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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1101/95

of 24 April 1995

amending Regulation (EEC) No 1785/81 on the common organization of the market in the sugar sector and Regulation (EEC) No 1010/86 laying down general rules for the production refund on certain sugar products used in the chemical industry

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas Article 23 (5) of Regulation (EEC) No 1785/81 ⁽³⁾ states that the Council is to adopt, in accordance with the procedure laid down in Article 43 (2) of the Treaty, the arrangements to apply from 1 July 1995 to the production of sugar, isoglucose and inulin syrup;

Whereas the agreements resulting from the Uruguay Round multilateral trade negotiations were approved by Decision 94/800/EC ⁽⁴⁾; whereas the agreement on agriculture (hereinafter referred to as 'the Agreement') provides, in particular, for the gradual reduction of the level of the Community's export support for agricultural products and in particular for sugar under guarantee of production quotas; whereas the Agreement provides for the reduction of export support, in terms of both quantities and appropriations, over a transitional period;

Whereas it should be recalled that, since the 1986/87 marketing year, the common organization of the sugar

sector markets has been based, first, on the principle of full financial responsibility on the part of producers for the losses incurred in each marketing year due to the disposal of that part of Community production under quota which is surplus to the Community's internal consumption and, secondly, on a differentiation of the price and disposal guarantees in line with the production quota allocated to each undertaking; whereas, since commitments to reduce export support are to be implemented over a transitional period, the present basic sugar and isoglucose quantities and inulin syrup quotas should be maintained unchanged but with provision made for the guarantees pertaining thereto to be adjusted as appropriate to permit compliance with the commitments made under the Agreement, while taking into account the fundamental factors affecting the situation of this sector in the Community; whereas it is accordingly desirable to maintain the sector's self-financing arrangements and production quotas for a period corresponding to the abovementioned transitional period, namely six marketing years;

Whereas the production quotas allocated to each sugar sector undertaking may, in any marketing year, give rise, as a result of the relevant consumption, production, importation, stock and carryover levels, and the average loss likely to be borne under the self-financing scheme, to an export volume exceeding that set in the Agreement; whereas provision should therefore be made for adjustments over one or more marketing years in the guarantees linked to quotas so that the Community's commitments can be met;

Whereas, as the first step in implementing adjustments to the guarantees, the difference recorded for a given marketing year between the Community's exportable volume and the amount set in the Agreement should be apportioned between sugar, isoglucose and inulin syrup accor-

⁽¹⁾ Opinion delivered on 6 April 1995 (not yet published in the Official Journal).

⁽²⁾ OJ No C 110, 2. 5. 1995.

⁽³⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by the Act of Accession of Austria, Finland and Sweden.

⁽⁴⁾ OJ No L 336, 23. 12. 1994, p. 1.

ding to the percentages which the quotas of each represent in the total of the quotas set for these products and for the Community;

Whereas this initial breakdown by product should then be followed by a breakdown between the Member States which adjusts the guarantees linked to the quotas assigned to producing undertakings located in each Member State in a way that does not affect the existing balance of quotas and burden-sharing; whereas, to this end, a reduction coefficient should be determined for each Member State in respect of the A and B guarantees which is in line with the maximum contributions pertaining to these guarantees; whereas it should then be up to each Member State concerned to make an allocation among undertakings which takes account of the guarantees arising for each undertaking from its own quotas;

Whereas the common organization of the market in sugar established a compensation system for storage costs; whereas it is appropriate to make it clear that sugar which formed the subject of the reduction of guarantees under obligations arising from undertakings given in the context of the Agreement may continue to be eligible for reimbursement of storage costs under the said system;

Whereas Article 303 of the Act of Accession of Spain and Portugal provided for preferential arrangements, applying for seven years following accession, to ensure adequate supply of Portuguese refineries with raw sugar; whereas the preferential arrangement consisted of a reduced import levy on sugar imported to this end from certain ACP and other third countries, the use of available raw sugar from cane and beet harvested in the Community covered by the arrangements provided for by Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for equalization of the price conditions with preferential raw sugar⁽¹⁾, and the use of available preferential raw sugar as defined in Article 33 of Regulation (EEC) No 1785/81; whereas these supply arrangements for Portuguese refineries have been continued and incorporated in Regulation (EEC) No 1785/81 as Article 16a, which also applies to Finland;

Whereas, moreover, in the Declaration by the European Economic Community on supplies to the sugar refining industry in Portugal annexed to the Final Act of the Treaty of Accession of Spain and Portugal, the Community stated that it was prepared to make an overall examination of the refining industry in the Community and in Portugal in particular; whereas, under the terms of paragraph 2a of Article 16a of Regulation (EEC) No 1785/81 such an examination is also to apply to Finland;

Whereas this examination has shown the need, in particular with the aim of achieving a steadier and more even flow of supplies to refineries throughout the Community, to estimate clearly the expected maximum traditional requirement of raw sugar for refining into white sugar in each of the Member States concerned, namely Finland, France, Portugal and the United Kingdom, using objec-

tive reference data and taking into account the quantities of sugar going for direct consumption recorded for the 1994/95 marketing year; whereas, to achieve this aim, the possibility should be opened to the refining industry, within the limit of its anticipated needs, of gaining access on certain terms to all raw sugar originating in the Community, the ACP States and/or in certain other traditional suppliers to be specified, on the basis of a forward balance and in a particular order of priority, namely Community sugar, preferential sugar covered by Protocol No 8 annexed to the fourth ACP-EEC Lomé Convention⁽²⁾, and sugar imported from ACP States and/or other traditional suppliers; whereas, for raw sugar imported from the ACP States listed in Protocol No 8 and from India other than preferential sugar in the strict sense, a special preferential arrangement for access to the Community refining market should be introduced;

Whereas refining is an important activity both in the sugar sector in general and in the Community, and in particular in refineries for conversion of raw sugar into white sugar; whereas, from a technical point of view, refining produces high-quality products from sugar cane that can meet market requirements; whereas, moreover, these refineries are located in areas of high consumption; whereas the port-related refining industry is accordingly, for the Community, a valuable complement to the beet processing industry, in particular in Finland, mainland Portugal, the United Kingdom and southern and western France;

Whereas, in a joint declaration on the Portuguese sugar market annexed to the Final Act of the Fourth ACP-EEC Lomé Convention, the ACP States and the Community agreed to continue, under the relevant provisions of the Convention and in particular Article 168 (2) thereof, the examination of requests from the ACP States for increased preferential access to the Portuguese market for ACP sugar; whereas examination of these requests, which concern supplies to port refineries in the Community as a whole, leads to the conclusion that special priority access should be given to raw cane sugar originating in the ACP States party to Protocol No 8 and in India, under special agreements negotiated between the Community and the countries referred to in Protocol No 8 and/or other countries and on the basis of a Community estimate of requirements after utilization for refining of all available raw cane and beet sugar in the Community and preferential sugar as defined in Article 33 of Regulation (EEC) No 1785/81;

Whereas, up to the 1994/95 marketing year, Community adjustment aid has been granted for refining of preferential raw cane sugar and of raw sugar from cane and beet harvested in the Community; whereas hitherto it has been possible to adjust this aid for any given marketing year in line with the storage levy set for that year and/or any change in the refining margin resulting from the prices set for the marketing year in question; whereas, in the light of experience, this aid should continue; whereas,

⁽¹⁾ OJ No L 194, 17. 7. 1986, p. 7.

⁽²⁾ OJ No L 229, 17. 8. 1991, p. 1.

given the direct impact on the refining margin of changes in the storage levy, it should henceforth be made compulsory for the adjustment aid to be altered in line with that levy in the case of refining of raw sugar covered by Community price guarantees or imported from the ACP States as preferential sugar covered by Article 33 of Regulation (EEC) No 1785/81 ;

Whereas, for reasons already indicated in the past, beet production in Italy, in view of its particular characteristics and the dimensions of holdings, is facing, in the northern region, although less and less so, and in the central region, difficulties in particular concerning the application of modern production methods ; whereas, for structural reasons, these difficulties persist in the southern region, which is, moreover, recognized as lagging behind in development and structural adjustment ; whereas beet growing there is indispensable in order to regenerate soils with a particularly high level of clay and thus to avoid a return to monoculture ; whereas Italy should therefore be authorized to grant, on the one hand, in its northern and central regions national aid the downward sliding scale of which shall be extended over five marketing years, and to grant, on the other hand, in its southern region such aid progressively reduced over six marketing years from the level granted for the 1994/95 marketing year ;

Whereas it has proved impossible to implement the structural adjustments of the Spanish sugar industry provided for by Regulation (EEC) No 3814/92 ⁽¹⁾, which amended Regulation (EEC) No 1785/81, in accordance with the timetable anticipated ; whereas it is therefore appropriate to prolong, by one marketing year, the possibility for granting this aid to the undertakings concerned ;

Whereas, by virtue of Article 110 of the 1985 Act of Accession, the Kingdom of Spain is authorized to grant national adjustment aid to producers of A and B beet until 31 December 1995 ; whereas, in order to take account of certain difficulties which still exist, it is appropriate to maintain the authorization for national aid beyond 31 December 1995 for a limited period and on a downward sliding basis ;

Whereas the cane sugar production process in Spain is faced with specific difficulties in its effort to maintain itself as compared with that of other crops ; whereas, in order to enable this limited production to be maintained, a national aid of ECU 6 should be authorized per 100 kilograms of white sugar obtained from cane sugar ;

Whereas this Regulation should be applied under the best possible conditions ; whereas, to this end, certain transitional measures may prove necessary ; whereas the procedure laid down in Article 41 of Regulation (EEC)

No 1785/81 should apply to adoption of such transitional measures,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1785/81 is amended as follows :

1. Article 23 (1) is replaced by the following :

'1. Articles 24 to 32 shall apply in respect of the marketing years 1995/96 to 2000/01.'

2. Article 23 (2) is replaced by the following :

'2. For the period referred to in paragraph 1 and without prejudice to paragraph 4a, Article 24 (2), Article 25 and, as appropriate, Article 24a (5), the A and B quotas of undertakings producing sugar or isoglucose shall be those assigned by the Member States for the 1994/95 marketing year.'

3. Article 23 (4) is replaced by the following :

'4. For the period referred to in paragraph 1 and without prejudice to paragraph 4a, the A and B quotas of undertakings producing inulin syrup shall be those definitively assigned by the Member States pursuant to Article 24b for the 1994/95 marketing year. Articles 24 and 25 shall not apply to such undertakings.'

4. the following paragraph shall be inserted in Article 23 :

'4a. In order to comply with the commitments entered into by the Community under the agricultural agreement concluded pursuant to Article 228 (2) of the Treaty, the guarantees for the disposal of sugar, isoglucose and inulin syrup produced under quota may be reduced for one or more designated marketing years.

For the purposes of applying the first subparagraph, for each marketing year the guaranteed quantity under quotas shall be laid down before 1 October on the basis of forecasts of production, imports, consumption, storage, carryover, exportable balance and average loss likely to be borne under the self-financing scheme within the meaning of point (d) of Article 28 (1). If these forecasts show an exportable balance for the marketing year in question greater than the maximum laid down by the Agreement, the guaranteed quantity shall be reduced by the difference in accordance with the procedure laid down in Article 41. This difference shall be divided up between sugar, isoglucose and inulin syrup in accordance with the percentage representing the total of the A and B quotas of each product in the Community. It shall then be broken down by Member State and by product by applying the corresponding coefficient set out in the table below :

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 7.

Region	1		2		3	
	Coefficient applicable to sugar expressed as white sugar		Coefficient applicable to isoglucose in dry matter		Coefficient applicable to inulin syrup as sugar/isoglucose equivalent	
	A sugar	B sugar	A isoglucose	B isoglucose	A inulin syrup	B inulin syrup
BLEU ⁽¹⁾	0,046201	0,009920	0,225547	0,062024	0,556265	0,130955
Denmark	0,027206	0,008015	—	—	—	—
Germany (region Article 24)	0,169608	0,052188	0,104246	0,024551	—	—
Germany (region Article 24a)	0,055204	0,016986	—	—	—	—
Greece	0,012352	0,001235	0,037978	0,008944	—	—
Spain	0,026459	0,001102	0,166138	0,017721	—	—
France (metropolitan) ⁽²⁾	0,213231	0,063239	0,061081	0,015898	0,058922	0,013847
France (ODs) ⁽²⁾	0,019298	0,002063	—	—	—	—
Ireland	0,007752	0,000775	—	—	—	—
Italy	0,082491	0,015514	0,059803	0,014083	—	—
Netherlands	0,053393	0,014083	0,026804	0,006313	0,194365	0,045646
Portugal (mainland)	0,002323	0,000232	0,029213	0,006880	—	—
Portugal (autonomous region of the Azores)	0,000387	0,000039	—	—	—	—
United Kingdom	0,044297	0,004430	0,084713	0,022596	—	—
Austria	0,022673	0,005292	—	—	—	—
Sweden	0,014327	0,001433	—	—	—	—
Finland	0,005683	0,000568	0,023151	0,002316	—	—

⁽¹⁾ Belgo-Luxembourg Economic Union.

⁽²⁾ Pursuant to the second subparagraph of Article 25 (3).

The Member State shall then allocate the difference to which it is subject among the producer undertakings established on its territory on the basis of the existing ratio between their A quota and their B quota for the product in question and the basic quantity A and the basic quantity B for the Member State or, as appropriate, the sum of the A quotas and the sum of the B quotas for this product assigned to the producer undertakings.

Sugar, isoglucose and inulin syrup produced beyond the quantity guaranteed shall be considered as C sugar, C isoglucose and C inulin syrup within the meaning of either point (c) in the second subparagraph of Article 24 (1) or point (c) of Article 24b (5), as appropriate.

The arrangements for the application of the first subparagraph, the reduction in the guaranteed quantity and, where appropriate, any change in that quantity as regards the fixing of the guaranteed quantity for the following marketing year shall be adopted in accordance with the procedure laid down in Article 41.';

5. in Article 23 (5), the dates '1 January 1995' and '1 July 1995' shall be replaced by '1 January 2001' and '1 July 2001' respectively;

6. in the first indent of the first subparagraph of Article 24 (1), the date '1993/94' shall be replaced by '1994/95';

7. in Article 24 (3), the date '1993/94' shall be replaced by '1994/95';

8. the following shall be added to Article 27 (1):

'Each undertaking shall be free to decide to carry forward the whole or part of its production of A sugar and B sugar which has become production of C sugar after application of Article 23 (4a) to the next marketing year to be treated as part of that year's production. That decision shall also be irrevocable. Furthermore, it shall not be subject to any limit that may be laid down under paragraph 3.';

9. the second indent of Article 27 (2), shall be replaced by the following:

'— undertake to store such quantity or quantities for a period of 12 consecutive months from a date to be determined. For this period, storage costs for C sugar carried forward and for A sugar and B sugar which have become carried forward C sugar after application of Article 23 (4a) shall also be reimbursed under Article 8.'

10. in Article 28 (2), the introductory phrase shall be replaced by the following:

'Before the end of the 2000/01 marketing year and without prejudice to Article 23 (4a), there shall be recorded cumulatively for the 1995/96 to 2000/01 marketing year:';

11. in Article 29 (1), the date '1990/91' shall be replaced by '1994/95';

12. Title IV is hereby replaced by the following:

TITLE IV

System of preferential imports

Article 33

Articles 34, 35 and 36 shall apply to cane sugar, hereinafter referred to as "preferential sugar", falling within CN code 1701, which originates in the States listed in Annex II and which is imported into the Community under:

- (a) Protocol No 8 on ACP sugar annexed to the Fourth ACP-EEC Convention of Lomé⁽¹⁾;
- (b) the agreement between the European Economic Community and the Republic of India on cane sugar⁽²⁾.

⁽¹⁾ OJ No L 229, 17. 8. 1991, p. 1.

⁽²⁾ OJ No L 190, 22. 7. 1975, p. 35.

Article 34

Where the quality of preferential sugar imported pursuant to Article 33 and purchased by intervention agencies or by other agents appointed by the Community deviates from the standard quality, the guaranteed prices shall be adjusted by means of price increases and reductions.

Article 35

- 1. No import duty shall apply to imports of preferential sugar pursuant to Article 33.
- 2. Preferential sugar shall enjoy no derogations from the prohibitions referred to in Article 19 (2).

Article 36

- 1. For marketing years 1995/96 to 2000/01, adjustment aid shall, as an intervention measure, be granted to the industry engaged in refining preferential raw

cane sugar imported for that purpose into the Community pursuant to Article 33.

- 2. The aid referred to in paragraph 1 may be granted only in respect of the quantities eligible under Article 33, which are refined into white sugar at the refineries referred to in Article 9 (4). The aid for the white sugar in question shall be ECU 0,10 per 100 kilograms, expressed in white sugar.

- 3. During the period specified in paragraph 1, additional basic aid of ECU 0,10 per 100 kilograms, expressed as white sugar, shall be granted for the refining, at the refineries referred to in Article 9 (4), of raw cane sugar produced in the French overseas departments, in order to restore the price balance between the sugar and preferential sugar.

- 4. For a particular marketing year, adjustment aid and additional aid shall be adjusted in the light of the storage levy fixed for that year and previous adjustments.

- 5. Pursuant to the second subparagraph of Article 9 (4), the aid arrangements provided for in paragraphs 1 to 4 may be extended under conditions to be determined, to raw sugar from beet harvested in the Community and refined in the refineries defined in Article 9.

- 6. Detailed rules for the application of this Article, and in particular concerning the adjustments, referred to in paragraph 4, shall be adopted in accordance with the procedure laid down in Article 41.

Article 37

- 1. During the period referred to in Article 36, in order to ensure adequate supplies to the Community refineries referred to in Article 9 (4), a reduced rate of duty, hereinafter referred to as "special duty", shall be levied on imports of raw cane sugar originating in the States referred to in Article 33 and other States pursuant to agreements with those States, hereinafter referred to as "special preferential sugar" and subject to the conditions laid down therein, and in particular the minimum purchasing price to be paid by refiners.

- 2. For the purposes of paragraph 1 and without prejudice to paragraph 5, the presumed maximum supply needs per marketing year, expressed in white sugar, of the refining industries in:

- (a) Finland, amount to 60 000 tonnes,
- (b) metropolitan France, amount to 297 000 tonnes,
- (c) continental Portugal, amount to 292 000 tonnes,
- (d) the United Kingdom, amount to 1 130 000 tonnes.

However, in the case of Finland, these needs amount :

- for the period from 1 July 1995 to 31 December 1995, to the balance of the quantities of raw sugar remaining to be refined subject to the limit laid down in Article 16a, as amended by the Act of Accession of Austria, Finland and Sweden ;
- for the period from 1 January 1996 to 30 June 1996, to 30 000 tonnes.

3. Without prejudice to paragraph 5, on the basis of a Community forecast supply balance for raw sugar for each marketing year or part of a marketing year, the quantities of raw cane sugar and raw beet sugar harvested in the Community with or without distinction of origin available to the refining industry shall be determined. This balance may be revised during the marketing year.

For the purposes of determining these quantities, the quantities of sugar from the French overseas departments and of preferential sugar for direct consumption to be used in each balance shall be those determined for the 1994/95 marketing year less forecast local consumption in those departments during the marketing year in question. If the balance shows that the amounts available will be insufficient to meet the maximum needs laid down in paragraph 2, the necessary measures shall be laid down to enable the Member States concerned to import the shortfall as special preferential sugar under the arrangements for imports at a special rate of duty provided for in the agreements referred to in paragraph 1.

4. Except in the event of *force majeure*, where the maximum presumed needs for a Member State, as laid down in paragraph 2 or after revision within the meaning of paragraph 5, are exceeded, a quantity equivalent to the excess shall be subject to the payment of an amount corresponding to the full rate of duty in force for the marketing year in question, increased by the aid referred to in Article 36 and, where appropriate, by the highest additional rate of duty recorded during that marketing year.

However, as regards preferential raw sugar and in the event of revision within the meaning of paragraph 5, the quantities in excess of the revised maximum presumed needs, within the limit of the quantities laid down in paragraph 2, may be sold to intervention bodies on the terms stipulated in Article 34 if they cannot be marketed in the Community.

5. Where Article 23 (4a) applies, the sum of the preferential maximum needs referred to in paragraph

2 shall be reduced for the marketing year concerned by a quantity equal to the sum of the special preferential sugars needed to cover the presumed maximum needs determined under the conditions referred to in paragraph 3, and reduced by the same percentage reduction as was applied to the sum of the basic quantities A for Community sugar pursuant to the said paragraph 4a.

The reduction of the maximum needs shall be apportioned between the Member States concerned on the basis of the relationship existing between the quantity fixed for each one of them in paragraph 2 and the sum of the quantities fixed in that paragraph.

6. Detailed rules for the application of this Article, and in particular concerning the implementation and management of the agreements referred to in paragraph 1, shall be adopted in accordance with the procedure laid down in Article 41.';

13. Article 46, shall be replaced by the following :

'Article 46

1. Italy shall be authorized, under the conditions set out in paragraphs 2 and 3, to grant adjustment aid in the case referred to in paragraph 2 (a) and (b) to producers of sugar beet and in the case referred to in paragraph 2 (c) to producers of sugar beet as well as, where appropriate, to sugar producers in the region in question.

2. The aid referred to in paragraph 1 may be granted only in respect of the corresponding quantity of sugar produced within the limit of the A and B quotas of each sugar-producing undertaking.

(a) For the production referred to in the first subparagraph in northern Italy, the unit amount of aid may not exceed :

- in the 1995/96 marketing year : ECU 8,15 per 100 kilograms of white sugar,
- in the 1996/97 marketing year : ECU 5,43 per 100 kilograms of white sugar,
- in the 1997/98 marketing year : ECU 3,80 per 100 kilograms of white sugar,
- in the 1998/99 marketing year : ECU 2,17 per 100 kilograms of white sugar,
- in the 1999/2000 marketing year : ECU 1,09 per 100 kilograms of white sugar.

(b) For the production referred to in the first subparagraph in central Italy, the unit amount of aid may not exceed:

- in the 1995/96 marketing year: ECU 8,15 per 100 kilograms of white sugar,
- in the 1996/97 marketing year: ECU 5,43 per 100 kilograms of white sugar,
- in the 1997/98 marketing year: ECU 4,35 per 100 kilograms of white sugar,
- in the 1998/99 marketing year: ECU 3,26 per 100 kilograms of white sugar,
- in the 1999/2000 marketing year: ECU 2,17 per 100 kilograms of white sugar.

(c) For the production referred to in the first subparagraph in southern Italy, the unit of amount of aid may not exceed:

- in the 1995/96 marketing year: ECU 8,15 per 100 kilograms of white sugar,
- in the 1996/97 marketing year: ECU 7,61 per 100 kilograms of white sugar,
- in the 1997/98 marketing year: ECU 7,06 per 100 kilograms of white sugar,
- in the 1998/99 marketing year: ECU 6,52 per 100 kilograms of white sugar,
- in the 1999/2000 marketing year: ECU 5,98 per 100 kilograms of white sugar,
- in the 2000/01 marketing year: ECU 5,43 per 100 kilograms of white sugar.

3. However, as regards southern Italy only, Italy may, depending on the marketing year in question, adjust the aid referred to in point (c) of paragraph 2 where this is necessitated by exceptional requirements connected with restructuring the sugar sector in that part of Italy. Pursuant to Articles 92, 93 and 94 of the Treaty, the Commission shall assess in particular whether such aid is consistent with the restructuring plans.

4. For the purposes of paragraphs 1, 2 and 3:

(a) northern Italy means Italy other than the production regions listed under (b) and (c);

(b) central Italy means Tuscany, Umbria, Latium and the Marches;

(c) southern Italy means Abruzzi, Molise, Apulia, Sardinia, Campania, Basilicata, Calabria and Sicily.

5. Italy shall notify the Council, in respect of each marketing year, of the measures taken in application of paragraphs 1 to 3 and, in particular, of the distribution of the aid by region and between producers of sugar beet and producers of sugar in southern Italy.

6. Spain shall be authorized, under the conditions set out below, to grant adjustment aid to sugar-producing undertakings during the 1993/94 to 1996/97 marketing years.

The aid shall be granted only for A and B sugars as defined in Article 24 (1a), as part of restructuring plans aimed at rationalizing the Spanish sugar industry. These plans shall be forwarded to the Commission. The aid shall be limited to ECU 45,65 million for the period referred to in the first subparagraph.

As an intervention measure, 50 % of the aid granted per marketing year shall be paid by the Community.

7. Spain shall be authorized, under the conditions set out in paragraph 8, to grant adjustment aid in the case referred to in paragraph 8 (a) to producers of sugar beet and in the case referred to in paragraph 8 (b) to producers of sugar cane in its territory.

8. The aid referred to in paragraph 7 may be granted only in respect of the corresponding quantity of sugar produced within the limit of the A and B quotas of each sugar-producing undertaking.

(a) For the production referred to in the first paragraph from beet, the unit amount of aid may not exceed:

- in the 1995/96 marketing year: ECU 8,67 per 100 kilograms of white sugar,
- in the 1996/97 marketing year: ECU 5,43 per 100 kilograms of white sugar,

- in the 1997/98 marketing year: ECU 4,35 per 100 kilograms of white sugar,
- in the 1998/99 marketing year: ECU 3,26 per 100 kilograms of white sugar,
- in the 1999/2000 marketing year: ECU 2,17 per 100 kilograms of white sugar.

(b) For the production referred to in the first paragraph from cane, the unit amount of aid may not exceed ECU 7,25 per 100 kilograms of white sugar in the 1995/96 to 2000/01 marketing years.

9. Spain shall notify the Council, in respect of each marketing year, of the measures taken in application of paragraphs 7 and 8 and, in particular, of the distribution of the aid between producers of sugar beet and producers of sugar cane.

10. During the 1995/96 to 2000/01 marketing years, the United Kingdom shall be authorized to grant, to the extent that it deems necessary, adjustment aid for the refining of preferential unrefined cane sugar.

The granting of the aid referred to in the first subparagraph may take place only within the limit of the

quantities agreed pursuant to the provisions referred to by Article 33, such quantities being refined into white sugar in the United Kingdom.

For this production of white sugar, the maximum amount of aid shall be set at ECU 0,54 per 100 kilograms of sugar expressed as white sugar.';

14. in Article 48, '30 June 1995', shall be replaced by '30 June 1996'.

Article 2

The following paragraph shall be inserted in Article 4a of Regulation (EEC) No 1010/86:

'1a. The standard amount of ECU 8,45 per 100 kilograms of white sugar referred to in paragraph 1 may be reduced to as low as ECU 2,42 per 100 kilograms in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81.'

Article 3

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

It shall apply from 1 July 1995.

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

Done at Brussels, 24 April 1995.

For the Council

The President

J. PUECH

COMMISSION REGULATION (EC) No 1102/95

of 16 May 1995

amending Annexes I, II and III of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽¹⁾, as last amended by Commission Regulation (EC) No 3059/94⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or

honey bees, maximum residue limits must also be established for eggs, milk or honey;

Whereas tilimicosin should be inserted into Annex I to Regulation (EEC) No 2377/90;

Whereas based on the current use in veterinary practice romifidine, detomidine, human chorion gonadotrophin, brotizolam, calcium hypophosphite, calcium acetate, calcium propionate, calcium benzoate, calcium malate, calcium chloride, calcium sulphate, calcium hydroxide, calcium oxide, calcium phosphate, calcium polyphosphates, calcium silicate, calcium gluconate, calcium carbonate and calcium stearate should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas human chorion gonadotrophin, calcium hypophosphite, calcium acetate, calcium propionate, calcium benzoate, calcium malate, calcium chloride, calcium sulphate, calcium hydroxide, calcium oxide, calcium phosphate, calcium polyphosphates, calcium silicate, calcium gluconate, calcium carbonate and calcium stearate should be inserted into Annex II to Regulation (EEC) No 2377/90: by extrapolation of scientific data this classification into Annex II shall apply to all food-producing animals;

Whereas, in order to allow for the completion of scientific studies, netobimin should be inserted into Annex III to Regulation (EEC) No 2377/90;

Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorizations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC⁽³⁾, as last amended by Directive 93/40/EEC⁽⁴⁾, to take account of the provisions of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Veterinary Medicinal Products Sector,

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 1.

⁽²⁾ OJ No L 323, 16. 12. 1994, p. 15.

⁽³⁾ OJ No L 317, 6. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 214, 24. 8. 1993, p. 31.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

Annexes I, II and III of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

This Regulation shall enter into force on the sixtieth 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, 16 May 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

A. Annex I is modified as follows :

- 1. Anti-infectious agents
- 1.2.4. Macrolides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
1.2.4.2. Tilimicosin	Tilimicosin	Ovine Porcine Ovine	1 000 µg/kg 50 µg/kg 50 µg/l	Liver, kidney, Muscle, fat Milk	

B. In Annex II, point '1. Inorganic compounds' the following heading added :

- 1. Inorganic chemicals

Pharmacologically Active Substances(s)	Animal Species	Other provisions
1.5. Calcium acetate Calcium benzoate Calcium carbonate Calcium chloride Calcium gluconate Calcium hydroxide Calcium hypophosphite Calcium malate Calcium oxide Calcium phosphate Calcium polyphosphates Calcium propionate Calcium silicate Calcium stearate Calcium sulphate	All food producing species	

In Annex II, point '2. Organic compounds' the following heading added :

- 2. Organic compounds

Pharmacologically active substances(s)	Animal Species	Other provisions
2.12. Romifidine	Equidae	For therapeutic uses only
2.13. Detomidine	Bovine, equidae	For therapeutic uses only
2.14. Brotizolam	Bovine	For therapeutic uses only
2.15. Human chorion gonadotrophin (HCG)	All food producing species	

C. Annex III is modified as follows :

- 2. Antiparasitic agents
- 2.1. Agents acting against endo-parasites
- 2.1.1. Benzimidazoles and pro-benzimidazoles

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
2.1.1.7. Netobimin	Sum of netobimin and albendazole and metabolites of albendazole measured as 2-amino-benzimidazole sulphone	Bovine, ovine, caprine	1 000 µg/kg 500 µg/kg 100 µg/kg 100 µg/kg	Liver Kidney Muscle, fat Milk	Provisional MRLs expire on 31 July 1997

COMMISSION REGULATION (EC) No 1103/95**of 16 May 1995****amending for the fourth time Regulation (EC) No 3146/94 adopting exceptional support measures for the market in pigmeat in Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and Regulation (EC) No 3290/94⁽²⁾, and in particular Article 20 thereof,Whereas, because of the outbreak of classical swine fever in certain production regions in Germany, exceptional support measures for the market in pigmeat were adopted for that Member State in Commission Regulation (EC) No 3146/94⁽³⁾, as last amended by Regulation (EC) No 546/95⁽⁴⁾;

Whereas, it is necessary to adjust the aid granted for the delivery of pigs and piglets to the present market situation taking into account the fall in market prices; whereas this adjustment should take effect immediately in order to avoid giving the producers concerned unjustifiable economic advantages;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 of Regulation (EC) No 3146/94 is hereby amended as follows:

1. in paragraph 1, 'ECU 147' and 'ECU 125' are replaced by 'ECU 140' and 'ECU 119';
2. in paragraph 3, 'ECU 54', 'ECU 46', 'ECU 43' and 'ECU 37' are replaced by 'ECU 50', 'ECU 43', 'ECU 40' and 'ECU 34';
3. in paragraph 4, 'ECU 118', is replaced by 'ECU 112'.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 16 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.⁽³⁾ OJ No L 332, 22. 12. 1994, p. 23.⁽⁴⁾ OJ No L 55, 11. 3. 1995, p. 29.

COMMISSION REGULATION (EC) No 1104/95

of 16 May 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 17 May 1995.

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

Done at Brussels, 16 May 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 16 May 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 30	052	73,2
	060	80,2
	066	57,8
	204	50,9
	212	117,9
	624	78,7
	999	76,4
0707 00 25	052	47,2
	053	166,9
	060	39,2
	066	68,6
	068	78,2
	204	49,1
	624	207,3
0709 90 75	999	93,8
	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 1105/95
of 16 May 1995

fixing the maximum export refunds on olive oil for the 11th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽²⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 2517/94⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

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

Whereas Article 6 of Regulation (EC) No 2517/94 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current

situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 11th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 May 1995.

Article 2

This Regulation shall enter into force on 17 May 1995.

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

Done at Brussels, 16 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽³⁾ OJ No L 268, 19. 10. 1994, p. 3.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 16 May 1995 fixing the maximum export refunds on olive oil for the 11th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2517/94

(ECU/100 kg)

Product code	Amount of refund ⁽¹⁾
1509 10 90 100	45,35
1509 10 90 900	—
1509 90 00 100	54,10
1509 90 00 900	—
1510 00 90 100	12,00
1510 00 90 900	—

⁽¹⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1106/95

of 16 May 1995

temporarily suspending the advance fixing of export refunds for certain milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾,

Having regard to Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 776/94⁽⁴⁾, and in particular the second subparagraph of Article 5 (4) thereof,

Whereas the market for certain milk products is characterized by uncertainty; whereas the current refunds applicable could lead to speculative advance fixing of the refund; whereas the issuing of licences for the quantities applied for is likely to result in an overrun in the quantities of the products concerned normally disposed of in accordance with the definition in Commission Regulation (EC) No 974/95⁽⁵⁾; whereas it is necessary to suspend temporarily the advance fixing of refunds for the products

in question and licences should not be issued in respect of applications pending,

HAS ADOPTED THIS REGULATION:

Article 1

1. The advance fixing of export refunds on the milk products covered by CN codes 0402 10 19, 0402 21 17, 0402 21 19, 0402 21 99, 0403 90 11, 0403 90 13, 0403 90 19, 0404 90 11, 0404 90 13, 0404 90 19, 0404 90 31, 0404 90 33 and 0404 90 39 of the agricultural product nomenclature for export refunds is hereby suspended on 17 and 18 May 1995 with respect to licence applications covered by Article 1 (1) of Regulation (EC) No 974/95.

2. No action shall be taken in respect of licence applications with advance fixing of the refund pending with respect to paragraph 1 which should be issued as from 12 May 1995.

Article 2

This Regulation shall enter into force on 17 May 1995.

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

Done at Brussels, 16 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

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

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 97, 29. 4. 1995, p. 66.

COMMISSION REGULATION (EC) No 1107/95**of 16 May 1995****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾,

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

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

rate established during the reference period from 15 May 1995, as regards floating currencies, should be used to calculate the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 May 1995.

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

Done at Brussels, 16 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 50, 7. 3. 1995, p. 15.

ANNEX

to the Commission Regulation of 16 May 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	109,31 ⁽²⁾ ⁽³⁾
0712 90 19	109,31 ⁽²⁾ ⁽³⁾
1001 10 00	56,95 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	97,82
1001 90 99	97,82 ^(*) ⁽¹¹⁾
1002 00 00	141,77 ^(*)
1003 00 10	105,26
1003 00 90	105,26 ^(*)
1004 00 00	104,41
1005 10 90	109,31 ⁽²⁾ ⁽³⁾
1005 90 00	109,31 ⁽²⁾ ⁽³⁾
1007 00 90	112,47 ^(*)
1008 10 00	55,38 ^(*)
1008 20 00	59,65 ^(*) ^(*)
1008 30 00	0 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	0
1101 00 11	182,53 ^(*)
1101 00 15	182,53 ^(*)
1101 00 90	182,53 ^(*)
1102 10 00	244,06
1103 11 10	129,77
1103 11 90	210,12
1107 10 11	187,26
1107 10 19	143,24
1107 10 91	200,50 ⁽¹⁰⁾
1107 10 99	153,14 ^(*)
1107 20 00	176,29 ⁽¹⁰⁾

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1108/95**of 16 May 1995****fixing the premiums to be added to the import levies on cereals, flour and malt**

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 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 ⁽²⁾, as last amended by Regulation (EC) No 150/95 ⁽³⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EC) No 1938/94 ⁽⁴⁾ and subsequent amending Regulations;

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

rate established during the reference period from 15 May 1995, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 May 1995.

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

Done at Brussels, 16 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 198, 30. 7. 1994, p. 39.

ANNEX

to the Commission Regulation of 16 May 1995 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	1,47	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 15	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 May 1995

amending Decision 94/617/EC adopting the plan allocating to the Member States resources to be charged to the 1995 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

(95/169/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community ⁽¹⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽²⁾, as last amended by Regulation (EC) No 150/95 ⁽³⁾, and in particular Articles 3 (4) and 6 (2) thereof,

Whereas Commission Regulation (EEC) No 3149/92 ⁽⁴⁾, as last amended by Regulation (EEC) No 2826/93 ⁽⁵⁾, lays down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community ;

Whereas by Decision 94/617/EC ⁽⁶⁾, the Commission adopted the plan allocating resources to the Member States for the 1995 budget year ; whereas the appropriations available for supply programmes for the 1995

budget year have been increased ; whereas, therefore, the increase should be allocated among the Member States ;

Whereas, to ensure optimum use of the additional appropriations, it is necessary to take account of the actual use made of resources in 1992, 1993 and 1994 ; whereas Decision 94/617/EC should therefore be amended accordingly ;

Whereas the measures provided for in this Decision are in accordance with the opinions of all the relevant Management Committees,

HAS ADOPTED THIS DECISION :

Article 1

The Annex to Decision 94/617/EC is hereby replaced by the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 May 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 313, 30. 10. 1992, p. 50.

⁽⁵⁾ OJ No L 258, 16. 10. 1993, p. 11.

⁽⁶⁾ OJ No L 245, 20. 9. 1994, p. 23.

ANNEX

Annual distribution plan for 1995

- (a) *Quantity of each type of product that may be withdrawn from intervention stocks for distribution in each Member State up to the maximum amounts indicated under (b):*

(tonnes)

Member State	Products							
	Common wheat	Durum wheat	Rice	Olive oil	Milk powder	Butter	Beef/veal	Cheese
Belgium	3 000				300	200	600	
Denmark							250	
Greece				6 500				
Spain	30 000			4 000		6 000	6 000	
France	5 000	8 500	2 000		9 500	2 000	7 300	
Ireland						50	1 450	
Italy		20 000		1 500		3 000	4 080	
Luxembourg	20				25	15	15	
Netherlands						100	450	
Portugal	1 850	1 850	1 200	1 214	1 000	1 500	2 500	
United Kingdom							7 700	

- (b) *Financial resources available to carry out the plan in each Member State:*

(ecus)

Member State	Allocation
Belgium	3 040 000
Denmark	2 000 000
Greece	20 160 000
Spain	46 948 875
France	37 878 177
Ireland	6 104 290
Italy	32 493 342
Luxembourg	75 000
Netherlands	2 300 000
Portugal	13 843 964
United Kingdom	33 156 352

- (c) The appropriations needed to cover the intra-Community transfer costs of the intervention products are fixed at ECU 2 million.