

Official Journal

of the European Communities

ISSN 0378-6978

L 133

Volume 38

17 June 1995

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1366/95
of 12 June 1995
amending Regulation (EEC) No 3906/89 in order to extend economic aid to
Croatia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Regulation (EEC) No 3906/89 ⁽³⁾ provides for aid operations of an economic and humanitarian nature in support of the process of economic and social reform in certain countries of Central and Eastern Europe;

Whereas the Annex to that Regulation lists the countries which may receive such aid;

Whereas, in the light of Croatia's independence, that country should be added to the list of recipients so that it can receive aid under Regulation (EEC) No 3906/89;

Whereas the conditions to allow for Croatia to be included amongst the beneficiary countries can now be considered to have been fulfilled,

HAS ADOPTED THIS REGULATION:

Article 1

The following country shall be added to the list in the Annex to Regulation (EEC) No 3906/89: 'Croatia'.

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 Luxembourg, 12 June 1995.

For the Council

The President

H. de CHARETTE

⁽¹⁾ OJ No C 360, 17. 12. 1994, p. 21.

⁽²⁾ OJ No C 126, 22. 5. 1995.

⁽³⁾ OJ No L 375, 23. 12. 1989, p. 11. Regulation as last amended by Regulation (EEC) No 1764/93 (OJ No L 162, 30. 6. 1993, p. 1).

**COMMISSION REGULATION (EC) No 1367/95
of 16 June 1995**

laying down provisions for the implementation of Council Regulation (EC) No 3295/94 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3295/94 of 22 December 1994 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods, and in particular Articles 12, 13 and 14 thereof⁽¹⁾,

Whereas Regulation (EC) No 3295/94 introduced common rules with a view to prohibiting the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods and dealing effectively with the illegal marketing of such goods without impeding the freedom of legitimate trade;

Whereas the nature of the proof of ownership of intellectual property required by the second indent of the first subparagraph of Article 3 (2) of Regulation (EC) No 3295/94 should be established;

Whereas Article 14 of Regulation (EC) No 3295/94 provides that Member States are to communicate to the Commission all relevant information for applying that Regulation and that the Commission is to communicate that information to the other Member States; whereas the procedure for exchanging that information should be laid down;

Whereas Commission Regulation (EEC) No 3077/87⁽²⁾ should be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 1 (2) (c) of Regulation (EC) No 3295/94, hereinafter referred to as 'the basic Regulation' the holder of a right or any other person authorized to use

the right may be represented by a natural or legal person; such a person includes a collecting society which has as its sole or principal purpose the management or administration of copyrights or neighbouring rights.

Article 2

The proof that the applicant holds one of the rights referred to in points (a) and (b) of Article 1 (2) of the basic Regulation, which must be submitted when applying for action in accordance with the second indent of the first subparagraph of Article 3 (2) of that Regulation, shall be as follows:

- (a) where the holder of the right applies himself:
 - in the case of a right that is registered or for which an application has been lodged (trademark or design right): proof of registration with the relevant office or lodging of the application,
 - in the case of a copyright, neighbouring rights or design right that is unregistered or for which an application has not been lodged: any proof of authorship or of his status as original holder;
- (b) where the application is made by any other person authorized to use one of the rights referred to in points (a) and (b) of Article 1 (2) of the basic Regulation in addition to the proof required under (a) hereof: the document by virtue of which the person is authorized to use the right in question;
- (c) where a representative of the holder or of any other person authorized to use one of the rights referred to in points (a) and (b) of Article 1 (2) of the basic Regulation applies: in addition to the proof required under (a) and (b) hereof, proof of authorization to act.

Article 3

The pertinent information referred to in the second subparagraph of Article 3 (2) of the basic Regulation shall include particulars of the goods, notably their value and their packaging, plus any information that could help distinguish them from goods for which there is a protected right. Under the terms of the second subparagraph of Article 3 (2), this information should be as detailed as possible to enable the customs authorities, using risk analysis, to identify suspect consignments accurately and without excessive effort.

⁽¹⁾ OJ No L 341, 30. 12. 1994, p. 8.

⁽²⁾ OJ No L 291, 15. 10. 1987, p. 19.

Article 4

If an application is lodged in accordance with Article 4 of the basic Regulation before expiry of the time-limit of three days, the time-limits referred to in Article 7 of the Regulation shall be counted from the day of receipt of the request for action.

If the customs authority suspends release of the goods or detains them in accordance with Article 4 of the basic Regulation, it shall forthwith inform the declarant.

Article 5

1. Each Member State shall, at the earliest opportunity, send the Commission details of:

- (a) the laws, regulations or administrative provisions which it adopts in implementation of this Regulation. It shall likewise inform the Commission of any provisions of its national law which preclude informing the holder as provided for in the second subparagraph of Article 6 (1) and in Article 8 (3) of the basic Regulation;
- (b) the competent customs department responsible for receiving and handling the holder's written application, referred to in Article 3 (8) of the basic Regulation.

2. To enable the Commission to monitor the effective application of the procedure laid down by the basic Regulation and draw up, in due course, the report referred to in Article 15 thereof, each Member State shall send the Commission:

- (a) at the end of each calendar year, a list of all the written applications under Article 3 (1) of the basic Regulation, together with the name and address of the

holder, a brief description of the goods and, where relevant, the trademark, and the action taken in response to the application;

- (b) at the end of each quarter, a list of specific cases in which goods have been detained or their release suspended. The information provided on each case must include:

- the name and address of the holder of the right and a brief description of the goods and, where relevant, the trademark, and
- the customs situation, country of consignment or destination, description, quantity and declared value of the goods the release of which has been suspended or which have been detained, and the date of such suspension or detention.

3. The Commission shall, in an appropriate manner, communicate to all Member States such information as it receives pursuant to this Article. Details of cases provided for in point (b) of paragraph 2 shall be sent quarterly to the Member States by the Commission.

4. Details communicated pursuant to paragraphs 1, 2 and 3 may be used only for the purposes established by the basic Regulation.

Article 6

Regulation (EEC) No 3077/87 is hereby repealed with effect from 1 July 1995.

Article 7

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.

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

Done at Brussels, 16 June 1995.

For the Commission

Mario MONTI

Member of the Commission

COMMISSION REGULATION (EC) No 1368/95

of 16 June 1995

amending Regulation (EEC) No 2921/90 on aid for the production of casein and caseinates from skimmed milk

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Article 1

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⁾, and in particular Article 11 (3) thereof,

Whereas Commission Regulation (EEC) No 2921/90 ⁽³⁾, as last amended by Regulation (EEC) No 1756/93 ⁽⁴⁾, provides that aid for the production of casein and caseinates from skimmed milk is only granted where the casein or caseinates produced meet certain composition requirements; whereas experience gained shows that casein containing more than 5 % but not more than 17 % milk protein other than casein no longer meets the current requirements of the market, which is shifting to high-quality products; whereas the aid for such casein should accordingly be discontinued;

Whereas, in view of the trend on the market in such products on the one hand and in skimmed-milk powder on the other, the aid fixed in that Regulation for skimmed milk processed into casein or caseinates should be reduced;

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

Regulation (EEC) No 2921/90 is hereby amended as follows :

1. Article 2 (1) is replaced by the following :

'1. The aid per 100 kilograms of skimmed milk processed into casein or caseinates as referred to in paragraph 2 shall be ECU 6,75;'

2. Article 2 (2) (d) is deleted and Article 2 (2) (e) becomes Article 2 (2) (d);

3. the second sentence of Article 3 (a) is replaced by the following :

'The description to be shown on products as referred to in Annex III shall be as follows :

"Caseinates containing more than 5 % but not more than 17 %, calculated on the total milk protein content, of simultaneously precipitated milk protein other than casein."';

4. Annex III is replaced by the Annex hereto.

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, 16 June 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 279, 11. 10. 1990, p. 22.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 48.

*ANNEX**ANNEX III***COMPOSITION REQUIREMENTS**

Caseinates with a milk protein content not including casein of not more than 17 % of total milk protein content

1. Maximum moisture content	6,00 %
2. Minimum total milk protein content	85,00 %
3. Maximum fat content	1,50 %
4. Maximum lactose content	1,00 %
5. Maximum ash content	6,50 %
6. Total bacterial count (maximum in 1 g)	30 000
7. Coliforms (in 0,1 g)	None
8. Thermophilic bacterial count (maximum in 1 g)	5 000'

COMMISSION REGULATION (EC) No 1369/95

of 16 June 1995

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) to fruit and vegetable trade between Spain and the Community, with the exception of Portugal, as regards certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 3818/92⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽³⁾, as last amended by Regulation (EC) No 997/95⁽⁴⁾, establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, artichokes, melons, apricots, peaches and strawberries are included on the list;

Whereas Commission Regulation (EEC) No 3944/89⁽⁵⁾, as last amended by Regulation (EEC) No 3308/91⁽⁶⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EC) No 970/95⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 18 June 1995 for the above products; whereas, in view of expected exports from Spain to the rest of the Community, with the exception of Portugal, and of the Community market situation, the above periods should be fixed up to 24 September 1995 for the products in question, in accordance with the Annex;

Whereas it should be stipulated that the provisions of Regulation (EEC) No 3944/89 relating to statistical moni-

toring, to the use of exit documents for Spanish consignments and to the various communications from the Member States apply in order to ensure that the STM operates;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tomatoes, artichokes, melons, apricots, peaches and strawberries falling within the CN codes set out in the Annex, the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

Article 2

For consignments from Spain to the rest of the Community market with the exception of Portugal of the products listed in Article 1, the provisions of Regulation (EEC) No 3944/89 shall apply.

However, the notification referred to in Article 2 (2) of the said Regulation shall be made each Tuesday at the latest for the quantities consigned during the preceding week.

The communications referred to in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 shall be made once a month by the fifth of each month at the latest for information referring to the previous month; where appropriate, this communication shall bear the word 'nil'.

Article 3

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

It shall apply from 19 June 1995.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 101, 4. 5. 1995, p. 16.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁶⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁷⁾ OJ No L 97, 29. 4. 1995, p. 57.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89**

Period from 19 June to 24 September 1995

Description	CN code	Period
Tomatoes	0702 00 35	I
Artichokes	0709 10 20 and 0709 10 30	I
Melons	0807 10 90	I
Apricots	0809 10 20 0809 10 30 0809 10 40 and 0809 10 50	I
Peaches	0809 30 29 0809 30 39 and 0809 30 49	I
Strawberries	0810 10 10 and 0810 10 90	I

COMMISSION REGULATION (EC) No 1370/95

of 16 June 1995

laying down detailed rules for implementing the system of export licences in the
pigmeat sector

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 Regulation (EC) No 3290/94 ⁽²⁾, and in particular Articles 8 (2), 13 (12) and 22 thereof,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations, and in particular Article 3 (1) thereof,

Whereas Regulation (EEC) No 2759/75 provides that from 1 July 1995 all exports for which export refunds are requested shall be subject to the presentation of an export licence with advance fixing of the refund; whereas therefore specific implementing rules should be laid down for the pigmeat sector which should in particular include provisions for the submission of the applications and the information which must appear on the applications and licences, in addition to those contained in Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing licences for agricultural products ⁽³⁾, as last amended by Regulation (EC) No 1199/95 ⁽⁴⁾;

Whereas, in order to assure proper administration of the system, the rate of the security for export licences under the said system should be fixed; whereas in view of the risk of speculation inherent in the system in the pigmeat sector, export licences should not be transferable and precise conditions governing access by traders to the said system should be laid down;

Whereas Article 13 (11) of Regulation (EEC) No 2759/75 provides that compliance with the obligations arising from agreements concluded during the Uruguay Round of multilateral trade negotiations regarding the export volume shall be ensured on the basis of the export licences; whereas therefore a detailed schedule for the

lodging of applications and for the issuing of licences should be laid down;

Whereas, in addition, the decision regarding applications for export licences should be communicated only after a period of consideration; whereas this period would allow the Commission to appreciate the quantities applied for as well as the expenditure involved and, if appropriate, to take specific measures applicable in particular to the applications which are pending; whereas it is in the interest of traders to allow the licence application to be withdrawn after the acceptance coefficient has been fixed;

Whereas, in the case of applications concerning quantities equal to or less than 25 tonnes, the export licence should be issued immediately if the trader requests it; whereas these licences, however, should benefit from refunds only in accordance with the measures which the Commission might possibly have taken for the period in question;

Whereas in order to ensure an exact follow up of the quantities to be exported, a derogation from the rules regarding the tolerances laid down in Regulation (EEC) No 3719/88 should be laid down;

Whereas the Commission must dispose of precise information concerning applications for licences and of the use of licences issued, in order to be able to manage this system; whereas, in the interests of efficient administration, the notifications from Member States to the Commission should be made according to a uniform model;

Whereas to avoid any interruption of exports at the time of entry into force of the Agreement on Agriculture of the Uruguay Round, authorization should be given for export licences to be applied for and issued before the date of the entry into force of this Agreement, out for use after that date;

Whereas the provisions of Commission Regulation (EEC) No 1700/84 of 18 June 1984 laying down detailed rules for implementing the system of advance fixing certificates for refunds in the pigmeat sector ⁽⁵⁾, as last amended by Regulation (EC) No 1022/95 ⁽⁶⁾, are replaced by the provisions of this Regulation; whereas Regulation (EEC) No 1700/84 should therefore be repealed as from the date of entry into force of the Agreement on Agriculture of the Uruguay Round;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

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

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 119, 30. 5. 1995, p. 4.

⁽⁵⁾ OJ No L 161, 19. 6. 1984, p. 7.

⁽⁶⁾ OJ No L 103, 6. 5. 1995, p. 22.

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

As from 1 July 1995, all exports of products in the pigmeat sector for which an export refund is requested, shall be subject to the presentation of an export licence with advance fixing of the refund.

Article 2

1. Export licences shall be valid from the date of issue, within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88, until the end of the second month following that date.

2. Applications for licences and licences shall bear, in section 15, the description of the product and, in section 16, the 11-digit product code of the agricultural product nomenclature for export refunds.

3. The categories of products referred to in the second subparagraph of Article 13a of Regulation (EEC) No 3719/88, as well as the rate of the security for export licences, are set out in Annex I.

4. Applications for licences and licences shall bear, in section 20, at least one of the following :

- Reglamento (CE) n° 1370/95,
- Forordning (EF) nr. 1370/95,
- Verordnung (EG) Nr. 1370/95,
- Κανονισμός (ΕΚ) αριθ. 1370/95,
- Regulation (EC) No 1370/95,
- Règlement (CE) n° 1370/95,
- Regolamento (CE) n. 1370/95,
- Verordening (EG) nr. 1370/95,
- Regulamento (CE) n° 1370/95,
- Asetus (EY) N:o 1370/95,
- Förordning (EG) nr 1370/95.

Article 3

1. Applications for export licences may be lodged with the competent authorities from Monday to Wednesday of each week.

2. Applicants for export licences must be natural or legal persons who, at the time applications are submitted, be able to prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade in the pigmeat sector for at least 12 months. However, retail establishments or restaurants

selling their products to end consumers may not lodge applications.

3. Export licences are issued on the Monday following the period referred to in paragraph 1, provided that none of the particular measures referred to in paragraph 4 have since been taken by the Commission.

4. Where applications for export licences concern quantities and/or expenditure which exceed the normal trade patterns, or where there is a risk that they will be exceeded, taking account of the limits referred to in Article 13 (11) of Regulation (EEC) No 2759/75 and/or the corresponding expenditure during the period in question, the Commission may :

- set a single percentage by which the quantities applied for are accepted,
- refuse the applications for which export licences have not yet been awarded,
- suspend the lodging of applications for export licences for a maximum of five working days. A suspension for a longer period may be decided in accordance with the procedure provided for in Article 24 of Regulation (EEC) No 2759/75. In these cases, applications for export licences lodged during the suspension period shall be inadmissible.

These measures may be adjusted according to the category of product.

5. Where quantities applied for are rejected or reduced, the security shall be released immediately for all quantities for which an application was not satisfied.

6. Notwithstanding paragraph 3, where a single percentage of acceptance less than 80 % is set, the licence shall be issued at the latest by the 11th working day following publication of that percentage in the *Official Journal of the European Communities*. During the 10 working days following its publication, the operator may :

- either withdraw his application, in which case the security is released immediately,
- or request immediate issuing of the licence, in which case the competent authority shall issue it without delay but no sooner than the Monday following the lodging of the licence application.

Article 4

1. Where the applications referred to in Article 3 (1) relate to 25 tonnes or less, and if the operator requests it at the same time, the competent authority shall immediately issue the licence applied for by indicating in section 22 at least one of the following :

- Certificado de exportación sin perjuicio de medidas especiales en virtud del apartado 4 del artículo 3 del Reglamento (CE) n° 1370/95,
- Eksportlicens udstedt med forbehold af særforanstaltninger i henhold til artikel 3, stk. 4, i forordning (EF) nr. 1370/95,

- Ausfuhrlizenz, erteilt unter Vorbehalt der besonderen Maßnahmen gemäß Artikel 3 Absatz 4 der Verordnung (EG) Nr. 1370/95,
- Πιστοποιητικό εξαγωγής που εκδίδεται με την επιφύλαξη των ειδικών μέτρων σύμφωνα με το άρθρο 3 παράγραφος 4 του κανονισμού (ΕΚ) αριθ. 1370/95,
- Export licence issued subject to any particular measures taken under Article 3 (4) of Regulation (EC) No 1370/95,
- Certificat d'exportation délivré sous réserve de mesures particulières en vertu de l'article 3 paragraphe 4 du règlement (CE) n° 1370/95,
- Titolo d'esportazione rilasciato sotto riserva d'adozione di misure specifiche a norma dell'articolo 3, paragrafo 4 del regolamento (CE) n. 1370/95,
- Uitvoercertificaat afgegeven onder voorbehoud van bijzondere maatregelen als bedoeld in artikel 3, lid 4, van Verordening (EG) nr. 1370/95,
- Certificado de exportação emitido sem prejuízo de medidas especiais em conformidade com o n.º 4 do artigo 3.º do Regulamento (CE) n.º 1370/95,
- Vientitodistus myönnetty, jollei asetuksen (EY) N:o 1370/95 3 artiklan 4 kohdan mukaisista erityistoimenpiteistä muuta johdu,
- Exportlicens utfärdad med förbehåll för särskilda åtgärder med stöd av artikel 3.4 i förordning (EG) nr 1370/95.

2. From the Monday following the week during which the applications referred to in Article 3 (1) were lodged, the competent authority, upon the request of the operator concerned, shall, in the light of the particular measures taken pursuant to Article 3 (4) for the week in question, amend the licence issued. To this end, it shall cancel the indication referred to in paragraph 1 and shall indicate in section 22 at least one of the following:

- (a) if particular measures have not been taken or if a single percentage of acceptance has been set:
- Certificado de exportación con fijación anticipada de la restitución por una cantidad de [...] toneladas de los productos que se indican en las casillas 17 y 18,
 - Eksportlicens med forudfastsættelse af eksportrestitution for en mængde på [...] tons af de i rubrik 17 og 18 anførte produkter,
 - Ausfuhrlizenz mit Vorausfestsetzung der Erstattung für eine Menge von ... Tonnen der in Feld 17 und 18 genannten Erzeugnisse,
 - Πιστοποιητικό εξαγωγής που περιλαμβάνει τον προκαθορισμό της επιστροφής για μία ποσότητα [...] τόνων προϊόντων που εμφαίνονται στα τετραγωνίδια 17 και 18,
 - Export licence with advance fixing of the refund for a quantity of ... tonnes of the products shown in sections 17 and 18,
 - Certificat d'exportation comportant fixation à l'avance de la restitution pour une quantité de

[...] tonnes de produits figurant aux cases 17 et 18,

- Titolo d'esportazione recante fissazione anticipata della restituzione per un quantitativo di [...] t di prodotti indicati nelle caselle 17 e 18,
- Uitvoercertificaat met vaststelling vooraf van de restitutie voor ... ton produkt vermeld in de vakken 17 en 18,
- Certificado de exportação com prefixação da restituição para uma quantidade de [...] toneladas de produtos constantes das casas 17 e 18,
- Vientitodistus, johon sisältyy tuen ennakkovahvistus [...] tonnille kohdassa 17 ja 18 mainittuja tuotteita,
- Exportlicens med förutfastställelse av exportbidrag för en kvantitet av [...] ton av de produkter som nämns i fält 17 och 18.

(b) if the applications for licences have been rejected:

- Certificado de exportación sin derecho a restitución,
- Eksportlicens, der ikke giver ret til eksportrestitution,
- Ausfuhrlizenz ohne Anspruch auf Erstattung,
- Πιστοποιητικό εξαγωγής χωρίς δικαίωμα για οποιαδήποτε επιστροφή,
- Export licence without entitlement to any refund,
- Certificat d'exportation ne donnant droit à aucune restitution,
- Titolo d'esportazione che non dà diritto ad alcuna restituzione,
- Uitvoercertificaat dat geen recht op een restitutie geeft,
- Certificado de exportação que não dá direito a qualquer restituição,
- Vientitodistus ei oikeuta tukeen,
- Exportlicens som inte ger rätt till exportbidrag.

3. Exports which are effected on the basis of licences issued under this Article shall benefit from a refund only in accordance with the indication inserted under point (a) of paragraph 2.

Article 5

Export licences shall not be transferable.

Article 6

The quantity exported within the tolerance referred to in Article 8 (4) of Regulation (EEC) No 3719/88 shall not give entitlement to payment of the refund.

In section 22 of the licence, at least one of the following shall be indicated:

- Restitución válida por [...] toneladas (cantidad por la que se expida el certificado),
- Restitutionen omfatter [...] t (den mængde, licensen vedrører),

- Erstattung gültig für ... Tonnen (Menge, für welche die Lizenz ausgestellt wurde),
- Επιστροφή ισχύουσα για [...] τόνοι (ποσότητα για την οποία έχει εκδοθεί το πιστοποιητικό),
- Refund valid for ... tonnes (quantity for which the licence is issued),
- Restitution valable pour ... tonnes (quantité pour laquelle le certificat est délivré),
- Restituzione valida per [...] t (quantitativo per il quale il titolo è rilasciato),
- Restitutie geldig voor ... ton (hoeveelheid waarvoor het certificaat wordt afgegeven),
- Restituição válida para ... toneladas (quantidade relativamente à qual é emitido o certificado),
- Tuki on voimassa [...] tonnille (määrä, jolle todistus on myönnetty),
- Ger rätt till exportbidrag för [...] ton (den kvantitet för vilken licensen utfärdats).

Article 7

1. Member States shall communicate to the Commission, each Wednesday from 13.00 hours, by fax:

- (a) the applications for export licences with advance fixing of refunds referred to in Article 1 which were lodged from Monday to Wednesday of the same week;
- (b) the quantities for which export licences have been issued on the preceeding Monday;
- (c) the quantities for which applications for export licences have been withdrawn pursuant to Article 3 (6) during the preceding week.

2. The notification of the applications referred to in point (a) of paragraph 1 shall specify:

- the quantity in product weight for each category referred to in Article 2 (3),
- the breakdown by destination of the quantity for each category in the case where the rate of refund varies according to the destination,
- the rate of refund applicable,
- the total amount of refund fixed in advance in ecu per category.

3. Member States shall communicate to the Commission on a monthly basis following the expiry of the validity of the export licences the unused quantity of export licences.

4. All notifications referred to in paragraphs 1 and 3, including 'nil' notifications, shall be made in accordance with the model set out in Annex II.

Article 8

Applications for export licences to be used for exports as from 1 July 1995 may be lodged as from 19 June 1995.

Article 9

Regulation (EEC) No 1700/84 is repealed.

It shall remain applicable, however, for advance fixing certificates issued before 1 July 1995 pursuant to that Regulation.

Article 10

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

It shall apply to export licences applied for pursuant to this Regulation as from 19 June 1995.

The provisions of Articles 4 and 9, however, shall apply from 1 July 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Product code of the agricultural product nomenclature for export refunds ⁽¹⁾	Category	Rate of the security (Ecu/100 kg) Net weight
0203 11 10 000 0203 21 10 000	1	8
0203 12 11 100 0203 12 19 100 0203 19 11 100 0203 19 13 100 0203 22 11 100 0203 22 19 100 0203 29 11 100 0203 29 13 100	2	8
0203 19 15 100 0203 29 15 100	3	6
0210 11 31 110 0210 11 31 910	4	20
0210 12 19 100	5	6
0210 19 81 100	6	20
0210 19 81 300	7	20
1601 00 91 100	8	15
1601 00 99 100	9	6
1602 41 10 210	10	15
1602 42 10 210	11	15
1602 49 19 190	12	8

⁽¹⁾ Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), section 7.

ANNEX II

Application of Regulation (EC) No 1370/95

COMMISSION OF THE EUROPEAN COMMUNITIES — DG VI/D/3 — Pigmeat sector

Application for export licences — Pigmeat

Sender :

Date :

Period : Monday ... to Wednesday ...

Member State :

Person to contact :

Telephone :

Fax :

Addressee : DG VI/D/3 — fax : (32 2) 296 62 79 or 296 12 27

— Part A — Weekly notification (to be completed separately for each category)

Category	Quantity	Rate of refund (ECU/100 kg)	Total amount of prefixed refunds
Total per category			
Category	Total quantities applied for by categories		

— Part B — Weekly notification

Category	Total quantities issued by categories on Monday

— Part C — Weekly notification

Category	Total quantities withdrawn by category during the previous week

— Part D — Monthly notification

Category	Unused quantities

COMMISSION REGULATION (EC) No 1371/95

of 16 June 1995

laying down detailed rules for implementing the system of export licences in the egg sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EEC) No 3290/94⁽²⁾, and in particular Articles 3 (2), 8 (12) and 15 thereof,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations, and in particular Article 3 (1) thereof,

Whereas Regulation (EEC) No 2771/75 provides that from 1 July 1995 all exports for which export refunds are requested, with the exception of exports of hatching eggs, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas therefore specific implementing rules should be laid down for the egg sector which should, in particular, include provisions for the submission of the applications and the information which must appear on the applications and licences, in addition to those contained in Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing licences for agricultural products⁽³⁾, as last amended by Regulation (EC) No 1199/95⁽⁴⁾;

Whereas, in order to assure proper administration of the system, the rate of the security for export licences under the said system should be fixed; whereas in view of the risk of speculation inherent in the system in the egg sector, export licences should not be transferable and precise conditions governing access by traders to the said system should be laid down;

Whereas Article 8 (12) of Regulation (EEC) No 2771/75 provides that compliance with the obligations arising from agreements concluded during the Uruguay Round of

multilateral trade negotiations regarding the export volume shall be ensured on the basis of the export licences; whereas therefore a detailed schedule for the lodging of applications and for the issuing of licences should be laid down;

Whereas, in addition, the decision regarding applications for export licences should be communicated only after a period of consideration; whereas this period would allow the Commission to appreciate the quantities applied for as well as the expenditure involved and, if appropriate, to take specific measures applicable in particular to the applications which are pending; whereas it is in the interest of trader to allow the licence application to be withdrawn after the acceptance coefficient has been fixed;

Whereas, in the case of applications concerning quantities equal to or less than 25 tonnes, the export licence should be issued immediately if the trader requests it; whereas these licences, however, should benefit from refunds only in accordance with the measures which the Commission might possibly have taken for the period in question;

Whereas in order to ensure an exact follow up of the quantities to be exported, a derogation from the rules regarding the tolerances laid down in Regulation (EEC) No 3719/88 should be laid down;

Whereas the Commission must dispose of precise information concerning applications for licences and of the use of licences issued, in order to be able to manage this system; whereas, in the interest of efficient administration, the notifications from Member States to the Commission should be made according to a uniform model;

Whereas to avoid any interruption of exports at the time of entry into force of the Agreement on Agriculture of the Uruguay Round, authorization should be given for export licences to be applied for and issued before the date of the entry into force of this Agreement, but for use after that date;

Whereas Article 8 (6) of Regulation (EEC) No 2771/75 provides that for hatching eggs export refunds may be granted on the basis of an *ex post* export licence; whereas therefore implementing rules for such a system should be laid down with the aim of ensuring efficient verification with the obligations arising from the agreements concluded in the framework of the Uruguay Round negotiations are complied with; whereas, however, it would

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

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

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 119, 30. 5. 1995, p. 4.

appear unnecessary to require the lodging of a security in the case of licences applied for after exportation;

Whereas the provisions of Commission Regulation (EEC) No 572/73 of 26 February 1973 establishing egg and poultrymeat products eligible for the advance fixing of export refunds⁽¹⁾, as last amended by Regulation (EC) No 3501/93⁽²⁾, and of Commission Regulation (EEC) No 3652/81 of 18 December 1981 laying down detailed rules for implementing the system of advance fixing certificates for refunds in the poultrymeat and eggs sector⁽³⁾, as last amended by Regulation (EC) No 1030/95⁽⁴⁾, were repealed by the provisions of Commission Regulation (EC) No 1372/95⁽⁵⁾ as from the date of entry into force of the Agreement on Agriculture of the Uruguay Round;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 1 July 1995, all exports of products in the egg sector for which an export refund is requested, with the exception of hatching eggs falling within CN codes 0407 00 11 and 0407 00 19, shall be subject to the presentation of an export licence with advance fixing of the refund, in accordance with the provisions of Articles 2 to 8.

Article 2

1. Export licences shall be valid from the date of issue, within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88, until the end of the third month following that date in the case of eggs in shell falling within CN code 0407 00 30, and until the end of the sixth month following that date in the case of egg products falling within CN code 0408.

2. Applications for licences and licences shall bear, in section 15, the description of the product and, in section 16, the 11-digit product code of the agricultural product nomenclature for export refunds.

3. The categories of products referred to in the second subparagraph of Article 13a of Regulation (EEC) No 3719/88, as well as the rate of the security for export licences are given in Annex I.

4. Applications for licences and licences shall bear, in section 20, at least one of the following:

- Reglamento (CE) n° 1371/95,
- Forordning (EF) nr. 1371/95,
- Verordnung (EG) Nr. 1371/95,
- Κανονισμός (ΕΚ) αριθ. 1371/95,
- Regulation (EC) No 1371/95,
- Règlement (CE) n° 1371/95,
- Regolamento (CE) n. 1371/95,
- Verordening (EG) nr. 1371/95,
- Regulamento (CE) n° 1371/95,
- Asetus (EY) N:o 1371/95,
- Förordning (EG) nr 1371/95.

Article 3

1. Applications for export licences must be lodged with the competent authorities from Wednesday to Friday of each week.

2. Applicants for export licences must be natural or legal persons who, at the time applications are submitted, are able to prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade in the egg sector for at least 12 months. However, retail establishments or restaurants selling their products to end consumers may not lodge applications.

3. Export licences are issued on the Wednesday following the period referred to in paragraph 1, provided that none of the particular measures referred to in paragraph 4 have since been taken by the Commission.

4. Where applications for export licences concern quantities and/or expenditure which exceed the normal trade patterns, or where there is a risk that they will be exceeded, taking account of the limits referred to in Article 8 (12) of Regulation (EC) No 2771/75 and/or the corresponding expenditure during the period in question, the Commission may

- set a single percentage by which the quantities applied for are accepted,
- refuse the applications for which export licences have not yet been awarded,
- suspend the lodging of applications for export licences for a maximum of five working days. A suspension for a longer period may be decided in accordance with the procedure provided for in Article 17 of Regulation (EEC) No 2771/75. In these cases, applications for export licences lodged during the suspension period shall be inadmissible.

These measures may be adjusted according to the category of product.

⁽¹⁾ OJ No L 56, 1. 3. 1973, p. 6.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 25.

⁽³⁾ OJ No L 364, 19. 12. 1981, p. 19.

⁽⁴⁾ OJ No L 103, 6. 5. 1995, p. 36.

⁽⁵⁾ See page 26 of this Official Journal.

5. Where quantities applied for are rejected or reduced, the security shall be released immediately for all quantities for which an application was not satisfied.

6. Notwithstanding paragraph 3, where a single percentage of acceptance less than 80 % is set the licence shall be issued at the latest by the 11th working day following publication of that percentage in the *Official Journal of the European Communities*. During the 10 working days following its publication, the operator may :

- either withdraw his application, in which case the security is released immediately,
- or request immediate issuing of the licence, in which case the competent authority shall issue it without delay but no sooner than the Monday following the lodging of the licence application.

Article 4

1. Where the applications referred to in Article 3 (1) relate to 25 tonnes or less, and if the operator requests it at the same time, the competent authority shall immediately issue the licence applied for by indicating in section 22, at least one of the following :

- Certificado de exportación sin perjuicio de medidas especiales de conformidad con el apartado 4 del artículo 3 del Reglamento (CE) nº 1371/95,
- Eksportlicens udstedt med forbehold af særforanstaltninger i henhold til artikel 3, stk. 4, i forordning (EF) nr. 1371/95,
- Ausfuhrlizenz, erteilt unter Vorbehalt der besonderen Maßnahmen gemäß Artikel 3 Absatz 4 der Verordnung (EG) Nr. 1371/95,
- Πιστοποιητικό εξαγωγής που εκδίδεται με την επιφύλαξη των ειδικών μέτρων σύμφωνα με το άρθρο 3 παράγραφος 4 του κανονισμού (ΕΚ) αριθ. 1371/95,
- Export licence issued subject to any particular measures taken under Article 3 (4) of Regulation (EC) No 1371/95,
- Certificat d'exportation délivré sous réserve de mesures particulières conformément à l'article 3 paragraphe 4 du règlement (CE) nº 1371/95,
- Titolo d'esportazione rilasciato sotto riserva d'adozione di misure specifiche a norma dell'articolo 3, paragrafo 4 del regolamento (CE) n. 1371/95,
- Uitvoercertificaat afgegeven onder voorbehoud van bijzondere maatregelen zoals bedoeld in artikel 3, lid 4, van Verordening (EG) nr. 1371/95,
- Certificado de exportação emitido sem prejuízo de medidas especiais em conformidade com o nº 4 do artigo 3º do Regulamento (CE) nº 1371/95,

— Vientitodistus myönnetty, jollei asetuksen (EY) N:o 1371/95 3 artiklan 4 kohdan mukaisista erityisistä toimenpiteistä muuta johdu,

— Exportlicens utfärdad med förbehåll för särskilda åtgärder med stöd av artikel 3.4 i förordning (EG) nr 1371/95.

2. From the Wednesday following the week during which the applications referred to in Article 3 (1) were lodged, the competent authority, upon the request of the operator concerned, shall, in the light of the particular measures taken pursuant to Article 3 (4) for the week in question, amend the licence issued. To this end, it shall cancel the indication referred to in paragraph 1 and shall indicate in section 22 at least one of the following :

(a) if particular measures have not been taken or if a single percentage of acceptance has been set :

- Certificado de exportación con fijación anticipada de la restitución por una cantidad de [...] toneladas de los productos que se indican en las casillas 17 y 18,
- Eksportlicens med forudfastsættelse af eksportrestitution for en mængde på [...] tons af de i rubrik 17 og 18 anførte produkter,
- Ausfuhrlizenz mit Vorausfestsetzung der Erstattung für eine Menge von [...] Tonnen der in Feld 17 und 18 genannten Erzeugnisse,
- Πιστοποιητικό εξαγωγής που περιλαμβάνει τον προκαθορισμό της επιστροφής για μία ποσότητα [...] τόνων προϊόντων που εμφανίζονται στα τετραγωνίδια 17 και 18,
- Export licence with advance fixing of the refund for a quantity of [...] tonnes of the products shown in sections 17 and 18,
- Certificat d'exportation comportant fixation à l'avance de la restitution pour une quantité de [...] tonnes de produits figurant aux cases 17 et 18,
- Titolo d'esportazione recante fissazione anticipata della restituzione per un quantitativo di [...] t di prodotti indicati nelle caselle 17 e 18,
- Uitvoercertificaat met vaststelling vooraf van de restitutie voor [...] ton produkt vermeld in de vakken 17 en 18,
- Certificado de exportação com prefixação da restituição para uma quantidade de [...] toneladas de produtos constantes das casas 17 e 18,
- Vientitodistus, johon sisältyy tuen ennakkovastustus [...] tonnille kohdassa 17 ja 18 mainittuja tuotteita,
- Exportlicens med förutfastställelse av exportbidrag för en kvantitet av (...) ton av de produkter som nämns i fält 17 och 18;

(b) if the applications for licences have been rejected:

- Certificado de exportación sin derecho a restitución,
- Eksportlicens, der ikke giver ret til eksportrestitution,
- Ausfuhrlizenz ohne Anspruch auf Erstattung,
- Πιστοποιητικό εξαγωγής χωρίς δικαίωμα για οποιαδήποτε επιστροφή,
- Export licence without entitlement to any refund,
- Certificat d'exportation ne donnant droit à aucune restitution,
- Titolo d'esportazione che non dà diritto ad alcuna restituzione,
- Uitvoercertificaat dat geen recht op een restitutie geeft,
- Certificado de exportação que não dá direito a qualquer restituição,
- Vientitodistus ei oikeuta tukeen,
- Exportlicens som inte ger rätt till exportbidrag.

3. Exports which are effected on the basis of licences issued pursuant to this Article shall benefit from a refund only in accordance with the indications inserted under paragraph 2 (a).

Article 5

Export licences shall not be transferable.

Article 6

The quantity exported within the tolerance referred to in Article 8 (4) of Regulation (EEC) No 3719/88 shall not give entitlement to payment of the refund.

In section 22 of the licence, at least one of the following shall be indicated:

- Restitución válida por [...] toneladas (cantidad por la que se expida el certificado),
- Restitutionen omfatter [...] t (den mængde, licensen vedrører),
- Erstattung gültig für [...] Tonnen (Menge, für welche die Lizenz ausgestellt wurde),
- Επιστροφή ισχύουσα για [...] τόνους (ποσότητα για την οποία έχει εκδοθεί το πιστοποιητικό),
- Refund valid for [...] tonnes (quantity for which the licence is issued),
- Restitution valable pour [...] tonnes (quantité pour laquelle le certificat est délivré),
- Restituzione valida per [...] t (quantitativo per il quale il titolo è rilasciato),
- Restitutie geldig voor [...] ton (hoeveelheid waarvoor het certificaat wordt afgegeven),

- Restituição válida para [...] toneladas (quantidade relativamente à qual é emitido o certificado),
- Tuki on voimassa [...] tonnille (määrä, jolle todistus on myönnetty),
- Ger rätt till exportbidrag för (...) ton (den kvantitet för vilken licensen utfärdats).

Article 7

1. Member States shall communicate to the Commission, each Monday before 1 p.m., by fax, the following data referring to the preceding week:

- (a) the applications for export licences with advance fixing of refunds referred to in Article 1;
- (b) the quantities for which export licences have been issued;
- (c) the quantities for which applications for export licences have been withdrawn pursuant to Article 3 (6).

2. The notification of the applications referred to in paragraph 1 (a) shall specify:

- the quantity in product weight for each category referred to in Article 2 (3),
- the breakdown by destination of the quantity for each category in the case where the rate of refund varies according to the destination,
- the rate of refund applicable,
- the total amount of refund prefixed in ecu per product category.

3. Member States shall communicate to the Commission on a monthly basis following the expiry of validity of export licences the quantity of unused export licences.

4. All notifications referred to in paragraphs 1 and 3, including 'nil' notifications, shall be made in accordance with the model set out in Annex II.

Article 8

Applications for export licences to be used for exports as from 1 July 1995 may be lodged as from 21 June 1995.

Article 9

1. For hatching eggs falling within CN codes 0407 00 11 and 0407 00 19, operators shall declare at the time when customs formalities for exports are fulfilled, that they intend to claim an export refund.

2. Not later than one working day after exporting, operators shall lodge with the competent authority the application for an *ex post* export licence for the chicks exported. In section 22 of the licence application and of the licence, shall be indicated the term *ex post* together

with the customs office where customs formalities have been fulfilled as well as the date on which they took place.

By derogation from Article 14 (2) of Regulation (EEC) No 3719/88 no security shall be required.

3. Member States shall communicate to the Commission, each Monday before 1 p.m., by fax, the number of *ex post* export licences applied for or the absence of such applications, during the preceding week. The notifications shall be made in accordance with the model set out in Annex III and shall specify, where applicable, the details referred to in Article 7 (2).

4. *Ex post* export licences shall be issued each following Wednesday, provided that none of the particular measures referred to in Article 3 (4) are taken by the Commission after the export concerned. Where such measures are taken they shall apply to the exports already carried out.

This licence accords entitlement to payment of the refund applicable on the day on which the customs formalities for exports were fulfilled.

5. Article 22 of Regulation (EEC) No 3719/88 shall not apply to the *ex post* licences referred to in paragraphs 1 to 4.

The licences shall be presented directly by the interested party to the agency in charge of the payment of export refunds. This agency shall attribute and stamp the licence.

Article 10

Regulation (EEC) No 3652/81 shall remain applicable for advance fixing certificates issued before 1 July 1995 pursuant to that Regulation.

Article 11

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

It shall apply to the export licences referred to in Article 1 as from 21 June 1995.

The provisions of Articles 4, 9 and 10, however, shall apply from 1 July 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Product code of the agricultural product nomenclature for export refunds ⁽¹⁾	Category	Rate of the security (Ecu/100 kg) Net weight
0407 00 11 000	1	—
0407 00 19 000	2	—
0407 00 30 000	3	10 ⁽²⁾ 5 ⁽³⁾
0408 11 80 100	4	20
0408 19 81 100 0408 19 89 100	5	10
0408 91 80 100	6	20
0408 99 80 100	7	5

⁽¹⁾ Regulation (EEC) No 3846/87 part 9.

⁽²⁾ For destinations shown in Annex IV.

⁽³⁾ Other destinations.

ANNEX II

Application of Regulation (EC) No 1371/95

COMMISSION OF THE EUROPEAN COMMUNITIES — DG VI/D/3-Eggs sector

Application for export licences-Eggs

Sender :

Date :

Period : Wednesday ... to Friday ...

Member State :

Person to contact :

Telephone :

Fax :

Addressee : DG VI/D/3 — fax : (32 2) 296 62 79 or 296 12 27

— Part A — Weekly notification (to be completed separately for each category)

Category	Quantity	Destination	Rate of refund (ECU/100 kg)	Total amount of prefixed refunds
Total per category				

Category	Total quantities applied for by categories

— Part B — Weekly notification

Category	Total quantities issued by categories on Wednesday

— Part C — Weekly notification

Category	Total quantities withdrawn by categories during the previous week

— Part D — Monthly notification

Category	Unused quantities

ANNEX III

Application of Regulation (EC) No 1371/95

COMMISSION OF THE EUROPEAN COMMUNITIES — DG VI/D/3 — Eggs sector

Application for *ex-post* export licences — Hatching eggs

Sender :

Date :

Period : Monday... to Friday...

Member State :

Person to contact:

Telephone :

Fax :

Addressee : DG VI/D/3 — fax : (32 2) 296 62 79 or 296 12 27

Weekly notification (to be completed separately for each category)

Category	Quantity	Destination	Rate of refund (ECU/100 p)	Total amount of prefixed refunds
Total per category				

Category	Total quantities applied for by categories

ANNEX IV

Russia
Kuwait
Bahrain
Qatar
Oman
United Arab Emirates
Republic of Yemen
Hong Kong

COMMISSION REGULATION (EC) No 1372/95

of 16 June 1995

laying down detailed rules for implementing the system of export licences in the poultrymeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Articles 3 (2), 8 (12) and 15 thereof,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations, and in particular Article 3 (1) thereof,

Whereas Regulation (EEC) No 2777/75 provides that from 1 July 1995 all exports for which export refunds are requested, with the exception of exports of day-old chicks, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas therefore specific implementing rules should be laid down for the poultrymeat sector which should, in particular, include provisions for the submission of the applications and the information which must appear on the applications and licences, in addition to those contained in Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing licences for agricultural products⁽³⁾, as last amended by Regulation (EC) No 1199/95⁽⁴⁾;

Whereas, in order to assure proper administration of the system, the rate of the security for export licences under the said system should be fixed; whereas in view of the risk of speculation inherent in the system in the poultrymeat sector, export licences should not be transferable and precise conditions governing access by traders to the said system should be laid down; whereas it is necessary for particular conditions of access in the case of export licences for certain traditional markets in order to limit speculative applications which could put at risk the production which is specifically destined for those markets for a transitional period;

Whereas Article 8 (11) of Regulation (EEC) No 2777/75 provides that compliance with the obligations arising from agreements concluded during the Uruguay Round of multilateral trade negotiations regarding the export volume shall be ensured on the basis of the export licences; whereas therefore a detailed schedule for the lodging of applications and for the issuing of licences should be laid down;

Whereas, in addition, the decision regarding applications for export licences should be communicated only after a period of consideration; whereas this period would allow the Commission to appreciate the quantities applied for as well as the expenditure involved and, if appropriate, to take specific measures applicable in particular to the applications which are pending; whereas it is in the interest of traders to allow the licence application to be withdrawn after the acceptance coefficient has been fixed;

Whereas, in the case of applications concerning quantities equal to or less than 25 tonnes, the export licence should be issued immediately if the trader requests it; whereas these licences, however, should benefit from refunds only in accordance with the measures which the Commission might possibly have taken for the period in question;

Whereas in order to ensure an exact follow up of the quantities to be exported, a derogation from the rules regarding the tolerances laid down in Regulation (EEC) No 3719/88 should be laid down;

Whereas the Commission must dispose of precise information concerning applications for licences and of the use of licences issued, in order to be able to manage this system; whereas, in the interests of efficient administration, the notifications from Member States to the Commission should be made according to a uniform model;

Whereas to avoid any interruption of exports at the time of entry into force of the Agreement on Agriculture of the Uruguay Round, authorization should be given for export licences to be applied for and issued before the date of the entry into force of this Agreement, but for use after that date;

Whereas Article 8 (6) of Regulation (EEC) No 2777/75 provides that for day-old chicks export refunds may be granted on the basis of an 'ex-post' export licence; whereas therefore implementing rules for such a system should be laid down with the aim of ensuring efficient verification that the obligations arising from the agreements concluded in the framework of the Uruguay Round

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

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

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 119, 30. 5. 1995, p. 4.

negotiations are complied with; whereas, however, it would appear unnecessary to require the lodging of a security in the case of licences applied for after exportation;

Whereas the provisions of Commission Regulation (EEC) No 572/73 of 26 February 1973 establishing egg and poultrymeat products eligible for the advance fixing of export refunds⁽¹⁾, as last amended by Regulation (EC) No 3501/93⁽²⁾, and of Commission Regulation (EEC) No 3652/81 of 18 December 1981 laying down detailed rules for implementing the system of advance fixing certificates for refunds in the poultrymeat and eggs sector⁽³⁾, as last amended by Regulation (EC) No 1030/95⁽⁴⁾, are replaced by the provisions of this Regulation and of Commission Regulation (EEC) No 1371/95⁽⁵⁾ laying down detailed rules for implementing the system of export licences in the egg sector; whereas the abovementioned Regulations should therefore be repealed as from the date of entry into force of the Agreement on Agriculture of the Uruguay Round;

Whereas the Management Committee for Poultrymeat and Eggs has not delivered an opinion within the time limit set by the chairman,

HAS ADOPTED THIS REGULATION:

Article 1

As from 1 July 1995, all exports of products in the poultrymeat sector for which an export refund is requested, with the exception of chicks falling within CN codes 0105 11 and 0105 19, shall be subject to the presentation of an export licence with advance fixing of the refund, in accordance with the provisions of Articles 2 to 8.

Article 2

1. Export licences shall be valid from the date of issue, within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88, until the end of the second month following that date.

2. Applications for licences and licences shall bear, in section 15, the description of the product and, in section 16, the 11-digit product code of the agricultural product nomenclature for export refunds.

3. The categories of products referred to in the second subparagraph of Article 13a of Regulation (EEC) No 3719/88, as well as the rate of the security for export licences, are set out in Annex I.

4. Applications for licences and licences shall bear, in section 20, at least one of the following:

- Reglamento (CE) n° 1372/95,
- Forordning (EF) nr. 1372/95,
- Verordnung (EG) Nr. 1372/95,
- Κανονισμός (ΕΚ) αριθ. 1372/95,
- Regulation (EC) No 1372/95,
- Règlement (CE) n° 1372/95,
- Regolamento (CE) n. 1372/95,
- Verordening (EG) nr. 1372/95,
- Regulamento (CE) n° 1372/95,
- Asetus (EY) N:o 1372/95,
- Förordning (EG) nr 1372/95.

Article 3

1. Applications for export licences must be lodged with the competent authorities from Monday and Wednesday of each week.

2. Applicants for export licences must be natural or legal persons who, at the time applications are submitted, are able to prove to the satisfaction of the competent authorities in the Member States that they have been engaged in trade in the poultrymeat sector for at least 12 months. However, retail establishments or restaurants selling their products to end consumers may not lodge applications.

As regards exports to countries referred to in Annex IV, until 30 June 1996 export licences may be applied for only by natural or legal persons who are able to prove to the satisfaction of the competent authorities in the Member States that they have exported not less than 1 000 tonnes of products falling within CN codes 0207, 1602 20, 1602 31 and 1602 39 in each of the two calendar years preceding the year in which the licence application was lodged.

3. Export licences are issued on the Monday following the period referred to in paragraph 1, provided that none of the particular measures referred to in paragraph 4 have since been taken by the Commission.

4. Where applications for export licences concern quantities and/or expenditure which exceed the normal trade patterns or where there is a risk that they will be exceeded, taking account of the limits referred to in Article 8 (11) of Regulation (EC) No 2777/75 and/or the corresponding expenditure during the period in question, the Commission may:

- set a single percentage by which the quantities applied for are accepted,
- refuse the applications for which export licences have not yet been awarded,
- suspend the lodging of applications for export licences for a maximum of five working days. A suspension for a longer period may be decided in accordance with

⁽¹⁾ OJ No L 56, 1. 3. 1973, p. 6.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 25.

⁽³⁾ OJ No L 364, 19. 12. 1981, p. 19.

⁽⁴⁾ OJ No L 103, 6. 5. 1995, p. 36.

⁽⁵⁾ See page 16 of this Official Journal.

the procedure provided for in Article 17 of Regulation (EEC) No 2777/75. In these cases, applications for export licences lodged during the suspension period shall be inadmissible.

These measures may be adjusted according to the category of product.

5. Where quantities applied for are rejected or reduced, the security shall be released immediately for all quantities for which an application was not satisfied.

6. Notwithstanding paragraph 3, where a single percentage of acceptance less than 80 per cent is set, the licence shall be issued at the latest by the 11th working day following publication of that percentage in the *Official Journal of the European Communities*. During the 10 working days following its publication, the operator may:

- either withdraw his application, in which case the security is released immediately,
- or request immediate issuing of the licence, in which case the competent authority shall issue it without delay but no sooner than the Monday following the lodging of the licence application.

Article 4

1. Where the applications referred to in Article 3 (1) relate to 25 tonnes or less, and if the operator requests it at the same time, the competent authority shall immediately issue the licence applied for by indicating in section 22 at least one of the following:

- Certificado de exportación sin perjuicio de medidas especiales de conformidad con el apartado 4 del artículo 3 del Reglamento (CE) n° 1372/95,
- Eksportlicens udstedt med forbehold af særforanstaltninger i henhold til artikel 3, stk. 4, i forordning (EF) nr. 1372/95,
- Ausfuhrlizenz, erteilt unter Vorbehalt der besonderen Maßnahmen gemäß Artikel 3 Absatz 4 der Verordnung (EG) Nr. 1372/95,
- Πιστοποιητικό εξαγωγής που εκδίδεται με την επιφύλαξη των ειδικών μέτρων σύμφωνα με το άρθρο 3 παράγραφος 4 του κανονισμού (ΕΚ) αριθ. 1372/95,
- Export licence issued subject to any particular measures taken under Article 3 (4) of Regulation (EC) No 1372/95,
- Certificat d'exportation délivré sous réserve de mesures particulières conformément à l'article 3 paragraphe 4 du règlement (CE) n° 1372/95,
- Titolo d'esportazione rilasciato sotto riserva d'adozione di misure specifiche a norma dell'articolo 3, paragrafo 4 del regolamento (CE) n. 1372/95,
- Uitvoercertificaat afgegeven onder voorbehoud van bijzondere maatregelen zoals bedoeld in artikel 3, lid 4, van Verordening (EG) nr. 1372/95,

— Certificado de exportação emitido sem prejuízo de medidas especiais em conformidade com o n° 4 do artigo 3° do Regulamento (CE) n° 1372/95,

— Vientitodistus myönnetty, jollei asetuksen (EY) N:o 1372/95 3 artiklan 4 kohdan mukaisista erityistoimenpiteistä muuta johdu,

— Exportlicens utfärdad med förbehåll för särskilda åtgärder med stöd av artikel 3.4 i förordning (EG) nr 1372/95.

2. From the Monday following the week during which the applications referred to in Article 3 (1) were lodged, the competent authority, upon the request of the operator concerned, shall, in the light of the particular measures taken under Article 3 (4) for the week in question, amend the licence issued. To this end, it shall cancel the indication referred to in paragraph 1 and shall indicate in section 22 at least one of the following:

(a) if particular measures have not been taken or if a single percentage of acceptance has been set:

— Certificado de exportación con fijación anticipada de la restitución por una cantidad de [...] toneladas de los productos que se indican en las casillas 17 y 18,

— Eksportlicens med forudfastsættelse af eksportrestitution for en mængde på [...] tons af de i rubrik 17 og 18 anførte produkter,

— Ausfuhrlizenz mit Vorausfestsetzung der Erstattung für eine Menge von [...] Tonnen der in Feld 17 und 18 genannten Erzeugnisse,

— Πιστοποιητικό εξαγωγής που περιλαμβάνει τον προκαθορισμό της επιστροφής για μία ποσότητα [...] τόνων προϊόντων που εμφανίζονται στα τετραγωνίδια 17 και 18,

— Export licence with advance fixing of the refund for a quantity of [...] tonnes of the products shown in sections 17 and 18,

— Certificat d'exportation comportant fixation à l'avance de la restitution pour une quantité de [...] tonnes de produits figurant aux cases 17 et 18,

— Titolo d'esportazione recante fissazione anticipata della restituzione per un quantitativo di [...] t di prodotti indicati nelle caselle 17 e 18,

— Uitvoercertificaat met vaststelling vooraf van de restitutie voor [...] ton produkt vermeld in de vakken 17 en 18,

— Certificado de exportação com prefixação da restituição para uma quantidade de [...] toneladas de produtos constantes das casas 17 e 18,

— Vientitodistus, johon sisältyy tuen ennakkovahvistus [...] tonnille kohdassa 17 ja 18 mainittuja tuotteita,

— Exportlicens med förutfastställelse av exportbidrag för en kvantitet av [...] ton av de produkter som nämns i fält 17 och 18.

(b) if the applications for licences have been rejected :

- Certificado de exportación sin derecho a restitución,
- Eksportlicens, der ikke giver ret til eksportrestitution,
- Ausfuhrlizenz ohne Anspruch auf Erstattung,
- Πιστοποιητικό εξαγωγής χωρίς δικαίωμα για οποιαδήποτε επιστροφή,
- Export licence without entitlement to any refund,
- Certificat d'exportation ne donnant droit à aucune restitution,
- Titolo d'esportazione che non dà diritto ad alcuna restituzione,
- Uitvoercertificaat dat geen recht op een restitutie geeft,
- Certificado de exportação que não dá direito a qualquer restituição,
- Vientitodistus ei oikeuta tukeen,
- Exportlicens som inte ger rätt till exportbidrag.

3. Exports which are effected on the basis of licences issued under this Article shall benefit from a refund only in accordance with the indication inserted under point (a) of paragraph 2.

Article 5

Export licences shall not be transferable.

Article 6

The quantity exported within the tolerance referred to in Article 8 (4) of Regulation (EEC) No 3719/88 shall not give entitlement to payment of the refund.

In section 22 of the licence, at least one of the following shall be indicated :

- Restitución válida por [...] toneladas (cantidad por la que se expida el certificado),
- Restitutionen omfatter [...] t (den mængde, licensen vedrører),
- Erstattung gültig für [...] Tonnen (Menge, für welche die Lizenz ausgestellt wurde),
- Επιστροφή ισχύουσα για [...] τόνους (ποσότητα για την οποία έχει εκδοθεί το πιστοποιητικό),
- Refund valid for [...] tonnes (quantity for which the licence is issued),
- Restitution valable pour [...] tonnes (quantité pour laquelle le certificat est délivré),
- Restituzione valida per [...] t (quantitativo per il quale il titolo è rilasciato),
- Restitutie geldig voor [...] ton (hoeveelheid waarvoor het certificaat wordt afgegeven),
- Restituição válida para [...] toneladas (quantidade relativamente à qual é emitido o certificado),

- Tuki on voimassa [...] tonnille (määrä, jolle todistus on myönnetty),
- Ger rätt till exportbidrag för [...] ton (den kvantitet för vilken licensen utfärdats).

Article 7

1. Member States shall communicate to the Commission, each Wednesday from 1 p.m., by fax :

- (a) the applications for export licences with advance fixing of refunds referred to in Article 1 which were lodged from Monday to Wednesday of the same week ;
- (b) the quantities for which export licences have been issued on the preceding Monday ;
- (c) the quantities for which applications for export licences have been withdrawn under Article 3 (6) during the preceding week.

2. The notification of the applications referred to in point (a) of paragraph 1 shall specify :

- the quantity in product weight for each category referred to in Article 2 (3),
- the breakdown by destination of the quantity for each category in the case where the rate of refund varies according to the destination,
- the rate of refund applicable,
- the total amount of refund prefixed in ECU per category.

3. Member States shall communicate to the Commission on a monthly basis following the expiry of validity of export licences the quantity of unused export licences.

4. Applications referred to in paragraphs 1 and 3, including 'nil' notifications, shall be made in accordance with the model set out in Annex II.

Article 8

Applications for export licences to be used for exports as from 1 July 1995, may be lodged as from 19 June 1995.

Article 9

1. For chicks falling within CN codes 0105 11 and 0105 19, operators shall declare at the time when customs formalities for exports are fulfilled, that they intend to claim an export refund.

2. Not later than one working day after exporting, operators shall lodge with the competent authority the application for an 'ex-post' export licence for the chicks exported. In section 22 of the licence application and of the licence, shall be indicated the term 'ex-post' together with the customs office where customs formalities have been fulfilled as well as the date on which they took place.

By derogation from Article 14 (2) of Regulation (EEC) No 3719/88 no security shall be required.

3. Member States shall communicate to the Commission, each Monday before 1 p.m., by fax, the number of 'ex-post' export licences applied for or the absence of such applications, during the preceding week. The notifications shall be made in accordance with the model set out in Annex III and shall specify, where applicable, the details referred to in Article 7 (2).

4. 'Ex-post' export licences shall be issued each following Wednesday, provided that none of the particular measures referred to in Article 3 (4) are taken by the Commission after the export concerned. Where such measures are taken they shall apply to the exports already carried out.

This licence accords entitlement to payment of the refund applicable on the day on which the customs formalities for exports were fulfilled.

5. Article 22 of Regulation (EEC) No 3719/88 shall not apply to the 'ex-post' licences referred to in paragraphs 1 to 4.

The licences shall be presented directly by the interested party to the agency in charge of the payment of export refunds. This agency shall attribute and stamp the licence.

Article 10

Regulations (EEC) No 572/73 and (EEC) No 3652/81 are repealed.

Regulation (EEC) No 3652/81 shall remain applicable, however, for advance fixing certificates issued before 1 July 1995 pursuant to that Regulation.

Article 11

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

It shall apply to the export licences referred to in Article 1 as from 19 June 1995.

The provisions of Articles 4, 9 and 10, however, shall apply from 1 July 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Product code of the agricultural product nomenclature for export refunds ⁽¹⁾	Category	Rate of the security ECU/100 kg Net weight
0105 11 11 000 0105 11 19 000 0105 11 91 000 0105 11 99 000 0105 19 90 000	1	—
0105 19 10 000	2	—
0207 21 10 900	3	15 ⁽²⁾ 4 ⁽³⁾
0207 21 90 190	4	15 ⁽²⁾ 4 ⁽³⁾
0207 22 10 000 0207 22 90 000	5	4
0207 41 11 900 0207 41 51 900 0207 41 71 190 0207 41 71 290	6	7
0207 42 10 990	7	7
0207 42 51 000 0207 42 59 000	8	3

⁽¹⁾ Commission Regulation (EEC) No 3846/87, part 8 (OJ No L 366, 24.12.1987, p. 1).

⁽²⁾ For destinations shown in Annex IV.

⁽³⁾ Other destinations.

ANNEX II

Application of Regulation (EC) No 1372/95

COMMISSION OF THE EUROPEAN COMMUNITIES — DG VI/D/3 — Poultrymeat sector

Application for export licences — Poultrymeat

Sender :

Date :

Period : Monday ... to Wednesday ...

Member State :

Person to contact :

Telephone :

Fax :

Addressee : DG VI/D/3 — fax : (322) 296 62 79 or 296 12 27

— Part A — Weekly notification (to complete separately for each category)

Category	Quantity	Destination	Rate of refund (ECU/100 kg)	Total amount of prefixed refunds
Total per category				

Category	Total quantities applied for by categories

— Part B — Weekly notification

Category	Total quantities issued by categories on Monday

— Part C — Weekly notification

Category	Total quantities withdrawn by categories during the previous week

— Part D — Monthly notification

Category	Unused quantities

ANNEX III

Application of Regulation (EC) No 1372/95

COMMISSION OF THE EUROPEAN COMMUNITIES — DG VI/D/3 — Poultrymeat sector

Application for *ex-post* export licences — Chicks

Sender :

Date :

Period : Monday... to Friday...

Member State :

Person to contact :

Telephone :

Fax :

Addressee : DG VI/D/3, fax : (322) 296 62 79 or 296 12 27

Weekly notification (to be completed separately for each category)

Category	Quantity	Destination	Rate of refund (ECU/100 pieces)	Total amount of prefixed refunds
Total per category				

Category	Total quantities applied for by categories

ANNEX IV

Angola
Egypt
Saudi Arabia
Kuwait
Bahrain
Qatar
Oman
United Arab Emirates
Jordan
Republic of Yemen
Lebanon
Syria

COMMISSION REGULATION (EC) No 1373/95
of 16 June 1995
fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2777/75 provides that from 1 July 1995 all exports for which refunds are requested, with the exception of exports of day-old chicks, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas the specific implementing rules for these arrangements are laid down in Commission Regulation (EC) No 1372/95⁽³⁾; whereas these rules provide, among other things, that applications for export licences for use from 1 July 1995 may be submitted from 19 June 1995;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

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

thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1053/95⁽⁸⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of product codes for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto for exports to be carried out from 1 July 1995 on the basis of the export licences referred to in Article 2 of Regulation (EC) No 1372/95 or on the basis of the 'ex-post' export licences referred to in Article 9 of the same Regulation.

Article 2

This Regulation shall enter into force on 19 June 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

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

⁽³⁾ See page 26 of this Official Journal.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 107, 12. 5. 1995, p. 4.

ANNEX

to the Commission Regulation of 16 June 1995 fixing the export refunds on poultrymeat

Product code	Destination of refund ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination of refund ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units			ECU/100 kg
0105 11 11 000	01	2,80	0207 22 10 000	01	10,00
0105 11 19 000	01	2,80	0207 22 90 000	01	10,00
0105 11 91 000	01	2,80	0207 41 11 900	01	16,00
0105 11 99 000	01	2,80	0207 41 51 900	01	16,00
0105 19 10 000	01	4,00	0207 41 71 190	01	16,00
		ECU/100 kg	0207 41 71 290	01	16,00
0207 21 10 900	02	38,00	0207 42 10 990	01	18,00
	03	10,00	0207 42 51 000	01	8,00
0207 21 90 190	02	42,00	0207 42 59 000	01	8,00
	03	10,00			

⁽¹⁾ The destinations are as follows :

01 All destinations except the United States of America,

02 Angola, Egypt, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, the Republic of Yemen, Lebanon and Syria,

03 All destinations except the United States of America and those of 02 above.

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

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

COMMISSION REGULATION (EC) No 1374/95
of 16 June 1995
fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular the Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2771/75 provides that from 1 July 1995 all exports for which export refunds are requested, with the exception of exports of eggs for hatching, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas the specific implementing rules for eggs are laid down in Commission Regulation (EC) No 1371/95⁽³⁾; whereas these rules provide, among other things, that applications for export licences for use from 1 July 1995 may be submitted from 21 June 1995;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

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

thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1053/95⁽⁸⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto for exports to be carried out from 1 July 1995 on the basis of the export licences referred to in Article 1 of Regulation (EC) No 1371/95 or on the basis of the 'ex-post' export licences referred to in Article 9 of the same Regulation.

Article 2

This Regulation shall enter into force on 21 June 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

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

⁽³⁾ See page 16 of this Official Journal.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 107, 12. 5. 1995, p. 4.

ANNEX

to the Commission Regulation of 16 June 1995 fixing the export refunds on eggs

Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units
0407 00 11 000	02	4,00
0407 00 19 000	02	2,80
		ECU/100 kg
0407 00 30 000	03	24,00
	04	12,00
0408 11 80 100	01	68,00
0408 19 81 100	01	25,00
0408 19 89 100	01	25,00
0408 91 80 100	01	65,00
0408 99 80 100	01	12,00

⁽¹⁾ The destinations are as follows:

- 01 All destinations,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrein, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, Hong Kong and Russia,
- 04 All destinations except those of 03.

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

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

**COMMISSION REGULATION (EC) No 1375/95
of 16 June 1995**

**laying down the extent to which applications lodged on 12 and 13 June 1995 for
certificates for the advance-fixing of the export refund for certain poultrymeat
products may be accepted**

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

Having regard to Commission Regulation (EC) No 437/95 of 28 February 1995 laying down detailed rules for granting a special refund for exports of poultrymeat sector products to certain third countries⁽¹⁾, as amended by Regulation (EC) No 973/95⁽²⁾, and in particular Article 3 thereof,

Whereas the export refunds for poultrymeat are laid down by Commission Regulation (EC) No 1373/95⁽³⁾;

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

Whereas pursuant to Article 3 of Regulation (EC) No 437/95, it may be decided to terminate the lodging of applications for advance-fixing certificates and to reduce the quantities applied for when the total quantity exceeds 40 000 tonnes; whereas, in view of the quantities for

which advance-fixing certificates have been applied for, applications may be granted in full,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for certificates for the advance-fixing of the refund for products falling within CN codes 0207 21 10 900, 0207 21 90 190, 0207 41 11 900, 0207 41 71 190, 0207 42 51 000, 0207 42 59 000 and 0207 42 10 990 referred to in the Annex to Regulation (EC) No 909/95 and which must be exported under the conditions laid down in Regulation (EC) No 437/95, submitted on 12 and 13 June 1995, shall be granted in full.

Article 2

This Regulation shall enter into force on 19 June 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 45, 1. 3. 1995, p. 30.

⁽²⁾ OJ No L 97, 29. 4. 1995, p. 65.

⁽³⁾ See page 36 of this Official Journal.

**COMMISSION REGULATION (EC) No 1376/95
of 16 June 1995
fixing the import levies on rice and broken rice**

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 178/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1320/95 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 June 1995.

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

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁴⁾ OJ No L 24, 1. 2. 1995, p. 52.

⁽⁵⁾ OJ No L 127, 10. 6. 1995, p. 9.

ANNEX

to the Commission Regulation of 16 June 1995 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ⁽²⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Third countries (except ACP and Bangladesh) ⁽²⁾
1006 10 21	—	188,94	386,58
1006 10 23	—	174,93	358,57
1006 10 25	—	174,93	358,57
1006 10 27	268,93	174,93	358,57
1006 10 92	—	188,94	386,58
1006 10 94	—	174,93	358,57
1006 10 96	—	174,93	358,57
1006 10 98	268,93	174,93	358,57
1006 20 11	—	237,26	483,22
1006 20 13	—	219,75	448,21
1006 20 15	—	219,75	448,21
1006 20 17	336,16	219,75	448,21
1006 20 92	—	237,26	483,22
1006 20 94	—	219,75	448,21
1006 20 96	—	219,75	448,21
1006 20 98	336,16	219,75	448,21
1006 30 21	—	291,45	611,70
1006 30 23	—	327,03	682,77
1006 30 25	—	327,03	682,77
1006 30 27	512,08	327,03	682,77
1006 30 42	—	291,45	611,70
1006 30 44	—	327,03	682,77
1006 30 46	—	327,03	682,77
1006 30 48	512,08	327,03	682,77
1006 30 61	—	310,81	651,46
1006 30 63	—	351,05	731,93
1006 30 65	—	351,05	731,93
1006 30 67	548,94	351,05	731,93
1006 30 92	—	310,81	651,46
1006 30 94	—	351,05	731,93
1006 30 96	—	351,05	731,93
1006 30 98	548,94	351,05	731,93
1006 40 00	—	62,69	132,62

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1377/95

of 16 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 1357/95 ⁽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 15 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 17 June 1995.

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

Done at Brussels, 16 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 129, 14. 6. 1995, p. 19.

ANNEX

to the Commission Regulation of 16 June 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	39,05 ⁽¹⁾
1701 11 90	39,05 ⁽¹⁾
1701 12 10	39,05 ⁽¹⁾
1701 12 90	39,05 ⁽¹⁾
1701 91 00	49,67
1701 99 10	49,67
1701 99 90	49,67 ⁽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 1378/95**of 16 June 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 June 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 June 1995.

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

Done at Brussels, 16 June 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 June 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁶⁾
0709 90 60	105,47 ⁽²⁾ ⁽³⁾
0712 90 19	105,47 ⁽²⁾ ⁽³⁾
1001 10 00	47,20 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	91,29
1001 90 99	91,29 ⁽²⁾ ⁽¹¹⁾
1002 00 00	144,19 ⁽⁶⁾
1003 00 10	106,95
1003 00 90	106,95 ⁽²⁾
1004 00 00	105,71
1005 10 90	105,47 ⁽²⁾ ⁽³⁾
1005 90 00	105,47 ⁽²⁾ ⁽³⁾
1007 00 90	114,14 ⁽⁴⁾
1008 10 00	58,25 ⁽²⁾
1008 20 00	62,70 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 11	173,39 ⁽²⁾
1101 00 15	173,39 ⁽²⁾
1101 00 90	173,39 ⁽²⁾
1102 10 00	247,45
1103 11 10	112,34
1103 11 90	200,98
1107 10 11	175,64
1107 10 19	134,56
1107 10 91	203,51 ⁽¹⁰⁾
1107 10 99	155,38 ⁽²⁾
1107 20 00	178,91 ⁽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 1379/95**of 16 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 1363/95⁽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 June 1995.

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

Done at Brussels, 16 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 132, 16. 6. 1995, p. 8.

⁽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 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	49,9
	060	80,2
	066	35,0
	068	32,4
	204	50,9
	212	117,9
	624	75,0
	999	63,0
0707 00 25	052	46,7
	053	166,9
	060	39,2
	066	53,8
	068	60,4
	204	49,1
	624	207,3
	999	89,1
0709 90 77	052	61,4
	204	77,5
	624	196,3
	999	111,7
0805 30 30	388	70,2
	528	63,7
	600	54,7
	624	78,0
	999	66,6
0809 10 20	052	133,4
	064	131,4
	999	132,4
0809 20 41, 0809 20 49	052	182,7
	064	245,1
	068	230,7
	400	208,0
	624	308,2
	676	166,2
	999	223,5
0809 30 21, 0809 30 29	220	139,2
	624	106,8
	999	123,0

⁽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.'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 June 1995

amending for the third time Decision 94/462/EC concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 94/178/EC

(Text with EEA relevance)

(95/214/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Council Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Whereas as a result of outbreaks of classical swine fever in different parts of Germany, the Commission adopted Decision 94/462/EC of 22 July 1994 concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 94/178/EC⁽³⁾, as last amended by Decision 94/740/EC⁽⁴⁾;

Whereas a number of outbreaks of classical swine fever have occurred in Germany; whereas some of the outbreaks have occurred in areas where the disease is present in the wild boar population;

Whereas in view of the trade in live pigs, fresh pigmeat and certain meat-based products, these outbreaks are liable to endanger the herds of other Member States;

Whereas Germany has taken measures in accordance with Council Directive 80/217/EEC of 22 January 1980, introducing Community measures for the control of classical swine fever⁽⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and, furthermore, has introduced further measures;

Whereas in the light of an improved situation in Bavaria it is necessary to amend the present measures;

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

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 189, 27. 7. 1994, p. 89.

⁽⁴⁾ OJ No L 295, 16. 11. 1994, p. 28.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 11.

HAS ADOPTED THIS DECISION :

Article 1

Decision 94/462/EC is hereby amended as follows :

1. in Article 2, '94/740/EC' is replaced by '95/214/EC' ;
2. in Article 8, '20 December 1994' is replaced by '20 July 1995' ;
3. Annex I is replaced by the following text :
'ANNEX I
— Mecklenburg-Western Pomerania,
— Rhineland-Palatinate,
— Lower Saxony with the exception of *Kreis* Grafschaft Bentheim and *Kreis* Emsland,
— Any *Kreis* where a new outbreak occurs outside the abovementioned areas. The measures referred to in Article 1 (2) shall apply for a period of 60 days following the last outbreak in the *Kreis* in question. Germany shall inform Member States and the Commission about measures established and repealed.' ;
4. in the last indent of Annex II, '1 August 1994' is replaced by '1 April 1995'.

Article 2

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

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 16 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice**

(Official Journal of the European Communities No L 117 of 24 May 1995)

On page 6 in Article 10, point (a) should read as follows :

'Ecu 1 per tonne in the case of import licences to which the fourth indent of Article 10 (4) of Regulation (EEC) No 1766/92 does not apply, or for products covered by Regulation (EEC) No 1418/76, or for export licences without a refund';

and in point (b):

for: '... does not apply';

read: '... does apply';

Corrigendum to Commission Decision 95/160/EC of 21 April 1995 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry

(Official Journal of the European Communities No L 105 of 9 May 1995)

On page 42 in Annex I, point 2, second line :

for: '... 17 November 1992 ...',

read: '... 17 December 1992 ...'.

On page 43 in Annex III the sentence should read as follows :

'I, the undersigned, official veterinarian, certify that the one-day chicks for introduction into flocks of breeding poultry or flocks of productive poultry come from flocks which have been tested with negative results according to the rules laid down in Commission Decision 95/160/EC of 21 April 1995 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry.'
