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(¹) Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1333/95**of 13 June 1995****amending Regulation (EC) No 1021/94 relating mainly to a standing invitation to tender to determine levies and/or refunds on exports of white 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 1101/95 ⁽²⁾, and in particular Articles 13 (2), 18 (5) and 19 (4) and (7) thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in the case of considerable price rises on the world sugar market ⁽³⁾, and in particular Article 1 (1) thereof,

Whereas the trend in commitments to export pursuant to Commission Regulation (EC) No 1021/94 of 29 April 1994 relating mainly to a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽⁴⁾, as amended by Regulation (EC) No 820/95 ⁽⁵⁾, for the 1994/95 marketing year indicates that there is a risk that the disposal of surpluses during the said marketing

year will not be ensured by 28 June 1995, the date laid down for the closure of the invitation to tender; whereas the closing date should therefore be put back to 26 July 1995;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (2) of Regulation (EC) No 1021/94, the date '28 June 1995' is hereby replaced by '26 July 1995'.

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, 13 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 112, 3. 5. 1994, p. 13.

⁽⁵⁾ OJ No L 83, 13. 4. 1995, p. 1.

COMMISSION REGULATION (EC) No 1334/95

of 13 June 1995

deferring the final date for sowing certain arable crops in certain areas of Finland and Sweden for the 1995/96 marketing year

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

Having regard to the Act of Accession of Austria, Finland and Sweden,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 12 thereof,

Whereas Article 10 (2) of Regulation (EEC) No 1765/92 requires producers, in order to qualify for compensatory payments under the arable support system, to have sown the seed and lodged an application for aid by 15 May preceding the relevant harvest at the latest;

Whereas Article 2 (1) (c) and (d) of Commission Regulation (EEC) No 2295/92 of 31 July 1992 on detailed rules for the application of the support system for producers of the protein crops referred to in Article 6 of Council Regulation (EEC) No 1765/92⁽²⁾, as last amended by Regulation (EC) No 3347/93⁽³⁾, sets 15 May as the final date that may be fixed by Member States for the sowing and submission of applications in respect of protein crops;

Whereas, owing to the climatic conditions in Finland and Sweden, sowings of cereals, oilseeds, protein crops and linseed in certain areas of those Member States take place after 15 May; whereas it was therefore necessary to extend the time limit for the sowing of such crops by Commission Regulation (EC) No 918/95 of 26 April 1995 deferring the final date for sowing certain arable crops in

certain areas⁽⁴⁾, and Commission Regulation (EC) No 919/95 of 26 April 1995 amending Regulation (EC) No 1055/94 deferring the final date for sowing oilseeds in certain areas⁽⁵⁾, to 31 May or 15 June according to region;

Whereas the deferral of the sowing date for certain crops in certain crops in certain areas to 31 May for the 1995/96 marketing year must be further extended to 15 June due to the particular weather conditions during May 1995;

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 10 (2) of Regulation (EEC) No 1765/92, Article 2 (1) (d) of Regulation (EEC) No 2294/92 and Article 2 (1) (d) of Regulation (EEC) No 2295/92 the final date for sowing arable crops in Finland and Sweden shall be postponed until 15 June for the 1995/96 marketing year in the regions defined in Annex II of Regulation (EC) No 918/95 and in Annex I of Commission Regulation (EC) No 1055/94⁽⁶⁾, except Blekinge and Kristianstad.

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, 13 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 221, 6. 8. 1992, p. 28.

⁽³⁾ OJ No L 300, 7. 12. 1993, p. 5.

⁽⁴⁾ OJ No L 95, 27. 4. 1995, p. 12.

⁽⁵⁾ OJ No L 95, 27. 4. 1995, p. 16.

⁽⁶⁾ OJ No L 115, 6. 5. 1994, p. 9.

COMMISSION REGULATION (EC) No 1335/95

of 13 June 1995

amending Regulation (EC) No 1897/94 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards import licences for brans, sharps and other residues

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues⁽¹⁾, and in particular Article 7 (c) thereof,

Whereas Commission Regulation (EC) No 1897/94⁽²⁾ lays down detailed rules for the application of Regulation (EC) No 774/94 as regards import licences for brans, sharps and other residues; whereas the implementation of the Uruguay Round Agreement on Agriculture calls for major changes in the import arrangements; whereas the above-mentioned detailed rules of application must therefore be adapted accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The sixth indent of Article 4 of Regulation (EC) No 1897/94 is hereby replaced by the following:

— section 24 must contain one of the following:

- “Derecho del arancel aduanero común reducido. Contingente abierto por el Reglamento (CE) n° 774/94 del Consejo”,

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

Done at Brussels, 13 June 1995.

- „Nedsat sats i den fælles toldtarif. Kontingent åbnet i henhold til Rådets forordning (EF) nr. 774/94”,
- „Verringerter Satz des Gemeinsamen Zolldtarifs. Mit der Verordnung (EG) Nr. 774/94 des Rates eröffnetes Kontingent”,
- “Μειωμένος δασμός του κοινού δασμολογίου. Άνοιγμα ποσόστωσης από τον κανονισμό (ΕΚ) αριθ. 774/94 του Συμβουλίου”,
- “Common Customs Tariff duty reduced. Quota opened by Council Regulation (EC) No 774/94”,
- “Droit du tarif douanier commun réduit. Contingent ouvert par le règlement (CE) n° 774/94 du Conseil”,
- “Dazio della tariffa doganale comune ridotto. Contingente indetto dal regolamento (CE) n. 774/94 del Consiglio”,
- „Verlaagd recht van het gemeenschappelijk douanetarief. Contingent geopend bij Verordening (EG) nr. 774/94 van de Raad”,
- “Direito da Pauta Aduaneira Comum reduzido. Contingente aberto pelo Regulamento (CE) n° 774/94 do Conselho”,
- “Alennettu yhteisen tullitariffin tulli. Kiintiö avattu neuvoston asetuksella (EY) N:o 774/94”,
- “Reducerad gemensam tulltaxa. Kvot öppnad genom rådets förordning (EG) nr 774/94”.

Article 2

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

It shall apply from 1 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 194, 29. 7. 1994, p. 4.

COMMISSION REGULATION (EC) No 1336/95

of 13 June 1995

amending Regulation (EEC) No 3190/82 laying down detailed rules for the extension of certain rules adopted by producers' organizations in the fisheries sector to non-members

(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 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products ⁽¹⁾, as last amended by Regulation (EC) No 3318/94 ⁽²⁾, and in particular Article 30 thereof,

Whereas Regulation (EC) No 3318/94 amends, *inter alia*, Article 5 (2) of Regulation (EEC) No 3759/92, hereinafter called the basic Regulation, by abolishing prior verification by the Commission of decisions for the extension of certain rules adopted by producers' organizations to non-members and by introducing subsequent verification of such decisions taken by the Member States; whereas this amendment makes it necessary to adapt a number of provisions of Commission Regulation (EEC) No 3190/82 ⁽³⁾, adopted pursuant to Council Regulation (EEC) No 1772/82 ⁽⁴⁾;

Whereas Member States which have decided to give binding force to certain rules adopted by a producers' organization must notify the Commission of their decision before it comes into force; whereas it is necessary, therefore, to specify the content of such notification;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3190/82 is hereby amended as follows:

1. the first subparagraph of Article 5 (1) is replaced by the following:

'Member States which decide to extend certain rules adopted by a producers' organization to non-members shall give the Commission at least the following details.'

2. paragraph 2 of Article 5 is deleted;

3. paragraph 1 of Article 6 is replaced by the following:

'1. The Commission shall publish in the *Official Journal of the European Communities* the decisions it takes pursuant to the second indent of the second subparagraph of Article 5 (2) of the basic Regulation.'

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, 13 June 1995.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ No L 338, 30. 11. 1982, p. 11.

⁽⁴⁾ OJ No L 197, 6. 7. 1982, p. 1.

COMMISSION REGULATION (EC) No 1337/95
of 13 June 1995
amending Regulation (EEC) No 3901/92 introducing detailed rules for granting
carryover aid on certain fishery products
(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 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 14 (5) thereof,

Whereas, as a result of the enlargement of the European Community, one of the amendments to Regulation (EEC) No 3759/92, hereinafter known as the basic Regulation, concerns the introduction of a new product eligible for the assistance provided for by the mechanisms of the common organization of the market in fishery products;

Whereas the common marketing standards for that new product are established by Council Regulation (EC) No 1300/95⁽³⁾;

Whereas, therefore, Commission Regulation (EEC) No 3901/92⁽⁴⁾, as last amended by Regulation (EC) No

3515/93⁽⁵⁾, introducing detailed rules for granting carry-over aid on certain fishery products should be amended so as to include the new product and the relevant categories suitable for marketing after storage;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 3901/92 is hereby replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 13 June 1995.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ No L 126, 6. 6. 1995, p. 3.

⁽⁴⁾ OJ No L 392, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 320, 22. 12. 1993, p. 8.

ANNEX

ANNEX I

CN code	Description	Quality (¹)	Presentation (¹)	Size (¹)
0302 22 00	Plaice (<i>Pleuronectes platessa</i>)	E, A	gutted and with head	2, 3, 4
ex 0302 23 00	Sole (<i>Solea</i> spp.)	E, A	gutted and with head	3, 4, 5
ex 0302 29 90	Dab (<i>Limanda limanda</i>)	E, A	gutted and with head	1, 2
0302 29 10	Megrim (<i>Lepidorhombus</i> spp.)	E, A	gutted and with head	2, 3, 4
ex 0302 29 90	Flounder (<i>Platichthys flesus</i>)	E, A	gutted and with head	1, 2
0302 31 10 and 0302 31 90	Albacore or longfinned tunas (<i>Thunnus alalunga</i>)	E, A	gutted and with head whole	1, 2 1, 2
ex 0302 40	Herrings of the species <i>Clupea harengus</i>	E, A	whole	1, 2, 3
0302 50 10	Cod of the species <i>Gadus morhua</i>	E, A	gutted and with head	1, 2, 3, 4, 5
0302 61 10	Sardines of the species <i>Sardina pilchardus</i>	E, A	whole	1, 2, 3, 4
0302 62 00	Haddock (<i>Melanogrammus aeglefinus</i>)	E, A	gutted and with head	2, 3, 4
0302 63 00	Coalfish (<i>Pollachius virens</i>)	E, A	gutted and with head	1, 2, 3, 4
ex 0302 64	Mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i>	E, A	whole	1, 2, 3 1, 2, 3, 4
0302 65 20 0302 65 50	Dogfish (<i>Squalus acanthias</i> and <i>Scyliorhinus</i> spp.)	E, A	gutted and with head	2, 3
0302 69 31 0302 69 33	Redfish (<i>Sebastes</i> spp.)	E, A	whole	2, 3
0302 69 41	Whiting (<i>Merlangius merlangus</i>)	E, A	gutted and with head	2, 3, 4
0302 69 45	Ling (<i>Molva</i> spp.)	E, A	gutted and with head	1, 2, 3
0302 69 55	Anchovies (<i>Engraulis</i> spp.)	E, A	whole	1, 2, 3, 4
ex 0302 69 65	Hake of the species <i>Merluccius merluccius</i>	E, A	gutted and with head	2, 3, 4
0302 69 75	Ray's bream (<i>Brama</i> spp.)	E, A	gutted and with head	1, 2
0302 69 81	Monkfish (<i>Lophius</i> spp.)	E, A	gutted with or without head	2, 3, 4, 5
ex 0306 23 10	Deepwater prawns (<i>Pandalus borealis</i>)	A	all presentations	1, 2
ex 0306 23 31	Shrimps and prawns of the species <i>Crangon crangon</i>	A	cooked by steaming or boiling in water	1
ex 0306 24 30	Edible crabs (<i>Cancer pagurus</i>)		live	1, 2 ⁽²⁾
ex 0306 29 30	Norway lobsters (<i>Nephrops norvegicus</i>)	E, A	whole tails	1, 2, 3 1, 2, 3, 4
ex 0307 41 10	Cuttle fish (<i>Sepia officinalis</i> and <i>Rossia macro- soma</i>)	E, A	whole	1, 2

(¹) The classifications by quality, presentation and size are those laid down in the basic Regulation, Article 2.

(²) Within the limits laid down in Commission Regulation (EEC) No 3863/91, Article 1, (OJ No L 363, 31. 12. 1991, p. 1) for certain coastal areas in the United Kingdom, on condition that products measuring between 11,5 and 13 centimetres are returned to local or regional markets located in or near these areas.

COMMISSION REGULATION (EC) No 1338/95
of 13 June 1995
amending Regulation (EEC) No 3902/92 setting detailed rules for granting
financial compensation on certain fishery products
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 12 (6) and 12a (2) thereof,

Whereas, in accordance with Article 2 (1) of Commission Regulation (EEC) No 3902/92⁽³⁾, as last amended by Regulation (EC) No 3515/93⁽⁴⁾, financial compensation may be granted to producers' organizations only if they apply, and ensure that their members comply with, the Community withdrawal price throughout the fishing year, when the products are first put up for sale, in accordance with the conditions laid down in Article 12 (1) (a) and (d) of Regulation (EEC) No 3759/92, hereinafter called the basic Regulation;

Whereas Article 12a of the basic Regulation introduces under certain conditions special financial compensation to be granted to producers' organizations by Member States; whereas the procedure for calculating monthly advances on the special financial compensation should be laid down;

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

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

Done at Brussels, 13 June 1995.

Article 1

Regulation (EC) No 3902/92 is hereby amended as follows:

1. the following is inserted after Article 9:

Article 9a

1. All the procedures laid down in this Regulation for the granting of financial compensation, with the exception of the calculation of monthly advances, which shall be made by the procedure set out in Annex Ia, shall apply *mutatis mutandis* to the grant of the special financial compensation referred to in Article 12a of the basic Regulation.
 2. Where a producers' organization has received special financial compensation during a fishing year within the limits laid down in Article 12a (1) of the basic Regulation, the quantities marketed and the quantities withdrawn during the month or months conferring entitlement to payment of the special financial compensation shall not be taken into consideration for the calculation of entitlement, if any, to financial compensation.
2. the Annex to this Regulation is inserted as Annex Ia after Annex I.

Article 2

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

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ No L 392, 31. 12. 1992, p. 35.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 8.

ANNEX

'ANNEX Ia

Calculation of advances on special financial compensation⁽¹⁾
(Article 12a of Regulation (EEC) No 3759/92)

Species :

Month :

- A. Quantity offered for sale between the first day of the first SFC month⁽²⁾ and the last day of the SFC month concerned, not including the quantity offered for sale in other months : kg
- B. Total cumulated withdrawals over the same period, not including withdrawals in other months : kg
- C. Average withdrawal percentage : % (B : A × 100)
Amount to be reimbursed = (withdrawal price × 0,93 – standard value)
- D. Total quantity withdrawn to be included (up to 14 % of quantity offered for sale)

SFC month	Quantity withdrawn (kg) by category and size (1)	Amount to be reimbursed in ecus (2)	Agricultural conversion rate on the second day of the month	Amount to be reimbursed in national currency
Total				

(i) Quantity withdrawn per month : quantity withdrawn between the second day and the first day of the following month inclusive.

(2) Amount per month in ecus : total of the amounts to be reimbursed for each category and size multiplied by the quantity withdrawn for those categories and sizes.

Advance for month = Total estimated advance on SFC less cumulated advances received on SFC for the preceding SFC month or months.

(1) If necessary on provisional figures (to be made definite within the next two months).

(2) Special financial compensation may be granted for not more than three months over a fishing year, of which not more than two may be consecutive months.

COMMISSION REGULATION (EC) No 1339/95

of 13 June 1995

amending Regulation (EC) No 3262/94 fixing, for the 1995 fishing year, the withdrawal and selling prices for fishery products listed in Annex I (A), (D) and (E) of Council Regulation (EEC) No 3759/92

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

adjustment coefficient in landing areas which are very far away from the principal consumption centres; whereas this is the case for herring;

Having regard to the Treaty establishing the European Community,

Whereas, with regard to sardines, the price for size 3 of this product in the relevant landing areas in Spain and Portugal requires the setting of a special adjustment coefficient; whereas Commission Regulation (EC) No 3262/94⁽⁶⁾ needs to be amended in consequence;

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992, on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Regulation (EC) No 1299/95 is to apply from 1 January 1995; where, therefore, the same date should also apply to this Regulation;

Having regard to the 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 (EC) No 3516/93⁽⁷⁾ establishes the operative events for the conversion rates to be applied when calculating certain amounts provided for by the mechanisms of the common organization of the market in fishery and aquaculture products; whereas for the period 1 to 31 January 1995, therefore, the agricultural conversion rate in question is multiplied by an adjustment factor of 1,207509; whereas the reference prices for that period should be set accordingly;

Whereas Council Regulation (EC) No 1299/95⁽⁵⁾ amends the guide price for herring and fixes the guide price for deep-water prawns for the 1995 fishing year;

Whereas Article 11 (2) of Regulation (EEC) No 3759/92 provides that the withdrawal price may be weighted by an

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex I to Regulation (EC) No 3262/94 is amended as follows:

Description	%
'Shrimps of the species <i>Crangon crangon</i> and deep-sea prawns (<i>Pandalus borealis</i>)	90'

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁴⁾ OJ No L 22, 30. 1. 1995, p. 1.⁽⁵⁾ OJ No L 126, 9. 6. 1995, p. 1.⁽⁶⁾ OJ No L 339, 29. 12. 1994, p. 18.⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 10.

2. Annex II to Regulation (EC) No 3262/94 is supplemented as follows :

Species	Size (')	Coefficients			
		Cooked in water		Fresh or chilled	
		A (')	B (')	A (')	B (')
'Deep-sea prawns (<i>Pandalus borealis</i>)	1	0,85	0,75	0,75	0,6
	2	0,30	0,30	—	—

3. Annex III to Regulation (EC) No 3262/94 is amended and supplemented as follows :

Species	Size (')	Withdrawal price (in ECU/tonne)			
		Gutted fish, with head (')		Whole fish (')	
		Extra, A (')	B (')	Extra, A (')	B (')
'Herrings of the species <i>Clupea harengus</i>					
	— from 1. 1 to 31. 1. 1995	{ 1 2 3	{ 0 0 0	{ 175 165 103	{ 175 165 103
	— from 1. 2 to 31. 12. 1995	{ 1 2 3	{ 0 0 0	{ 211,3 199,2 124,4	{ 211,3 199,2 124,4
Species	Size (')	cooked in water		Fresh or chilled	
		A (')	B (')	A (')	B (')
Deep-sea prawns (<i>Pandalus borealis</i>)					
	— from 1. 1. to 31. 1. 1995	{ 1 2	{ 3 928 1 386	{ 945 —	{ 756 —
	— from 1. 2. to 31. 12. 1995	{ 1 2	{ 4 743 1 674	{ 1 141 —	{ 912,9 —

4. Annex IV to Regulation (EC) No 3262/94 is amended and supplemented as follows :

Species	Landing zone	Coefficient	Size (')	Withdrawal price (in ECU/tonne)			
				Gutted fish, with head		Whole fish	
				Extra, A (')	B (')	Extra, A (')	B (')
'Herring of the species <i>Clupea harengus</i>	— from 1. 5 to 31. 12. 1995	0,70	{ 1 2 3	{ 0 0 0	{ 0 0 0	{ 148,5 140,1 86,94	{ 148,5 140,1 86,94
	— from 1. 5 to 31. 12. 1995		{ 1 2 3	{ 0 0 0	{ 0 0 0	{ 148,5 140,1 86,94	{ 148,5 140,1 86,94
	— from 1. 5 to 31. 12. 1995		{ 1 2 3	{ 0 0 0	{ 0 0 0	{ 148,5 140,1 86,94	{ 148,5 140,1 86,94
	— from 1. 5 to 31. 12. 1995		{ 1 2 3	{ 0 0 0	{ 0 0 0	{ 148,5 140,1 86,94	{ 148,5 140,1 86,94
Sardines of the species <i>Sardina pilchardus</i>	— from 1. 5 to 31. 12. 1995	0,70	3	0	0	259,6	—

Article 2

This Regulation 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.

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

Done at Brussels, 13 June 1995.

For the Commission

Emma BONINO

Member of the Commission

COMMISSION REGULATION (EC) No 1340/95

of 13 June 1995

amending Regulation (EC) No 3263/94 fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 1995 fishing year

(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 3759/92 of 17 December 1992 on the common organization of the market in fishery products and aquaculture⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 12 (6) thereof,

Whereas Commission Regulation (EC) No 3263/94⁽³⁾ fixes the standard values of fishery products withdrawn from the market during the 1995 fishing year;

Whereas, as a result of the accession of new Member States, the deep-water prawn has been added to the list of species eligible for the intervention mechanisms under the common market organization;

Whereas the standard value of that species should be fixed for the disposal options laid down in Commission Regulation (EEC) No 1501/83⁽⁴⁾; whereas, as a result, the Annex to Regulation (EC) No 3263/94 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The heading to point 1 (b) of the Annex to Regulation (EC) No 3263/94 is hereby amended as follows:

'for shrimps of the species *Crangon crangon* and deep-water prawns of the species *Pandalus borealis*.'

Article 2

This Regulation 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.

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

Done at Brussels, 13 June 1995.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 27.

⁽⁴⁾ OJ No L 152, 10. 6. 1983, p. 22.

COMMISSION REGULATION (EC) No 1341/95

of 13 June 1995

amending Regulation (EC) No 3266/94 fixing the reference prices for fishery products for the 1995 fishing year

(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 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular the first subparagraph of Article 22 (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⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Articles 12 and 13 (1) thereof,

Whereas Commission Regulation (EC) No 3266/94⁽⁵⁾ fixes the reference prices for fishery products for the 1995 fishing year;

Whereas, as a result of the accession of new Member States, the deep-water prawn has been added to the list of species eligible for the intervention mechanisms under the common market organization;

Whereas Article 22 (2) of Regulation (EEC) No 3759/92 provides that for the products specified in Annex I, parts A and D, the reference price is equal to the withdrawal price fixed in accordance with Article 11 (1) of the Regulation;

Whereas the Community withdrawal prices for the 1995 fishing year have been adjusted by Commission Regulation (EC) No 1339/95⁽⁶⁾;

Whereas Regulation (EC) No 3266/94 should be amended therefore with immediate effect;

Whereas Commission Regulation (EC) No 3516/93⁽⁷⁾ establishes the operative events for the conversion rates to be applied when calculating certain amounts provided for by the mechanisms of the common organization of the market in fishery and aquaculture products; whereas for the period 1 to 31 January 1995, therefore, the agricultural conversion rate in question is multiplied by an adjustment factor of 1,207509; whereas the reference prices for that period should be set accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Part 1 of the Annex to Regulation (EC) No 3266/94 is hereby amended and supplemented as follows:

Species	Size (°)	Reference price (ECU/tonne)			
		Gutted fish with head (°)		Whole fish (°)	
		Extra, A (°)	B (°)	Extra, A (°)	B (°)
'Herring of the species <i>Clupea harengus</i> :					
— from 1 to 31. 1. 1995	{ 1	0	0	175	175
	{ 2	0	0	165	165
	{ 3	0	0	103	103
— from 1. 2 to 31. 12. 1995	{ 1	0	0	211,3	211,3
	{ 2	0	0	199,2	199,2
	{ 3	0	0	124,4	124,4

(1) OJ No L 388, 31. 12. 1992, p. 1.

(2) OJ No L 350, 31. 12. 1994, p. 15.

(3) OJ No L 387, 31. 12. 1992, p. 1.

(4) OJ No L 22, 30. 1. 1995, p. 1.

(5) OJ No L 339, 29. 12. 1994, p. 32.

(6) See page 9 of this Official Journal.

(7) OJ No L 320, 22. 12. 1993, p. 10.

Species	Size (')	Cooked in water		Fresh or chilled	
		A (')	B (')	A (')	B (')
Deep-water prawn (<i>Pandalus borealis</i>)					
— from 1 to 31. 1. 1995	{ 1	3 928	3 466	945	756
	{ 2	1 386	1 386	—	—
— from 1. 2 to 31. 12. 1995	{ 1	4 743	4 185	1 141	912,9
	{ 2	1 674	1 674	—	—

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, 13 June 1995.

For the Commission

Emma BONINO

Member of the Commission

COMMISSION REGULATION (EC) No 1342/95

of 13 June 1995

concerning applications for import licences for quality wheat qualifying for the conditions referred to in Council Regulation (EC) No 774/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues⁽¹⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 1854/94 of 27 July 1994 laying down detailed rules for the application of Council Regulation (EC) No 774/94 in relation to import licences for quality wheat⁽²⁾, as amended by Regulation (EC) No 2547/94⁽³⁾, lays down special provisions on the organization of imports under the quota opened by Regulation (EC) No 774/94; whereas Article 3 (2) of Regulation (EC) No 1854/94 provides that the Commission is to fix a uniform percentage reduction in the quantities if applications for import licences exceed the quantities which may be imported; whereas applications for licences submitted between 5 and 8 June 1995 relate to 193 572 tonnes of durum wheat falling within CN code 1001 10 00 and 419 774 tonnes of common wheat falling within CN code 1001 90 99 and the maximum quantity which may be imported is 150 000 tonnes of durum wheat and 150 000 tonnes of common wheat; whereas the percentages for the reduction in the import licence applications submitted between 5 and 8 June 1995 qualifying for the conditions referred to in Article 5 of Regulation (EC) No 774/94, should be fixed,

HAS ADOPTED THIS REGULATION :

Article 1

Applications for import licences qualifying for the conditions referred to in Article 5 of Regulation (EC) No 774/94 conveyed to the Commission before 13 June 1995 for durum wheat falling within CN code 1001 10 00 submitted between 5 and 8 June 1995 shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,775. Requests that are not conveyed to the Commission before 13 June 1995 shall be refused.

Article 2

Applications for import licences qualifying for the conditions referred to in Article 5 of Regulation (EC) No 774/94 conveyed to the Commission before 13 June 1995 for soft wheat falling within CN code 1001 90 99 submitted between 5 and 8 June 1995 shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,357. Requests that are not conveyed to the Commission before 13 June 1995 shall be refused.

Article 3

This Regulation shall enter into force on 14 June 1995.

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

Done at Brussels, 13 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 192, 28. 7. 1994, p. 31.

⁽³⁾ OJ No L 270, 21. 10. 1994, p. 7.

COMMISSION REGULATION (EC) No 1343/95**of 13 June 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
1306/95 ⁽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 Regu-
lation (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 multila-
teral trade negotiations, the criteria whereby the Commis-

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

Whereas, in compliance with the above criteria, the stan-
dard 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 14 June 1995.

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

Done at Brussels, 13 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 126, 9. 6. 1995, p. 15.

⁽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 13 June 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 35	052	49,6
	060	80,2
	066	25,9
	068	32,4
	204	50,9
	212	117,9
	624	75,0
	999	61,7
0707 00 25	052	41,2
	053	166,9
	060	39,2
	066	53,8
	068	60,4
	204	49,1
	624	207,3
	999	88,3
0709 90 77	052	61,4
	204	77,5
	624	196,3
	999	111,7
0805 30 30	388	66,9
	528	46,8
	600	54,7
	624	78,0
	999	61,6
0809 10 20	052	155,8
	064	128,7
	999	142,3
0809 20 41, 0809 20 49	052	219,1
	064	168,8
	068	229,8
	400	208,0
	624	308,2
	676	308,1
	999	240,3
	220	150,3
0809 30 21, 0809 30 29	624	116,7
	999	133,5

⁽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 1344/95
of 13 June 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 1234/95⁽⁴⁾, as last amended by Regulation (EC) No 1332/95⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 1234/95 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

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be :

- ECU 45,049 per 100 kilograms for the 1994/95 marketing year,
- ECU 53,859 per 100 kilograms for the 1995/96 marketing year.

2. However, the amount of the aid for 1995/96 shall be confirmed or replaced with effect from 14 June 1995 to take account of the guide price for cotton for that marketing year, the consequences of the stabilizer system and any adaptations to the arrangements.

Article 2

This Regulation shall enter into force on 14 June 1995.

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

Done at Brussels, 13 June 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 121, 1. 6. 1995, p. 21.

⁽⁵⁾ OJ No L 128, 13. 6. 1995, p. 17.

COMMISSION REGULATION (EC) No 1345/95
of 13 June 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 1101/95 ⁽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 1323/95 ⁽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 12 June 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 14 June 1995.

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

Done at Brussels, 13 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 110, 17. 5. 1995, 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 198, 30. 7. 1994, p. 88.
⁽⁶⁾ OJ No L 127, 10. 6. 1995, p. 15.

ANNEX

to the Commission Regulation of 13 June 1995 fixing the import levies on white sugar and raw sugar*(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	38,92 ⁽¹⁾
1701 11 90	38,92 ⁽¹⁾
1701 12 10	38,92 ⁽¹⁾
1701 12 90	38,92 ⁽¹⁾
1701 91 00	50,15
1701 99 10	50,15
1701 99 90	50,15 ⁽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 1346/95
of 13 June 1995
altering the basic amount of the import levies on syrups and certain other
products in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1101/95 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1227/95 ⁽⁵⁾, as last amended by Regulation (EC) No 1324/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1227/95 to the information known to the Commission that the basic amount of

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 12 June 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EC) No 1227/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 June 1995.

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

Done at Brussels, 13 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, 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 121, 1. 6. 1995, p. 7.

⁽⁶⁾ OJ No L 127, 10. 6. 1995, p. 17.

ANNEX

to the Commission Regulation of 13 June 1995 altering the basic amount of the import
levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,5015	—
1702 20 90	0,5015	—
1702 30 10	—	62,23
1702 40 10	—	62,23
1702 60 10	—	62,23
1702 60 90 10 ⁽²⁾	—	118,24
1702 60 90 90 ⁽³⁾	0,5015	—
1702 90 30	—	62,23
1702 90 60	0,5015	—
1702 90 71	0,5015	—
1702 90 80	—	118,24
1702 90 99	0,5015	—
2106 90 30	—	62,23
2106 90 59	0,5015	—

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 May 1995

implementing Article 20 (2) of Council Directive 89/106/EEC on construction products

(95/204/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 13 thereof,

Whereas Article 13 (3) of Directive 89/106/EEC provides two different procedures for attestation of conformity for a product; whereas Article 13 (4) requires the choice of the procedure within the meaning of the abovementioned Article 13 (3) for a given product or family of products to be specified by the Commission, after consulting the Standing Committee on Construction;

Whereas this choice between the two procedures has to be specified according to the criteria stipulated by Article 13 (4);

Whereas it is provided in Article 13 (4) that in the case of each procedure there is a requirement for the Commission to select the 'least onerous possible procedure consistent with safety'; this means that for an attestation of conformity for a given product or family of products either a factory production control system under the

responsibility of the manufacturer is necessary, or there must be evidence for particular products that for reasons related to the satisfaction of the criteria mentioned under Article 13 (4), the intervention of an approved certification body is required;

Whereas it is required by Article 13 (4) that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to adopt the definition of products or family of products as used in the mandates and in the technical specifications;

Whereas account must be taken of the fact that the two procedures provided in Article 13 (3) are described in detail in Annex 3; it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, in conjunction with Annex 3, for each product or family of products, since Annex 3 gives preference to certain systems;

Whereas the procedure specified in Article 13 (3) (a) corresponds to the systems in Annex 3 under point 2 (ii) first possibility without continuous surveillance, second and third possibilities and the procedure specified in Article 13 (3) (b) corresponds to the systems of Annex 3 under point 2 (i) and 2 (ii) first possibility with continuous surveillance;

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

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

HAS ADOPTED THIS DECISION :

assessment and surveillance of the production control or of the product itself.

Article 1

The products and families of products set out in Annex 1 shall have their conformity attested by a procedure whereby the manufacturer has under its sole responsibility a factory production control system ensuring that the product is in conformity with the relevant technical specifications.

Article 3

The procedure for attesting conformity set out in Annex 3 shall be given in mandates for standards.

Article 4

This Decision is addressed to the Member States.

Article 2

The products set out in Annex 2 shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in

Done at Brussels, 31 May 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX 1

- Precast concrete products intended for light structural ⁽¹⁾ or non-structural use (in particular, boundary fences, junction boxes for telecommunications, small box culverts and cladding elements).
 - Thermal insulating materials, which are classified in reaction to fire classes A, B or C and for which the reaction to fire performance is not susceptible to change during the production process, as well as thermal insulating materials in classes D, E or F ⁽²⁾.
 - Doors, windows, gates, shutters and related products, except power operated doors, gates and fire resistant doors and windows and relevant hardware, including panic hardware.
 - Membranes intended for any use in buildings except those mentioned in Annex 2 (including damp-proofing, damp-proof courses and water vapour control layers).
-

⁽¹⁾ Light structural use refers to applications that in case of failure are not supposed to cause the collapse of the works or part of them, inadmissible deformations or injury to people.

⁽²⁾ The reaction to fire is assessed with regard to classes and levels fixed by Commission Decision 94/611/EC (OJ No L 241, 16. 9. 1994) and according to the terms expressed in Annex 3.

ANNEX 2

- Precast concrete products intended for structural use (in particular prestressed hollow core floor units, posts and masts, foundation piles, shuttering slabs, lattice girder elements, beam/block floor units and elements, ribbed floor elements, linear structural elements (beams and columns, load-bearing wall elements, retaining wall elements, roof elements, silos, stairs, bridge deck elements and large box culverts).
- Thermal insulating materials susceptible to change their reaction to fire performance during the production process and which are classified in reaction to fire classes A, B or C⁽¹⁾.
- Power operated doors and gates and fire resistant doors and windows and relevant hardware, including panic hardware.
- Membranes for applications exposed to fire (roof underlays, sheets for roofs and water vapour, control layers).

⁽¹⁾ The reaction to fire is assessed with regard to classes and levels fixed by Commission Decision 94/611/EC (OJ No 241, of 16. 9. 1994) and according to the terms expressed in Annex 3.

ANNEX 3

PRODUCT FAMILY: THERMAL INSULATING PRODUCTS (1/1)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, (CEN/Cenelec) are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use	Level/s or class/es (Reaction to fire)	Attestation of conformity system
All factory made and <i>in situ</i> formed thermal insulating products	Any	A - B - C ⁽¹⁾ A - B - C ⁽²⁾ D - E - F	1 ⁽³⁾ 3 ⁽⁴⁾ 4 ⁽⁵⁾

⁽¹⁾ Materials for which the reaction to fire performance is susceptible to change during the production process (in general, those made with combustible raw materials).

⁽²⁾ Materials for which the reaction to fire performance is most susceptible to change during the production process (in general, those made with non-combustible raw materials).

⁽³⁾ System 1 : See construction product directive (CPD), Annex III.2 (i), without audit-testing of samples.

⁽⁴⁾ System 3 : See CDP, Annex III.2 (ii), second possibility.

⁽⁵⁾ System 4 : See CDP, Annex III.2 (ii), third possibility.

2. Conditions to be applied by CEN on the specifications of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristics (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the interpretative documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

- 2.2. Regarding products coming under system 1 and system 3, for the initial type testing of the product (to be required by the manufacturer in the case of system 3) (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :

— 21a : Euroclasses characteristics for reaction to fire, as indicated in Commission Decision 94/611/EC.

PRODUCT FAMILY: DOORS, WINDOWS, SHUTTERS, GATES AND RELATED BUILDING HARDWARE (1/3)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use	Level/s or class/es	Attestation of conformity system
Fire resistant windows, doors and related incorporated hardware	Fire compartmentation	Any	1 ⁽¹⁾

⁽¹⁾ System 1 : See CPD, Annex III point 2 (i), without audit-testing of samples.

2. Conditions to be applied by CEN on the specifications of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. Regarding products coming under system 1, for the initial type testing of the product (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :
- 22b : integrity E,
 - 22c : insulation I,
 - 22f : smoke leakage S,
 - 23a : self-closing C,
 - 23b : ability to release (only for the related hardware).

PRODUCT FAMILY : DOORS, WINDOWS, SHUTTERS, GATES AND RELATED BUILDING HARDWARE (2/3)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use		Attestation of conformity system
Power operated doors and gates	Any		1 (1)

(1) System 1 : See CPD, Annex III.2 (i), without audit-testing of samples.

2. Conditions to be applied by CEN on the specification of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. For the initial type testing of the product (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :
- 23a : self-closing C.

PRODUCT FAMILY : DOORS, WINDOWS, SHUTTERS, GATES AND RELATED BUILDING HARDWARE (3/3)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use		Attestation of conformity system
Any other types of doors and windows	Any other		3 (1)

(1) System 3 : See CPD, Annex III.2 (ii), second possibility.

2. **Conditions to be applied by CEN on the specifications of the attestation of conformity system**
- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. For the initial type testing of the product to be required by the manufacturer (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :
- 33a: **watertightness**,
 - 34f: **rate of release of dangerous substances** (only for indoor impact),
 - 43g: **resistance to wind load**,
 - 51b: **direct airborne sound insulation index** (only for use where acoustic performance is required),
 - 61a: **thermal resistance**,
 - 61b: **air permeability**.

PRODUCT FAMILY : MEMBRANES (1/5)

1. **Systems of attestation of conformity**

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonised standard/s :

Product	Intended use	Level/s or class/es	Attestation of conformity system
Damp proofing sheets	In floor beds in housing and basement tanking		3 (1)

(1) System 3 : See CPD, Annex III.2 (ii), second possibility.

2. **Conditions to be applied by CEN on the specifications of the attestation of conformity system**
- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. For the initial type testing of the product to be required by the manufacturer (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :
- 33a: **watertightness**.

PRODUCT FAMILY : MEMBRANES (2/5)

1. **Systems of attestation of conformity**

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use	Level/s or class/es	Attestation of conformity system
Damp proof courses	In masonry walls		3 (1)

(1) System 3 : See CPD, Annex III.2 (ii), second possibility.

2. Conditions to be applied by CEN on the specifications of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. For the initial type testing of the product to be required by the manufacturer (see Annex III.1 (a) of the CDP) the task for the approved body will be limited to the following characteristics :
- 33a : **watertightness.**

PRODUCT FAMILY: MEMBRANES (3/5)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standards :

Product	Intended use	Level/s or class/es (reaction to fire)	Attestation of conformity system
Roof underlays	Fire exposed applications Any other	A - B - C D - E	1 ⁽¹⁾ 2 + ⁽²⁾ 3 ⁽³⁾

⁽¹⁾ System 1 : See CPD, Annex III.2 (i), without audit-testing of samples.

⁽²⁾ System 2 + : See CPD, Annex III.2 (ii), first possibility, including certification of the factory production control by an approved body on the basis of its continuous surveillance, assessment and approval.

⁽³⁾ System 3 : See CPD, Annex III.2 (ii), second possibility.

2. Conditions to be applied by CEN on the specifications of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. Regarding products coming under system 1, for the initial type testing of the product [see Annex III.1(a) of the CPD] the task for the approved body will be limited to the following characteristics :
- 21a : **Euroclasses characteristics for reaction to fire** as indicated in Commission Decision 94/611/EC.
- 2.3. Regarding products coming under system 3, for the initial type testing of the product to be required by the manufacturer (see Annex III.1 (a) of the CPD) the task for the approval body will be limited to the following characteristic :
- 33a : **watertightness.**

PRODUCT FAMILY: MEMBRANES (4/5)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use	Level/s or class/es	Attestation of conformity system
Roof sheets	In roofs		2 + ⁽¹⁾

⁽¹⁾ System 2 + : See CPD, Annex III.2 (ii), first possibility, including certification of the factory production control by an approved body on the basis of its continuous surveillance, assessment and approval.

2. Conditions to be applied by CEN on the specifications of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristics (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

PRODUCT FAMILY : MEMBRANES (5/5)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use	Level/s or class/es (reaction to fire)	Attestation of conformity system
Water vapour control layers	Applications exposed to fire	A - B - C	1 ⁽¹⁾
	Any other	D - E	2 + ⁽²⁾
			3 ⁽³⁾

⁽¹⁾ System 1 : See CPD, Annex III.2 (i), without audit-testing of samples.

⁽²⁾ System 2 + : See CPD, Annex III.2 (ii), first possibility, including certification of the factory production control by an approved body on the basis of its continuous surveillance, assessment and approval.

⁽³⁾ System 3 : See CPD, Annex III.2 (ii), Second possibility.

2. Conditions to be applied by CEN on the specifications of the attestation of conformity system

- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
- 2.2. Regarding products coming under system 1, for the initial type testing of the product (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :
- 21a : Euroclasses characteristics for reaction to fire as indicated in Commission Decision 94/611/EC.
- 2.3. Regarding products coming under system 3, for the initial type testing of the product to be required by the manufacturer (see Annex III.1 (a) of the CPD) the task for the approved body will be limited to the following characteristics :
- 33b : water vapour permeability.

PRODUCT FAMILY : PRECAST NORMAL/LIGHTWEIGHT/AUTOCLAVED AERATED CONCRETE PRODUCTS (1/2)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s :

Product	Intended use	Level/s or class/es	Attestation of conformity system
Precast concrete products	Structural		2 + ⁽¹⁾

⁽¹⁾ System 2 + : See CPD, Annex III.2 (ii), first possibility including certification of the factory production control by an approved body on the basis of its continuous surveillance, assessment and approval.

2. **Conditions to be applied by CEN on the specifications of the attestation of conformity system**
- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

PRODUCT FAMILY: PRECAST NORMAL/LIGHTWEIGHT/AUTOCLAVED AERATED CONCRETE PRODUCTS (2/2)

1. Systems of attestation of conformity

- 1.1. For the product and intended use listed below, CEN/Cenelec are requested to specify the following system of attestation of conformity in the relevant harmonized standard/s:

Product	Intended use	Level/s or class/es	Attestation of conformity system
Precast concrete products	Non-structural or light structural		4 ⁽¹⁾

⁽¹⁾ System 4: See CPD, Annex III.2 (ii), third possibility.

2. **Conditions to be applied by CEN on the specifications of the attestation of conformity system**
- 2.1. The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see the 'no performance determined' case under Article 2.1 of the CPD and when Article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
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