The Member States shall alter the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 5

This Decision shall apply until 31 December 1995.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 31 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

**HOLDINGS AND ESTABLISHMENTS LOCATED ALONG THE NORWEGIAN COAST
BETWEEN THE SWEDISH BORDER AND THE BORDER BETWEEN THE COMMUNES OF
HÅ AND EIGERSUND FROM WHICH SLAUGHTERED, NON-EVISCERATED SALMON
MAY BE DISPATCHED TO THE COMMUNITY**

1. Holdings

	Code	Name of holding
1.	Ø/H 1	Storøy laks-C/O Hidra Edelfisk A/S, 4432 Hidrasund
2.	BD/r 2	Marin Production-V/Torjan Bodvin, 4812 Kongshamn
3.	TK/K 2	Lien Sjø-ørret-Thor Lien, 3166 Sannidal
4.	TK/K 1	Skagerrak Ørret
5.	AA/M 3	Borås Fiskeoppdrett-V/Terje Johansen
6.	AA/L 1	Åkerøy Ørretoppdrett-V/Karl Olaf Jørgensen, 4470 Høvåg
7.	AA/L 4	Hellesund Fiskeoppdrett A/S-Karl Olaf Jørgensen, 4470 Høvåg
8.	AA/R 3	Hellesund Fiskeoppdrett A/S-Karl Olaf Jørgensen, 4470 Høvåg
9.	VA/S 2	Langenes Fiskeoppdrett A/S-Reinhardsen & Co, Tordenskjoldsgt. 30, 4612 Kristiansand
10.	VA/S 1	Borøy Fiskeoppdrett A/S-V/Ragnar Severinsen, 4630 Kristiansand
11.	VA/LD 4	Korshamn Fiskeoppdrett A/S-Berge, 4580 Lyngdal
12.	VA/LD 8	Lindesnes Laks A/S-V/Terje Gabrielsen, 4512 Lindesnes
13.	VA/F 3	Rasvåg Fiskeoppdrett A/S-V/Arnfred Hansen, 4432 Hidrasund
14.	VA/F 3	Øyna Fiskeoppdrett A/S-Boks 96, 4401 Flekkefjord
15.	VA/F 5	Aqua Sør A/S-V/Tore Skarpnes, 4432 Hidrasund
16.	VA/F 13	Støytland Fisk A/S-4401 Flekkefjord
17.	VA/F 10	Hidra Edelfisk A/S-4432 Hidrasund
18.	VA/KL 3	Hidra Edelfisk A/S-4432 Hidrasund
19.	VA/F 14	Agder Fiskeoppdrett A/S-Postboks 96, 4401 Flekkefjord
20.	R/HA 2	Holmane Edelfisk A/S-4364 Sirevåg

2. Establishments

	Code	Name of establishment
1.	VA-60	Abelnes Aqua A/S-Abelnes, 4400 Flekkefjord
2.	VA-69	Ulland A/S-Kirkehamn, 4432 Hidrasund
3.	VA-70	Hidra Edelfisk A/S-Bukstad, 4432 Hidrasund
4.	VA-113	Reinhardsen & Co, Tordenskjoldsgt. 30, 4612 Kristiansand

ANNEX II

MODEL

HEALTH CERTIFICATE

for the import into the Community of non-eviscerated Atlantic salmon originating in Norway

Identification of the lot

1. Fish farm of origin (code number and name):
.....
2. Establishment of origin where fish were slaughtered and packaged (code number and name):
.....
3. Total weight :
Number of crates :

Means of transport

Type of means of transport and identification :
.....

Destination

Member State of destination :.....
Consignee (name and address):
.....
.....
.....

Health declaration :

I, the undersigned, hereby declare that the products contained in this consignment come from a farm and an establishment located in the region of Norway referred to in Article 2 (1) of Commission Decision 95/118/EC and have not been transferred from the part of Norway situated to the north of that region.

Done at, (date)

Name of official service :

Name of official responsible :
(in block capitals)

Title of signatory :

Signature :

Stamp of official service :

COMMISSION DECISION**of 7 April 1995****concerning certain protective measures with regard to fishery products
originating in Japan****(Text with EEA relevance)****(95/119/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 19 thereof,

Whereas a mission of experts of the Commission went to Japan to check the conditions of production and processing of fishery products exported to the Community; whereas according to the observations of these experts, the official guarantees given by the Japanese authorities are not adhered to and the conditions of production and storage of fishery products show serious defects as regards hygiene and control which can constitute risks to public health;

Whereas Commission Decision 94/206/EC⁽²⁾ prohibits the import of consignments of bivalve molluscs and marine gastropods originating in Japan other than scallops and other *Pectinidae*, frozen or processed;

Whereas it is necessary to suspend the import of all fishery products originating in Japan pending improvement of the conditions of hygiene and control of production;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall prohibit the import of consignments of fishery products in whatever form originating in Japan.

Article 2

Decision 94/206/EC is repealed.

Article 3

Member States shall amend the measures that they apply to imports to comply with this Decision. They shall inform the Commission thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 7 April 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 99, 19. 4. 1994, p. 44.