

Official Journal

of the European Communities

ISSN 0378-6978

L 170

Volume 38

20 July 1995

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1752/95 of 19 July 1995 fixing the maximum export refund for white sugar for the 58th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94	1
Commission Regulation (EC) No 1753/95 of 19 July 1995 altering the export refunds on white sugar and raw sugar exported in the natural state	2
★ Commission Regulation (EC) No 1754/95 of 18 July 1995 imposing a provisional anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand	4
★ Commission Regulation (EC) No 1755/95 of 19 July 1995 amending Regulation (EEC) No 220/91 laying down detailed rules for the application of Council Regulation (EEC) No 1360/78 on producer groups and associations thereof	7
Commission Regulation (EC) No 1756/95 of 19 July 1995 specifying the extent to which applications lodged in June 1995 for import licences in respect of young male bovine animals for fattening may be accepted	10
Commission Regulation (EC) No 1757/95 of 19 July 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables	11
Commission Regulation (EC) No 1758/95 of 19 July 1995 fixing the representative prices and the additional import duties for molasses in the sugar sector	13
Commission Regulation (EC) No 1759/95 of 19 July 1995 fixing the import duties in the cereals sector	15

Commission Regulation (EC) No 1760/95 of 19 July 1995 fixing the import duties in the rice sector	18
---	----

II *Acts whose publication is not obligatory*

Commission

95/276/EC :

★ Commission Decision of 13 July 1995 concerning the withdrawal of authorizations for plant protection products containing ferbam or azinphos-ethyl as active substances	22
---	-----------

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1752/95
of 19 July 1995**

fixing the maximum export refund for white sugar for the 58th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EC) No 1021/94 of 29 April 1994 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as last amended by Regulation (EC) No 1333/95⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1021/94, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 58th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, 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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 58th partial invitation to tender for white sugar issued pursuant to amended Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 43,646 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 20 July 1995.

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

Done at Brussels, 19 July 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 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 129, 14. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

COMMISSION REGULATION (EC) No 1753/95
of 19 July 1995
altering the export refunds on white sugar and raw sugar exported in the natural state

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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1698/95⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1698/95 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1698/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 July 1995.

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

Done at Brussels, 19 July 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 162, 13. 7. 1995, p. 7.

ANNEX

to the Commission Regulation of 19 July 1995 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	35,74 ⁽¹⁾
1701 11 90 910	37,20 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,74 ⁽¹⁾
1701 12 90 910	37,20 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3885
	— ECU/100 kg —
1701 99 10 100	38,85
1701 99 10 910	40,44
1701 99 10 950	40,44
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3885

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 are observed.

COMMISSION REGULATION (EC) No 1754/95

of 18 July 1995

imposing a provisional anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3283/94 of 22 December 1994 on protection against dumped imports from countries not members of the European Community⁽¹⁾, as last amended by Regulation (EC) No 1251/95⁽²⁾, in particular Article 23 thereof, which provides that Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽³⁾, as last amended by Regulation (EC) No 522/94⁽⁴⁾, shall continue to apply to proceedings in relation to which an investigation pending on 1 September 1994 had not been concluded by the date of entry into force of Regulation (EC) No 3283/94,

Having regard to Regulation (EEC) No 2423/88, and in particular Articles 10 (6) and 14 thereof,

After consultation with the Advisory Committee,

Whereas :

I. PREVIOUS PROCEDURE

- (1) The Council, by Regulation (EEC) No 1798/90⁽⁵⁾, as amended by Regulations (EEC) No 2966/92⁽⁶⁾ and (EEC) No 2455/93⁽⁷⁾, imposed a definitive anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan, and Thailand with the exception of imports from certain producers in these countries from which the Commission accepted undertakings by Regulation (EEC) No 547/90⁽⁸⁾ and Decisions 92/493/EEC⁽⁹⁾ and 93/479/EEC⁽¹⁰⁾.
- (2) During the review concluded by Regulation (EEC) No 2455/93 and Decision 93/479/EEC, all the companies were informed of the essential facts and considerations on which it was intended to amend

the measures and were given the opportunity to make their views known. The Commission subsequently accepted price undertakings from all known exporters. Exports from these countries made by other exporters, which in this case were negligible, continued to be subject to anti-dumping duty.

- (3) By a notice published in the *Official Journal of the European Communities*⁽¹¹⁾, the Commission, after consultation with the Advisory Committee and in accordance with Article 14 of Regulation (EEC) No 2423/88 (hereinafter referred to as the 'Basic Regulation'), initiated a review of the anti-dumping measures in force, following receipt of an application lodged by the Community industry. The application alleged, *inter alia*, that the monosodium glutamate originating in the countries concerned had been imported into the Community at prices lower than those required by the existing price undertakings and, therefore, that the price undertakings are not suitable measures in this proceeding. It should be noted that, with two exceptions, all exporters from which undertakings have been accepted cooperated in this review. The following exporters cooperated in this review :

Indonesia :

- PT Indomiwon Citra Inti,
- PT Jico Argung (related selling company of PT Indomiwon Citra Inti);

Republic of Korea :

- Cheil Foods & Chemicals Inc.,
- Miwon Co. Ltd,
- Miwon Trading & Shipping Co., Ltd (related selling company of Miwon Co. Ltd);

Taiwan :

- Ve Wong Corporation,
- Tung Hai Fermentation Ind. Corp.;

Thailand :

- Thai Fermentation Industry Corporation.

- (4) The product covered by the application and for which the review investigation was initiated is monosodium glutamate produced in the form of

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 1.

⁽²⁾ OJ No L 122, 2. 6. 1995, p. 1.

⁽³⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽⁴⁾ OJ No L 66, 10. 3. 1994, p. 10.

⁽⁵⁾ OJ No L 167, 30. 6. 1990, p. 1.

⁽⁶⁾ OJ No L 299, 15. 10. 1992, p. 1.

⁽⁷⁾ OJ No L 225, 4. 9. 1993, p. 1.

⁽⁸⁾ OJ No L 56, 3. 3. 1990, p. 23.

⁽⁹⁾ OJ No L 299, 15. 10. 1992, p. 40.

⁽¹⁰⁾ OJ No L 225, 4. 9. 1993, p. 35.

⁽¹¹⁾ OJ No C 187, 9. 7. 1994, p. 13.

crystals of various sizes and falling within CN code ex 2922 42 10. It is mainly used as a flavour enhancer in soups, broths, fish and meat dishes and ready made foods. The product is the same as that in the Regulation under review.

II. REASONS TO BELIEVE THAT UNDERTAKINGS HAD BEEN VIOLATED

- (5) The application giving rise to the abovementioned review, alleged, *inter alia*, that price undertakings had been violated. While this review is still in progress and any conclusions on this issue are therefore necessarily provisional, an examination of the allegation that price undertakings had been violated led to the following results:

The Commission requested information on resale prices for the product concerned from all importers having purchased monosodium glutamate from those exporters which cooperated in the abovementioned review. The period for which such information was requested, i.e. 1 May 1993 to 30 April 1994, corresponded to the investigation period of the review.

Information was received from independent importers relating to resale prices in the Community of approximately 21 % of all the cooperating exporters' sales to the European Community. It covered resales of the product concerned purchased from the aforementioned Indonesian, Korean and Taiwanese exporters.

In spite of the fact that the Commission could only investigate resale prices from those importers who agreed to cooperate, it found clear indications that the price undertakings were being violated by the aforementioned Indonesian, Korean and Taiwanese exporters, as the great majority of resales of the product concerned originating from each of them were made at prices which could not cover the importers' purchase prices (i.e. set at the undertaking level) plus a reasonable amount for selling, general and administrative expenses, profit and, where appropriate, customs duty. The resale prices of this sample of transactions reflected the general situation on the Community market, as described by the applicant.

Even if the export prices, taken at their face value did correspond to the terms of the undertakings, the level of the resale prices of the merchandise in the Community nevertheless constitutes a strong

indication that compensation, in whatever form, was granted by the exporters to their customers in the Community. This would constitute a violation of the undertakings.

- (6) In addition, two exporters refused to cooperate properly in the abovementioned review.

One of these exporters made some exports of the product concerned to a non-cooperating importer located in Germany. The exporter concerned did not disclose fully its relationship with the German importer, while the Commission had strong reasons to believe that these two companies were related.

The other exporter submitted a response to the questionnaire which was issued in the course of the abovementioned review, but it refused to cooperate in the verification of the information contained therein.

- (7) Taking into consideration all the facts set out in recitals 5 and 6, the Commission concluded that, in accordance with Article 10 (6) of the Basic Regulation, there were reasons to believe that the price undertakings accepted by the Commission from the abovementioned exporters had been violated. In these circumstances, the price undertakings concerned should be withdrawn and replaced by a provisional anti-dumping duty based on the facts established before the acceptance of these price undertakings.

III. COMMUNITY INTEREST

- (8) The Council, in Regulation (EEC) No 2455/93, concluded that it was in the Community interest that measures be imposed on imports of monosodium glutamate from the four countries concerned.
- (9) It has been provisionally found that the conclusions on Community interest as set out in the above Regulation are still valid and should remain unchanged. Moreover, it is in the fundamental interest of the Community to take action in cases where undertakings are violated, as such violation constitutes a circumvention of measures that have been duly adopted and should therefore be remedied.
- (10) In the light of the above, it was considered to be in the interest of the Community that the acceptance by the Commission of the price undertakings from the abovementioned companies be withdrawn and replaced by a provisional anti-dumping duty.

IV. EXPORTERS' COMMENTS

- (11) In accordance with Article 10 (6) of the Basic Regulation, the exporters concerned were given the opportunity of expressing their views on the Commission's observations and its intention to impose provisional anti-dumping duties. Their comments were taken into account as appropriate.

V. PROVISIONAL DUTIES

- (12) In the light of the above, the Commission concludes that, pursuant to Article 10 (6) of the Basic Regulation, provisional duties should be calculated on the basis of the facts established before the undertakings were accepted. The rate of duty corresponding to the injury margin necessary to eliminate injurious dumping was established during the earlier investigation for each exporter as an alternative to the price undertakings accepted by Decision 93/479/EEC. The amounts of these duties were disclosed to the exporters concerned and were not disputed by them.

VI. FINAL PROVISION

- (13) In the interests of sound administration, a period should be fixed within which the parties concerned may make their views known in writing and request a hearing. Furthermore, it should be stated that all findings made for the purpose of this Regulation are provisional and may be reconsidered for the purpose of any definitive duty which the Commission may propose,

HAS ADOPTED THIS REGULATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of monosodium glutamate, falling within CN

code 2922 42 10, originating in the countries and produced by the companies listed hereafter.

2. The rate of duty applicable to the net free-at-Community-frontier price, before duty, shall be as follows :

Country	Products manufactured by	Amount of duty (ECU per kilogram)	Taric additional code
Indonesia	PT Indomiwon Citra Inti	0,163	8842
Republic of Korea	Cheil Foods & Chemicals Inc.	0,132	8843
	Miwon Co. Ltd	0,163	8844
Taiwan	Tung Hai Fermentation Industrial Corp.	0,163	8845
	Ve Wong Corporation	0,163	8845
Thailand	Thai Fermentation Industry Corporation	0,124	8846

3. The release for free circulation in the Community of the product referred to in paragraph 1 shall be subject to the provision of a security equivalent to the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 2423/88, the parties concerned may make their views known in writing and request a hearing by the Commission within one month of the date of entry into force of this Regulation.

Article 3

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

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

Done at Brussels, 18 July 1995.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION REGULATION (EC) No 1755/95

of 19 July 1995

amending Regulation (EEC) No 220/91 laying down detailed rules for the application of Council Regulation (EEC) No 1360/78 on producer groups and associations thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Article 1

Regulation (EEC) No 220/91 is hereby amended as follows :

Having regard to Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and in particular the second and third indents of Article 6 (3) thereof,

Whereas Title V, sub-title C, point 2 (a) of Annex I to the Act of Accession of Austria, Finland and Sweden extends the scope of application of Regulation (EEC) No 1360/78 to cover the entire territory of Austria ;

Whereas Commission Regulation (EEC) No 220/91⁽²⁾, as last amended by Regulation (EC) No 880/95⁽³⁾ lays down the detailed rules of application concerning the economic activity of producer groups and associations thereof ; whereas these rules need to be supplemented following the extension of the scope of application of Regulation (EEC) No 1360/78 to include Austria ;

Whereas minimum thresholds should be set for production and a minimum number of members per producer group should be determined in order to achieve a sufficient concentration of supply ; whereas in order to ensure that associations of producer groups are of appropriate economic weight, it seems desirable to set a minimum number of members of which they should be made up as well as to determine a minimum geographical area to be covered by such associations ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

1. The following paragraph is added to Article 2 :

'3. By way of derogation from Article 1, producer groups in Austria must represent, in addition to the limits set in Annex VIII to this Regulation :

- in the case of live bovine animals and meat of bovine animals, at least 10 % of regional production volume or 3 % of natural production volume,
- in the case of live swine and the meat of swine, 20 % of regional production volume or 3 % of national production volume.

The volume of national production and of the production of each region referred to in the paragraph above :

- shall be carried out on the basis of the Member State statistics for the years 1992, 1993 and 1994,
- shall be updated every five years.'

2. The following subparagraph is added to Article 3 (2) :

'(h) in the case of Austria, associations must comply with the minimum requirements as regards area cultivated, turnover, share of national production and number of recognized producer groups as laid down in Table VIII of the Annex. For products not listed in the Annex, associations must consist of at least three recognized producer groups. Associations must cover at least the area of one Land.'

3. In the Annex, table VIII of this Regulation is inserted before the footnotes following Table VII.

Article 2

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

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 1.

⁽²⁾ OJ No L 26, 31. 1. 1991, p. 15.

⁽³⁾ OJ No L 91, 22. 4. 1995, p. 5.

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

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

VIII. Producer groups and associations thereof in Austria

CN code	Product	Producer groups		Associations			
		Volume of production or turnover	Minimum membership	Minimum area or equivalent	Turnover (ECU million)	Share of national production (%)	Minimum membership
0102 ex 0201 ex 0202	Live bovine animals quarters of bovine animals, fresh, chilled or frozen ^(*)	5 000 head	100	50 000 head	40	7	3
0103 ex 0203	Live swine half-carcases of swine, fresh, chilled or frozen ^(*)	20 000 head	100	1 000 000 head	60	20	3
0104 ex 0204	Live sheep or goats carcases of sheep or goats, fresh, chilled or frozen ⁽¹⁾ ^(*)	8 000 head	100	80 000 head	5	20	3
0105 0207	Live domestic fowls of the species <i>gallus domesticus</i> , ducks, geese, turkeys and guinea fowls ⁽²⁾ meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen	10 000 000 head	100	—	—	—	—
0106 00 10 0208 10 11 0208 10 19	Live domestic rabbits meat and edible offal; fresh or chilled, frozen ⁽²⁾	80 000 head	20	240 000 head	1,5	60	3
0407	Birds' eggs in shell, fresh, preserved or cooked and hatching eggs ⁽²⁾	100 000 layers	30	300 000 layers	5	3	3
1207 1209 11 00 ex 1209 19 00 1211	Other oilseeds and oleaginous fruits (whether or not broken) Sugar beet seed Fodder beet seed Plants, parts of plants, of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered ^(*)	500 000 ECU	50	—	—	—	—
2401	Raw or unmanufactured tobacco; tobacco refuse	250 000 ECU	50	—	—	—	—
0701	Potatoes, fresh or chilled	1 000 000 ECU	30	—	—	—	—

COMMISSION REGULATION (EC) No 1756/95

of 19 July 1995

specifying the extent to which applications lodged in June 1995 for import
licences in respect of young male bovine animals for fattening may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European
Community,

Having regard to Commission Regulation (EC) No
1462/95 of 27 June 1995 opening and providing for the
administration of an import tariff quota for young male
bovine animals for fattening (1 July 1995 to 30 June
1996) and repealing Regulation (EEC) No 612/77 ⁽¹⁾, and
in particular Article 4 (4) thereof,

Whereas Article 1 (1) of Regulation (EC) No 1462/95 lays
down the number of young male bovine animals which
may be imported on special terms during 1995/96;
whereas applications for import rights result in the
issuing of licences in accordance with the provisions of
this Regulation,

Article 1

All applications for import rights made in Member States
other than Italy and Greece pursuant to Article 4 (3) of
Regulation (EC) No 1462/95 are hereby met to the extent
of 0,385 % of the quantity requested.

Article 2

This Regulation shall enter into force on 20 July 1995.

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

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 144, 28. 6. 1995, p. 6.

COMMISSION REGULATION (EC) No 1757/95
of 19 July 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 last 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 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 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 20 July 1995.

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

Done at Brussels, 19 July 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 19 July 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)			(ECU/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value	CN code	Third country code ⁽¹⁾	Standard import value
0702 00 35	052	47,7		508	92,0
	060	80,2		512	52,6
	066	41,7		524	45,8
	068	32,4		528	62,9
	204	50,9		800	101,3
	212	117,9		804	84,5
	624	75,0		999	74,1
	999	63,7			
0707 00 25	052	50,1	0808 20 51	052	84,9
	053	166,9		388	77,7
	060	39,2		512	28,0
	066	53,8		528	74,5
	068	60,4	0809 10 40	800	64,3
	204	49,1		804	64,8
	624	207,3		999	65,7
	999	89,5		052	64,6
0709 90 77	052	55,6	0809 20 51, 0809 20 59	064	96,3
	204	77,5		999	80,5
	624	196,3		052	165,3
	999	109,8		061	170,0
0805 30 30	388	61,9	0809 30 31, 0809 30 39	064	177,6
	512	72,6		068	63,1
	524	48,8		400	181,0
	528	46,7		624	239,5
	600	54,7		676	166,2
	624	78,0		999	166,1
	999	60,5		052	59,2
				220	121,8
0808 10 71, 0808 10 73, 0808 10 79	039	91,2	0809 40 30	624	106,8
	388	65,0		999	95,9
	400	71,8		624	245,1
				999	245,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17). Code '999' stands for 'of other origin.'

COMMISSION REGULATION (EC) No 1758/95
of 19 July 1995
fixing the representative prices and the additional import duties for molasses in
the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 July 1995.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question in the event of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,45	—	0,00
1703 90 00 ⁽¹⁾	8,99	—	0,00

⁽¹⁾ For the standard quality as defined in Article 1 of Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1759/95
of 19 July 1995
fixing the import duties in the cereals sector

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 Regulation (EC) No 1664/95⁽²⁾,

Having regard to Commission Regulation (EC) No 1502/95 of 29 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 for the 1995/96 marketing year as regards import duties in the cereals sector⁽³⁾, and in particular Article 2 (1) thereof,

Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1502/95 lays down detailed rules for the application of Council Regulation (EEC) No

1766/92 for the 1995/96 marketing year as regards import duties in the cereals sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1502/95 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1502/95 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 20 July 1995.

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

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 158, 8. 7. 1995, p. 13.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne) ⁽¹⁾	Import duty by sea from other ports ⁽²⁾ (ECU/tonne) ⁽¹⁾
1001 10 00	Durum wheat ⁽²⁾	10,00	0
1001 90 91	Common wheat seed	19,60	9,60
1001 90 99	Common high quality wheat other than for sowing ^(*)	19,60	9,60
	medium quality	44,87	34,87
	low quality	59,16	49,16
1002 00 00	Rye	86,80	76,80
1003 00 10	Barley, seed	86,80	76,80
1003 00 90	Barley, other ^(*)	86,80	76,80
1005 10 90	Maize seed other than hybrid	119,61	109,61
1005 90 00	Maize other than seed ^(*)	119,61	109,61
1007 90 00	Grain sorghum other than hybrids for sowing	117,29	107,29

⁽¹⁾ Where import takes place in the month following the month of fixing, these import duty amounts are to be adjusted in accordance with the third subparagraph of Article 2 (1) of Regulation (EC) No 1502/95.

⁽²⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1502/95, the duty applicable is that fixed for low-quality common wheat.

⁽³⁾ For goods arriving in the Community via the Atlantic Ocean (Article 2 (4) of Regulation (EC) No 1502/95), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

^(*) The importer may benefit from a flat-rate reduction of ECU 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1502/95 are met.

ANNEX II

Factors for calculating duties (period from 5. 7. to 18. 7. 1995):

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Mid-America	Mid-America
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	126,32	124,42	118,90	83,45	175,78 (¹)	86,54 (¹)
Gulf premium (ECU/tonne)	—	13,32	8,03	10,05	—	—
Great lake premium (ECU/tonne)	27,42	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,13 per tonne; Great Lakes/St Lawrence — Rotterdam: ECU 21,40 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1502/95: ECU 3,48 per tonne).

COMMISSION REGULATION (EC) No 1760/95
of 19 July 1995
fixing the import duties in the rice sector

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 Regulation (EC) No 1530/95 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1573/95 of 30 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1418/76 as regards import duties in the rice sector ⁽³⁾, and in particular Article 4 (1) thereof,

Whereas Article 12 of Regulation (EEC) No 1418/76 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention buying price valid for such products on importation and increased by a certain percentage according to whether it is Indica or Japonica rice and also husked or milled rice, minus the cif import price applicable to the consignment in question provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (4) of Regulation (EEC) No 1418/76, the cif import prices are calculated on the basis of the prices for the product in question on the world market;

Whereas Regulation (EC) No 1573/95 lays down detailed rules for the application of Regulation (EEC) No 1418/76 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference referred to in Annex I to Regulation (EC) No 1573/95 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1573/95 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 12 (1) and (2) of Regulation (EEC) No 1418/76 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 20 July 1995.

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

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 5.

⁽³⁾ OJ No L 150, 1. 7. 1995, p. 53.

ANNEX I

to the Commission Regulation of 19 July 1995 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties (*)				
	Third countries (except ACP and Bangladesh) (1) (2)	ACP Bangladesh (1) (2) (3) (4)	Basmati India (2) Article 4, Regulation (EC) No 1573/95	Basmati Pakistan (2) Article 4, Regulation (EC) No 1573/95	Arrangement in Regulation (EEC) No 3877/86 (2)
1006 10 21		150,76			
1006 10 23		150,76			
1006 10 25		150,76			
1006 10 27		150,76			—
1006 10 92		150,76			
1006 10 94		150,76			
1006 10 96		150,76			
1006 10 98		150,76			—
1006 20 11		189,76			
1006 20 13		189,76			
1006 20 15		189,76			
1006 20 17		189,76	138,20	338,20	—
1006 20 92		189,76			
1006 20 94		189,76			
1006 20 96		189,76			
1006 20 98		189,76	138,20	338,20	—
1006 30 21		290,59			
1006 30 23		290,59			
1006 30 25		290,59			
1006 30 27		290,59			—
1006 30 42		290,59			
1006 30 44		290,59			
1006 30 46		290,59			
1006 30 48		290,59			—
1006 30 61		290,59			
1006 30 63		290,59			
1006 30 65		290,59			
1006 30 67		290,59			—
1006 30 92		290,59			
1006 30 94		290,59			
1006 30 96		290,59			
1006 30 98		290,59			—
1006 40 00		90,38			

(1) Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

(2) In accordance with Regulation (EEC) No 715/90, the duties 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 12 (3) of Regulation (EEC) No 1418/76.

(4) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ No L 337, 4. 12. 1990, p. 1) and Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

-
- (⁵) Only for imports of rice of the long-grain aromatic Basmati variety under the arrangements laid down in amended Council Regulation (EEC) No 3877/86 (OJ No L 361, 20. 12. 1986, p. 1).
- (⁶) No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ No L 263, 19. 9. 1991, p. 1).
- (⁷) For husked rice of the Basmati variety originating in India and not imported under the arrangements in Regulation (EEC) No 3877/86, a reduction of ECU 250 per tonne applies (Article 4, Regulation (EC) No 1573/95).
- (⁸) For husked rice of the Basmati variety originating in Pakistan and not imported under the arrangements in Regulation (EEC) No 3877/86, a reduction of ECU 50 per tonne applies (Article 4, Regulation (EC) No 1573/95).
- (⁹) Duties fixed in the Common Customs Tariff.
-

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne) ⁽¹⁾	⁽²⁾	⁽²⁾	⁽²⁾	⁽²⁾	⁽²⁾	⁽²⁾

2. Elements of calculation :

(a) Arag cif price (\$/tonne)	—	338,72	385,36	320	360	—
(b) fob price (\$/tonne)	—	—	—	290	330	—
(c) Sea freight (\$/tonne)	—	—	—	30	30	—
(d) Source	—	USDA	USDA	Operators	Operators	—

⁽¹⁾ Where rice is imported during the month following fixing, these import duties must be adjusted in accordance with the fourth subparagraph of Article 4 (1) of Regulation (EC) No 1573/95.

⁽²⁾ Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 July 1995

**concerning the withdrawal of authorizations for plant protection products
containing ferbam or azinphos-ethyl as active substances**

(95/276/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8 (2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾, as amended by Regulation (EC) No 491/95⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Commission Regulation (EC) No 933/94⁽³⁾, as amended by Regulation (EC) No 491/95, has laid down the active substances of plant protection products and designated the rapporteur Member States for the implementation of Regulation (EEC) No 3600/92;

Whereas ferbam and azinphos-ethyl were two of the 90 active substances covered by the first stage of the work programme provided for in Article 8 (2) of Council Directive 91/414/EEC⁽⁴⁾;

Whereas for these two substances the designated rapporteur Member States have informed the Commission that the notifiers concerned informed them formally that they will not submit the information required pursuant to Article 6 (1) of Regulation (EEC) No 3600/92 to support the inclusion of an active substance in Annex I to Directive 91/414/EEC; whereas no request was made for granting a new time limit;

Whereas no Member State has informed the Commission of its wish to secure the inclusion of either of these substances in Annex I to Directive 91/414/EEC;

Whereas, therefore, it has to be considered that the data required for re-evaluation of these substances will not be submitted in the framework of the work programme and that therefore an evaluation of these substances is not possible in this framework; whereas, consequently, a decision should be taken with the effect that current authorizations for plant protection products containing these active substances are withdrawn;

Whereas this Decision does not exclude that in future ferbam and azinphos-ethyl may be evaluated in the framework of the proceedings for new active substances provided for in Article 6 of Directive 91/414/EEC;

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

⁽¹⁾ OJ No L 366, 15. 12. 1992, p. 10.

⁽²⁾ OJ No L 49, 4. 3. 1995, p. 50.

⁽³⁾ OJ No L 107, 28. 4. 1994, p. 8.

⁽⁴⁾ OJ No L 230, 19. 8. 1991, p. 1.

HAS ADOPTED THIS DECISION :

pursuant to the derogation provided for in Article 8 (2) of Directive 91/414/EEC.

Article 1

The Member States shall ensure :

1. that authorizations for plant protection products containing ferbam or azinphos-ethyl are withdrawn within a period of six months from the date of the present Decision ;
2. that from the date of the present Decision no authorizations for plant protection products containing ferbam or azinphos-ethyl will be granted or renewed

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 July 1995.

For the Commission

Ritt BJERREGAARD

Member of the Commission
