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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1909/95

of 24 July 1995

amending, for the 17th time, Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Whereas under Articles 2 and 4 of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽³⁾, the Council must adopt, in the light of available scientific opinion, the conservation measures needed to guarantee the rational and responsible exploitation of living marine aquatic resources on a sustainable basis; whereas, to this end, the Council may establish technical measures regarding fishing gear and methods of using it;

Whereas it is necessary to define principles and certain procedures for establishing these technical measures at Community level, so that each Member State can manage fishing activities in the maritime waters under its jurisdiction or sovereignty;

Whereas Council Regulation (EEC) No 3094/86 ⁽⁴⁾ lays down the general technical rules for catching and landing biological resources in the waters which it defines;

Whereas, in the light of scientific opinion certain derogations from technical measures established in Annex I to Regulation (EEC) No 3094/86, decided on an annual basis, may now be permanently incorporated into that Annex;

Whereas Regulation (EEC) No 3094/86 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I of Regulation (EEC) No 3094/86 shall be amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 24 July 1995.

For the Council

The President

P. SOLBES MIRA

⁽¹⁾ OJ No C 348, 9. 12. 1994, p. 7.

⁽²⁾ OJ No C 56, 6. 3. 1995.

⁽³⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 288, 11. 10. 1986, p. 1. Regulation as last amended by Regulation (EC) No 1796/94 (OJ No L 187, of 22. 7. 1994, p. 1).

ANNEX

In Annex I:

(a) the sixth, seventh and eighth headings of the section 'Region 1 and 2' are replaced by the following text:

'ICES sub-areas II, IV, V and VI north of latitude 56°N	(¹¹)	90 (¹²)	Whiting (<i>merlangius merlangus</i>)	70 % (¹³)	100 of which not more than 10 % of cod, haddock and saithe and not more than 10 % of plaice
Entire region except Skagerrak and Kattegat		32	Mackerel (<i>Scomber scombrus</i>)	50	10
			Horse mackerel (<i>Trachurus trachurus</i>)	50	10
			Herring (<i>Clupea harengus</i>)	50	10
			Pelagic cephalopods	50	10
			Pilchard (<i>Sardina pilchardus</i>)	50	10
			Blue whiting (*) (<i>Micromesistius poutassou</i>)	50	10
			} or 80 cumulated		
Entire region except Skagerrak and Kattegat		35	Prawn (<i>Pandalus</i> spp. except <i>Pandalus montagui</i>)	30	50

(*) Blue whiting is not an authorized target species in the area bounded to the north by latitude 52° 30' N and to the east by latitude 7° 00' W.

(b) footnotes (¹⁴), (¹⁵) and (¹⁶) become (¹¹), (¹²) and (¹³).

COMMISSION REGULATION (EC) No 1910/95

of 2 August 1995

on the sale of beef at prices fixed at a flat rate in advance held by certain intervention agencies and intended for supplying the Canary Islands and repealing Regulation (EC) No 230/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 424/95⁽²⁾, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and Regulation (EC) No 3290/94⁽⁴⁾, and in particular Article 3 (2) thereof,

Whereas certain intervention agencies hold substantial stocks of beef bought into intervention; whereas an extension of the storage period for that beef should be avoided on account of the ensuing high costs;

Whereas Commission Regulation (EC) No 1667/95 of 7 July 1995, establishing a forecast balance for the supply to the Canary Islands of live bovine animals and beef and veal products⁽⁵⁾, lays down the forecast supply balance for frozen meat of bovine animals for the period 1 July 1995 to 30 June 1996; whereas, in the light of traditional trade patterns, it is appropriate to release intervention beef for the purpose of supplying the Canary Islands during that period;

Whereas Article 3 of Commission Regulation (EC) No 2790/94 of 16 November 1994 laying down common detailed rules for the implementation of Council Regulation (EEC) No 1601/92 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽⁶⁾, as amended by Regulation (EC) No 2883/94⁽⁷⁾, provides for the use of aid certificates issued

by the competent Spanish authorities for supplies from the Community; whereas, in order to improve the operation of the abovementioned arrangements, certain derogations from that Regulation should be provided for, in particular, with regard to the application for and the issue of aid certificates;

Whereas for the purpose of purchase and control procedures, it is appropriate to apply certain provisions of Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies and repealing Regulation (EEC) No 216/69⁽⁸⁾, as last amended by Regulation (EEC) No 1759/93⁽⁹⁾, and Commission Regulation (EEC) No 3002/92 of 16 October 1992 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽¹⁰⁾, as last amended by Regulation (EEC) No 1938/93⁽¹¹⁾;

Whereas it is necessary to provide for the lodging of a security to guarantee that the beef arrives at the intended destination;

Whereas Commission Regulation (EC) No 230/95⁽¹²⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately:

- 280 tonnes of boneless beef held by the Irish intervention agency,
- 429 tonnes of boneless beef held by the Italian intervention agency.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ No L 158, 8. 7. 1995, p. 26.

⁽⁶⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁷⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁸⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁹⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽¹⁰⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽¹¹⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽¹²⁾ OJ No L 27, 4. 2. 1995, p. 5.

2. This meat shall be sold for delivery to the Canary Islands.

3. The qualities and selling prices of the products are given in Annex I hereto.

Article 2

1. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2173/79, and in particular Articles 2 to 5 thereof, Regulation (EEC) No 3002/92 and Regulation (EC) No 2790/94.

2. The intervention agencies shall sell those products which have been in storage longest first.

Particulars of the quantities and places where the products are stored shall be made available to interested parties at the addresses given in Annex II.

Article 3

1. After receiving a purchase application, the intervention agency shall only conclude the contract after having checked with the competent Spanish agencies referred to in Annex III that the quantity concerned is available within the forecast supply balance.

2. The Spanish agency shall immediately reserve for the applicant the quantity requested until receipt of the application for the relevant aid certificate. Notwithstanding Article 6 (1) of Regulation (EC) No 2790/94, the certificate application must be accompanied only by the original of the purchase invoice issued by the seller intervention agency or by a certified copy.

3. Notwithstanding Article 3 (1) of Regulation (EC) No 2790/94, the aid may not be paid for meat sold pursuant to this Regulation.

4. Notwithstanding Article 3 (4) (b) of Regulation (EC) No 2790/94, in box 24 of the aid certificate application and of the aid certificate shall be entered: 'aid certificate for use in the Canary Islands — no aid to be paid'.

Article 4

Notwithstanding the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79 purchase applications shall not indicate the store or stores where the meat applied for is being kept.

Article 5

Notwithstanding Article 15 (1) of Regulation (EEC) No 2173/79, the security shall be ECU 3 625 per tonne of boneless beef. The security for fillets, however, shall be ECU 8 455 per tonne.

Delivery of the products concerned to the Canary Islands shall be a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾.

Article 6

In the removal order referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92 and the T5 control copy shall be entered:

• Carne de intervención destinada a las islas Canarias — Sin ayuda [Reglamento (CE) n° 1910/95] *;

• Interventionskød til De Kanariske Øer — uden støtte (Forordning (EF) nr. 1910/95) *;

„Interventionsfleisch für die Kanarischen Inseln — ohne Beihilfe (Verordnung (EG) Nr. 1910/95)“;

«Κρέας από την παρέμβαση για τις Καναρίους Νήσους — χωρίς ενισχύσεις [Κανονισμός (ΕΚ) αριθ. 1910/95]»;

‘Intervention meat for the Canary Islands — without the payment of aid (Regulation (EC) No 1910/95)’;

• Viandes d'intervention destinées aux îles Canaries — Sans aide [règlement (CE) n° 1910/95] *;

• Carni in regime d'intervento destinate alle isole Canarie — senza aiuto [regolamento (CE) n. 1910/95] *;

„Interventievlees voor de Canarische eilanden — zonder steun (Verordening (EG) nr. 1910/95)“;

• Carne de intervenção destinada às ilhas Canárias — sem ajuda [Regulamento (CE) n° 1910/95] *;

“Kanariansaarille osoitettu interventioliha — ilman tukea (Asetus (EY) N:o 1910/95)”;

“Interventionskött för Kanarieöarna — utan bidrag (Förordning (EG) nr 1910/95)”.

Article 7

Regulation (EC) No 230/95 is hereby repealed.

Article 8

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

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I —
ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησης εκφραζόμενες σε Ecu ανά τόνο
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata
Lid-Staat	Produkten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)	Vähimmäishinnat ecuina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)	Minimipriser i ecu per ton

Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέας χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött

Ireland	— Fillet	1	7 000
	— Striploin	15	2 150
	— Outside	27	1 300
	— Intervention Striploin	69	2 300
	— Intervention Topside	168	1 500
Italia	— Roast Beef	429	1 300

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção — Interventioelinten osoitteet — Interventionsorganens adresser**

IRELAND : Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198

ITALIA : Ente per gli interventi nel mercato agricolo (EIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03

*ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ III — ANNEX III — ANNEXE III —
ALLEGATO III — BIJLAGE III — ANEXO III — LIITE III — BILAGA III*

**Organismos españoles a que se refiere el apartado 1 del artículo 3 — De i artikel 3, stk. 1,
omhandlede spanske organer — Die in Artikel 3 Absatz 1 genannten spanischen Stellen — Οι
ισπανικοί οργανισμοί που προβλέπονται στο άρθρο 3 παράγραφος 1 — The spanish agencies
referred to in Article 3 (1) — Les organismes espagnols visés à l'article 3 paragraphe 1 —
Organismi spagnoli di cui all'articolo 3, paragrafo 1 — In artikel 3, lid 1, bedoelde Spaanse
instanties — Organismos espanhois referidos no No 1 do artigo 3º — 3 Artiklan 1 kohdan
tarkoittama espanjalainen toimielin — De i artikel 3.1 avsedda spanska organen**

— Dirección Territorial de Comercio en Las Palmas
José Frachy Roca, 5
E-35007
Las Palmas de Gran Canaria
[Teléfono : (28) 26 14 11 y (28) 26 21 36 ; telefax : (28) 27 89 75]

— Dirección Territorial de Comercio en Santa Cruz de Tenerife
Pilar, 1
E-38002
Santa Cruz de Tenerife
[Teléfono : (22) 24 14 80 y (22) 24 13 79 ; telefax : (22) 24 42 61]

COMMISSION REGULATION (EC) No 1911/95
of 2 August 1995
correcting Regulation (EC) No 1908/95 fixing the aid for cotton for the 1995/96
marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as last amended by Council Regulation (EC) No 1553/95 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 1554/95 of 29 June 1995 laying down the general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81 ⁽²⁾, and in particular Article 5 (1) thereof,

Whereas Commission Regulation (EC) No 1908/95 ⁽³⁾, fixing the aid for cotton, contains an incorrect figure in Article 1 as a result of an error;

Whereas the necessary corrections should be made,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EC) No 1908/95 is hereby replaced by the following:

Article 1

1. The aid for unginned cotton for the 1995/96 marketing year provided for in Article 5 of Regulation (EC) No 1554/95 shall be:

- ECU 75,751 per 100 kilograms for Spain,
- ECU 57,467 per 100 kilograms for Greece.

2. However, the amount of the aid will be replaced with effect from 2 August 1995 to take account of the consequences of the stabilizer system as well as any adaptations to the aid arrangements.

Article 2

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

It shall apply with effect from 2 August 1995.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 131, 15. 6. 1995, p. 30.

COMMISSION REGULATION (EC) No 1912/95
of 2 August 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 1740/95 ⁽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 3 August 1995.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 167, 18. 7. 1995, p. 10.

⁽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 2 August 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	0808 10 92, 0808 10 94, 0808 10 98	039	79,3
	060	80,2		388	65,9
	066	41,7		400	65,5
	068	32,4		508	84,3
	204	50,9		512	43,8
	212	117,9		524	45,8
	624	75,0		528	35,6
	999	63,7		800	94,5
				804	86,6
0707 00 25	052	50,1	0808 20 57	999	66,8
	053	166,9		052	77,7
	060	39,2		388	57,8
	066	53,8		512	43,6
	068	60,4		528	53,2
	204	49,1		800	55,8
	624	207,3		804	64,8
	999	89,5		999	58,8
				052	249,1
0709 90 79	052	55,6	0809 20 69	061	182,0
	204	77,5		064	254,1
	624	196,3		068	262,6
	999	109,8		400	175,6
0805 30 30	388	58,8	0809 30 41, 0809 30 49	624	239,5
	512	77,7		676	166,2
	524	69,7		999	218,4
	528	51,8		052	59,2
	600	54,7		220	121,8
	624	78,0		624	106,8
	999	65,1		999	95,9
0806 10 40	052	136,7	0809 40 30	064	85,2
	220	110,8		624	202,5
	400	132,4		999	143,8
	412	132,4			
	512	185,6			
	600	142,3			
	624	141,3			
	999	140,2			

⁽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 1913/95
of 2 August 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 1863/95⁽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⁾, as amended by Regulation (EC) No 1817/95⁽⁴⁾, 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 3 August 1995.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

⁽⁴⁾ OJ No L 175, 27. 7. 1995, p. 23.

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 ⁽¹⁾ (ECU/tonne) ⁽¹⁾
1001 10 00	Durum wheat ⁽²⁾	10,00	0
1001 90 91	Common wheat seed	13,96	3,96
1001 90 99	Common high quality wheat other than for sowing ⁽⁴⁾	13,96	3,96
	medium quality	36,99	26,99
	low quality	50,23	40,23
1002 00 00	Rye	84,66	74,66
1003 00 10	Barley, seed	84,66	74,66
1003 00 90	Barley, other ⁽⁴⁾	84,66	74,66
1005 10 90	Maize seed other than hybrid	118,08	108,08
1005 90 00	Maize other than seed ⁽⁴⁾	118,08	108,08
1007 90 00	Grain sorghum other than hybrids for sowing	115,15	105,15

⁽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.

⁽⁴⁾ 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 19. 7. to 2. 8. 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)	132,70	130,87	126,32	84,61	175,31 ⁽¹⁾	88,14 ⁽¹⁾
Gulf premium (ECU/tonne)	—	14,84	7,69	10,50	—	—
Great lake premium (ECU/tonne)	26,13	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost : Gulf of Mexico — Rotterdam : ECU 12,04 per tonne ; Great Lakes/St Lawrence — Rotterdam : ECU 21,94 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1502/95 : ECU 1,54 per tonne).

COMMISSION REGULATION (EC) No 1914/95
of 2 August 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⁾, as amended by Regulation (EC) No 1818/95 ⁽⁴⁾, 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 3 August 1995.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

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.

⁽⁴⁾ OJ No L 175, 27. 7. 1995, p. 25.

ANNEX I

to the Commission Regulation of 2 August 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 ⁽¹⁾
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)	—	343,26	407,03	325	365	—
(b) fob price (\$/tonne)	—	—	—	295	335	—
(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.

COMMISSION REGULATION (EC) No 1915/95

of 2 August 1995

laying down transitional measures for imports of special preferential raw cane sugar for refining

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾, and in particular Articles 14 (2), 37 (6) and 48 thereof,

Whereas Article 37 of Regulation (EEC) No 1785/81 stipulates that during the 1995/96 to 2000/01 marketing years, a reduced rate of duty, referred to as 'special duty', is to be levied on imports of raw cane sugar originating in particular in the ACP States and in India and referred to as 'special preferential sugar', for supply to Community refineries pursuant to agreements with those and other States and on the conditions laid down therein; whereas such agreements are being concluded with effect on 1 July 1995; whereas the procedures for the conclusion of such agreements mean that they cannot be implemented in time to ensure regular supplies to Community refineries in Portugal from that date;

Whereas stocks of raw sugar in those refineries and Community stocks of raw sugar available for refining are not sufficient to ensure supplies in the coming weeks and whereas there is a serious risk that stocks may run out, which could lead to the temporary closure of the said refineries; whereas, therefore, in order to ensure such supplies in the interim and by the same token to permit the changeover from the former to the new import arrangements to be introduced under the abovementioned agreements, the necessary transitional measures should be adopted;

Whereas the transitional measures to be adopted should be based on the essential provisions of the abovementioned agreements, namely the same reduced rate of import duty and the same minimum purchase price, expressed in ecus (A), to be paid by the refiners; whereas the quantity to be imported at the reduced rate of duty should also be determined taking into account refining

requirements for the first quarter of the 1995/96 marketing year; whereas, in view of traditional patterns of trade, existing contracts and the need for the raw sugar to be supplied as quickly as possible, it is necessary to make transitional arrangements for the raw sugar to be imported from the ACP States Contracting Parties to the Fourth Lomé Convention;

Whereas, in order to facilitate the utilization of existing stocks in Finland and Portugal for refining after 30 June, provision should be made for such stocks to continue to qualify after refining for the adjustment aid applicable to raw sugar imported into those Member States for refining during the 1994/95 marketing year; whereas, in order to ensure equal treatment, a similar provision must also be adopted for stocks of raw sugar produced in the French overseas departments and qualifying for refining aid in 1994/95 pursuant to Council Regulation (EEC) No 2225/86⁽³⁾, as amended by Commission Regulation (EEC) No 2750/86⁽⁴⁾, Commission Regulations (EC) No 1459/94⁽⁵⁾, (EC) No 1543/94⁽⁶⁾ and (EC) No 359/95⁽⁷⁾;

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. Portugal is hereby authorized to import up to 70 000 tonnes of raw cane sugar expressed as white sugar from the ACP States Contracting Parties to the Fourth Lomé Convention, subject to the duty laid down in paragraph 2.

2. The import duty on the quantity laid down in paragraph 1 shall be ECU 6,9 per 100 kilograms raw sugar of the standard quality defined in Article 1 of Council Regulation (EC) No 431/68⁽⁸⁾.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 194, 17. 7. 1986, p. 7.

⁽⁴⁾ OJ No L 253, 5. 9. 1986, p. 8.

⁽⁵⁾ OJ No L 158, 25. 6. 1994, p. 3.

⁽⁶⁾ OJ No L 166, 1. 7. 1994, p. 33.

⁽⁷⁾ OJ No L 41, 23. 2. 1995, p. 12.

⁽⁸⁾ OJ No L 89, 10. 4. 1968, p. 3.

3. Without prejudice to Article 7 of Commission Regulation (EEC) No 1916/95⁽¹⁾, the minimum purchase price to be paid by refiners for the quantity laid down in paragraph 1 shall be ECU 51,17 per 100 kilograms raw sugar of the standard quality referred to in paragraph 2.

Article 2

The detailed implementing rules laid down in Regulation (EC) No 1916/95 on special imports shall supply to raw sugar imported under this Regulation.

Article 3

1. In accordance with the second subparagraph of Article 9 (4) (c) of Regulation (EEC) No 1785/81, the adjustment aid fixed for the 1994/95 marketing year shall continue to apply, pursuant to Commission Decision 95/46/EC⁽²⁾ and Article 3 (3) of Commission Regulation (EC) No 3300/94⁽³⁾, to raw sugar imported during the 1994/95 marketing year from third countries for refining in Portugal and Finland respectively which is still in stock on 30 June 1995 in those Member States and which is refined during the period 1 July to 30 September 1995.

The quantities of sugar thus refined shall count against the quantities determined in the abovementioned Decision and Regulation.

2. The aid for refining provided for in Article 3 of Regulation (EEC) No 2225/86 and the additional aid provided for in Article 1 of Regulation (EC) No 1543/94 in force for the 1994/95 marketing year shall continue to apply to raw sugar produced in the French overseas departments up to the quantities laid down in the Annex to Regulation (EC) No 359/95 which is still in stock in the Community on 30 June 1995 and which is refined during the period 1 July to 30 September 1995.

The quantities of sugar thus refined shall count against the quantities respectively determined by Regulations (EC) No 1459/94 and (EC) No 359/95.

Article 4

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

It shall apply from 1 July 1995.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ See page 18 of this Official Journal.

⁽²⁾ OJ No L 51, 8. 3. 1995, p. 15.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 39.

COMMISSION REGULATION (EC) No 1916/95**of 2 August 1995****laying down detailed rules of application for the importation under preferential agreements on tariff quotas of raw cane sugar for refining**

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 37 (6) and the second subparagraph of Article 39 thereof,

Whereas Article 37 of Regulation (EEC) No 1785/81 provides that, during the 1995/96 to 2000/01 marketing years, in order to ensure adequate supplies to the Community refineries, a reduced rate of duty is to be levied on imports of raw cane sugar originating in the States with which the Community has concluded preferential supply agreements; whereas, as a result, detailed rules of application should be laid down where such agreements are concluded;

Whereas the quantities of special preferential sugar to be imported are laid down in accordance with the aforementioned Article 37 on the basis of an annual Community balance; whereas, as a result, if such a balance shows the need to import raw sugar, a tariff quota at a reduced rate of duty should be opened for all or part of the marketing year in question, to enable the requirements of the Community refineries to be met within the limits laid down by the aforementioned Article 37 and under the conditions laid down by the aforementioned agreements;

Whereas, as a result of the maximum refining needs fixed for each Member State and the resultant necessity to enable the best possible controls to be undertaken on the distribution of the quantities of raw sugar to be imported, it is desirable to provide that only refiners should be entitled to be issued with the import licences in question, and that they should be able to transfer them among themselves; whereas the issue of an import licence makes it obligatory to import and refine the quantity in question within the necessary time limits, failing which the penalty payment laid down in Article 37 (4) of Regulation (EEC) No 1785/81 is payable;

Whereas, in order to ensure sound management of the import system and proper implementation thereof, certain other special provisions should be laid down for import licences; whereas, furthermore, in cases where the yield

of the raw sugar in question differs from that of the standard quality as defined in Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽³⁾, as amended by Regulation (EC) No 3290/94⁽⁴⁾, provision should be made for the special reduced rate of duty to be adjusted on the basis of that difference in accordance with the rules applicable to raw sugar transactions on the world market;

Whereas unforeseeable delays may arise between the loading of a quantity of special preferential raw sugar and its delivery; whereas, as a result, a certain tolerance should be permitted to take account of such delays; whereas it is also appropriate to provide for a certain tolerance as regards the time taken for refining;

Whereas proof of the origin of imported raw sugar may be provided by presentation of the documents provided for to that end by Commission Regulation (EEC) No 2782/76 of 17 November 1976 laying down detailed implementing rules for the importation of preferential sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas, as a result of the special nature of the imports in question, provision should be made for certain derogations from Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licences in the sugar sector⁽⁷⁾, which also applies to those imports;

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. During the period referred to in Article 36 of Regulation (EEC) No 1785/81, the shortfall referred to in the second subparagraph of Article 37 (3) of that Regulation shall be fixed for each marketing year or part thereof, on

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁴⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ No L 318, 18. 11. 1976, p. 13.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 144, 28. 6. 1995, p. 14.

the basis of a Community forecast supply balance for raw sugar. For the purposes of determining that balance, the established direct consumption to be taken into account shall not exceed the limit for such consumption referred to in Article 37 (3) of Regulation (EC) No 1785/81.

2. The shortfall may be imported by opening tariff quotas at a special reduced rate of duty agreed with the States referred to in Article 33 of Regulation (EEC) No 1785/81 and other States. It may be distributed between the Member States on the basis of their respective maximum presumed needs.

Article 2

1. The licences relating to these imports may be issued only within the limits of the quotas referred to in Article 1 (2). These licences shall be issued by the Member States referred to in Article 37 (2) of Regulation (EEC) No 1785/81 only to those refiners who import for the needs of their refineries within the meaning of Article 9 (4) of that Regulation.

However, the licences in question may be transferred by refiners to other refiners within the meaning of that Article 9 (4). The obligations to import and refine are not transferable and Article 9 of Commission Regulation (EEC) No 3719/88⁽¹⁾ continues to apply.

2. The Member States concerned shall issue licences only within the limits of the import needs in special preferential sugar fixed, where necessary, for their refineries.

Article 3

The special reduced rate of duty fixed for each marketing year shall apply to raw sugar of the standard quality as defined in Article 1 of Regulation (EEC) No 431/68.

Whereas the polarization of the imported raw sugar deviates from 96 degrees, the special reduced rate of duty shall be increased or decreased, as the case may be, by 0,14 % for each one-tenth of a degree by which it deviates.

Article 4

1. Notwithstanding Article 6 (1) of Regulation (EC) No 1464/95 and without prejudice to Article 6 (1), import licences for raw sugar under the system provided for in this Regulation shall be valid from the data on which they are issued until the end of the marketing year in respect of which they are issued.

2. The licence applications referred to in paragraph 1 shall be submitted by the refiner to the competent body

of the Member State of import concerned and shall be accompanied by a declaration by which the refiner undertakes to refine the quantity of raw sugar in question in the marketing year in respect of which it is imported.

Without prejudice to Article 6, if the sugar in question is not refined within the time limit laid down, the refiner who applied for the licence shall pay an amount equal to the full rate of duty applicable to raw sugar in the marketing year in question plus, where applicable, the highest additional rate of duty recorded during that marketing year.

The refiner who applied for the licence must show proof of relating to the Member State which issued the licence and that is acceptable to it within three months of the end of the time limit laid down for refining.

3. Section [12] of import licence applications and of licences themselves shall include the following entry :

'Raw sugar originating in ... (name of the country or countries referred to in Article 1 (2)) imported at a special reduced rate of duty pursuant to Article 37 (1) of Regulation (EEC) No 1785/81'.

4. The security relating to licences as referred to in paragraph 1 shall be ECU 0,30 per 100 kilograms net weight of sugar.

5. For the purposes of Article 37 (4) of Regulation (EEC) No 1785/81, amounts in excess of the maximum presumed needs shall be deemed to be the quantities of preferential raw sugar, of special preferential sugar, of raw sugar obtained in the French Overseas Departments and, where applicable, of raw sugar from beet referred to in Article 36 (5) of Regulation (EEC) No 1785/81, which have been actually refined in refineries over and above the presumed needs fixed for the Member State in question in paragraph 2 of the aforementioned Article 37.

Article 5

1. Proof of the origin of the sugar imported from the States referred to in Article 1 (2) shall be provided by presentation of a certificate of origin provided for, as the case may be, in Article 6 or Article 7 of Commission Regulation (EEC) No 2782/76⁽²⁾.

2. The certificate of origin referred to in paragraph 1 shall bear :

- the indication 'special preferential raw sugar — Application of Regulation (EC) No 1916/95',
- the date of loading of the sugar and the marketing year in respect of which delivery is being made,
- the CN code of the product in question.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 318, 18. 11. 1976, p. 13.

3. The copies provided by applicants referred to in paragraph 1 above shall be forwarded by the Member States to the Commission.

The competent authorities of the Member States shall enter on the copies of the certificates :

- the appropriate date, established on the basis of a shipping document, on which loading of the sugar in the port of export was completed,
- information relating to the import operation and the quantities actually imported.

Article 6

1. Except in the event of *force majeure*, where it has not been possible for a quantity of special preferential sugar to be delivered in sufficient time to enable it to be refined by the end of the marketing year in respect of which the licence referred to in Article 4 (1) has been issued, the Member State of importation may, at the request of the refiner, extend the validity of the licence for 30 days from the beginning of the following marketing year.

In that case, the raw sugar in question shall be refined within the time limit referred to in paragraph 2 and shall count against and be within the limits of the maximum presumed needs for the preceding marketing year.

2. Where it has not been possible to refine a quantity of special preferential sugar by the end of the marketing year in respect of which the licence referred to in Article 4 (1) has been issued, the Member State in question, may, at the request of the refiner, allow an additional refining time limit of a maximum of 90 days from the beginning of the following marketing year.

In that case, the raw sugar in question shall be refined within that time limit and shall count against and be within the limits of the maximum presumed needs for the preceding marketing year.

Article 7

Where the refiner pays the special reduced rate of duty referred to in Article 3, that duty should be deducted from the minimum price laid down in the agreement referred to in Article 37 (1) of Regulation (EEC) No 1785/81.

Article 8

The Member States concerned shall notify to the Commission :

- (a) every week in respect of the preceding week, the quantity of raw sugar by weight for which import licences as referred to in Article 4 have been issued,
- (b) every month in respect of the preceding month :
 - the quantity of raw sugar by weight actually imported under licences as referred to in Article 4,
 - the quantity of raw sugar in question by weight and in white sugar equivalent refined during the month preceding that in which the report is made,
- (c) by 31 July of each marketing year, the quantity of raw sugar by weight intended for refining, in stock at the refineries on 1 July of that marketing year.

Article 9

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

It shall apply from 1 July 1995.

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

Done at Brussels, 2 August 1995.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

COMMISSION DIRECTIVE 95/43/EC

of 20 July 1995

to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC⁽¹⁾, as amended by Commission Directive 94/38/EC⁽²⁾, and in particular Article 15 thereof,

Whereas, when examining a reasoned request for adding an education and training course to the list in Annex C or D, the Commission, pursuant to Article 15 (2) of Directive 92/51/EEC, is required to verify in particular whether the qualification resulting from the course in question confers on the holder a level of professional education or training of a comparably high level to that of the post-secondary course referred to in point (i) of the second indent of the first subparagraph of Article 1 (a) and a similar level of responsibility and activity;

Whereas the Dutch Government has made reasoned requests for the amendment of Annexes C and D to Directive 92/51/EEC and the Austrian Government has made a reasoned request for the amendment of Annex D;

Whereas, in particular, the training courses to be added to the list in Annex C of Directive 92/51/EEC in respect of the Netherlands are comparable in structure and length, as well as in level of responsibility and activity they confer to those already listed in Annex;

Whereas in accordance with Article 2 of Directive 92/51/EEC, the provisions of this Directive are not applicable to activities covered by one of the Directives listed in Annex A, including the Directives made applicable to the pursuit as an employed person of the activities listed in Annex B, even if a national of a Member State has completed one of the 'courses having a special structure' referred to in Annex D;

Whereas, in particular, the training courses to be added to the list in Annex D of Directive 92/51/EEC in respect of the Netherlands and Austria are comparable in structure

and length to certain training courses in Annex C and to some training courses that are already in Annex D and invariably feature a total duration of 13 years or more;

Whereas, in accordance with Article 17 (2) of Directive 92/51/EEC and in order to increase the effectiveness of the general system, those Member States whose education and training courses are listed in Annex D should send a list of the diplomas concerned to the Commission and the other Member States;

Whereas, in order to make Annexes C and D of Directive 92/51/EEC easier to read, the lists as amended should be published;

Whereas the measures provided for by the present Directive are in conformity with the opinion given by the Committee established by Article 15 of Directive 92/51/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes C and D to Directive 92/51/EEC are hereby amended as shown in Annex I hereto.

Article 2

The amended list of courses of education and training which appear in Annexes C and D to Directive 92/51/EEC are shown in Annex II to this Directive.

Article 3

1. Member States shall adopt the laws, regulations and administrative provisions necessary for them to comply with this Directive by 31 October 1995. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, the latter shall include a reference to this Directive or be accompanied by such reference at the time of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

⁽¹⁾ OJ No L 209, 24. 7. 1992, p. 25.

⁽²⁾ OJ No L 217, 23. 8. 1994, p. 8.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 20 July 1995.

For the Commission

Mario MONTI

Member of the Commission

ANNEX I

A. Annex C is amended as follows :

1. (a) At '1. Paramedical and childcare training courses', under the heading 'in Luxembourg', last indent 'childcare worker (éducateur/trice)' the following heading and the following indent are added :
'in the Netherlands :
 — veterinary assistant ("dierenartassistent").
- (b) At '1. Paramedical and childcare training courses' under the heading 'which represent education and training courses of a total duration of at least 13 years, comprising :', last indent, the following indent is added :
 '— or in the case of the veterinary assistant ("dierenartassistent") in the Netherlands three years of vocational training in a specialized school ("MBO"-scheme) or alternatively three years of vocational training in the dual apprenticeship system ("LLW"), both of which culminate in an examination.'
2. (a) At '3. Seafaring sector (a) sea transport', under the heading 'in the Netherlands' the following indent is added :
 '— VTS official ("VTS-functionaris").'
- (b) At '3. Seafaring sector (a) sea transport', under the heading 'which represents training :', the indent '— in the Netherlands, involving a course of 14 years, at least two years of which take place in a specialized vocational training establishment, supplemented by a twelve-month traineeship,' is replaced by the following indent :
 '— *in the Netherlands :*
 — for first mate (coastal vessel) (with supplementary training) ('stuurman kleine handelsvaart (met aanvulling)'), and coaster engineer (with diploma) ('diploma motordrijver'), involving a course of 14 years, at least two years of which take place in a specialized vocational training establishment, supplemented by a twelve-month traineeship,
 — for the VTS official ("VTS-functionaris"), of a total duration of at least 15 years, comprising at least three years of Higher Vocational Education ('HBO') or Intermediate Vocational Training ("MBO"), which are followed by national and regional specialization courses, comprising at least twelve weeks of theoretical training each and culminating each in an examination.'
3. (a) At '4. Technical sector' under the heading 'in the Netherlands' the following indent is added :
 '— dental-prosthesis maker ("tandprotheticus").'
- (b) At '4. Technical sector' under the heading 'in the Netherlands' the passage currently following the indent 'bailiff', is replaced by the following :
 'which represent a course of study and vocational training
 — in the case of the bailiff ("gerechtsdeurwaarder"), totalling nineteen years, comprising eight years' compulsory schooling followed by eight years' secondary education including four years' technical education culminating in a State examination and supplemented by three years' theoretical and practical vocational training,
 — in the case of the dental-prosthesis maker ("tandprotheticus") totalling at least 15 years of full time training and three years of part time training, comprising eight years of primary education, four years of general secondary education, completion of three years of vocational training, involving theoretical and practical training as a dental technician, supplemented by three years of part-time training as a dental prosthesis-maker, culminating in an examination.'

B. Annex D is supplemented by the following sections :

(a) *In the Netherlands :*

The following regulated courses :

- Regulated training courses of a total duration of not less than 15 years, a prerequisite of which is successful completion of eight years of primary education plus four years of either intermediate general secondary education ("MAVO") or Preparatory Vocational Education ("VBO") or general secondary education of a higher level, and which require the completion of a three-year or four-year course at a college for intermediate vocational training ("MBO"), culminating in an examination,

- regulated training courses of a total duration of not less than 16 years, a prerequisite of which is successful completion of eight years of primary education plus four years of at least preparatory vocational education ("VBO") or a higher level of general secondary education, and which require the completion of at least four years of vocational training in the apprenticeship system, comprising at least one day of theoretical instruction at a college each week and on the other days practical training in a practical training centre or in a firm, and culminating in a secondary or tertiary level examination.

The Dutch authorities shall send to the Commission and to the other Member States a list of the training courses covered by this Annex.'

(b) *In Austria :*

- Courses at higher vocational schools ("Berufsbildende Höhere Schulen") and higher education establishments for agriculture and forestry ("Höhere Land- und Forstwirtschaftliche Lehranstalten"), including special types ("einschließlich der Sonderformen"), the structure and level of which are determined by law, regulations and administrative provisions.

These courses have a total length of not less than 13 years and comprise five years of vocational training, which culminate in a final examination, the passing of which is a proof of professional competence.

- Courses at master schools ("Meisterschulen"), master classes ("Meisterklassen"), industrial master schools ("Werkmeisterschulen") or building craftsmen schools ("Bauhandwerkerschulen"), the structure and level of which are determined by law, regulations and administrative provisions.

These courses have a total length of not less than 13 years, comprising nine years of compulsory education, followed by either at least three years of vocational training at a specialized school or at least three years of training in a firm and in parallel at a vocational training school ("Berufsschule"), both of which culminate in an examination, and are supplemented by successful completion of at least a one-year training course at a master school ("Meisterschule"), master classes ("Meisterklassen"), industrial master school (Werkmeisterschule) or a building craftsmen school ("Bauhandwerkerschule"). In most cases the total duration is at least 15 years, comprising periods of work experience, which either precede the training courses at these establishments or are accompanied by part-time courses (at least 960 hours).

The Austrian authorities shall send to the Commission and the Member States a list of the training courses covered by this Annex.'

ANNEX II

LIST OF COURSES HAVING A SPECIAL STRUCTURE AS REFERRED TO IN POINT (II) OF THE SECOND INDENT OF THE FIRST SUBPARAGRAPH OF ARTICLE 1 (A)

(ANNEX C TO DIRECTIVE 92/51/EEC)

1. Paramedical and childcare training courses

Training for the following:

in Germany:

- paediatric nurse ("Kinderkrankenschwester/Kinderkrankenpfleger"),
- physiotherapist ("Krankengymnast(in)/Physiotherapeut(in)"⁽¹⁾),
- occupational therapist ("Beschäftigungs- und Arbeitstherapeut(in)"),
- speech therapist ("Logopäde/Logopädin"),
- orthoptist ("Orthoptist(in)"),
- State-recognized childcare worker ("Staatlich anerkannte(r) Erzieher(in)"),
- State-recognized remedial teacher ("Staatlich anerkannte(r) Heilpädagoge(-in)"),
- medical laboratory technician ("medizinisch-technische(r) Laboratoriums- Assistent(in)"),
- medical X-ray technician ("medizinisch-technische(r) Radiologie-Assistent(in)"),
- medical functional diagnostics technician ("medizinisch-technische(r) Assistent(in) für Funktionsdiagnostik"),
- veterinary technician ("veterinärmedizinisch-technische(r) Assistent(in)"),
- dietitian ("Diätassistent(in)"),
- pharmacy technician ("Pharmazieingenieur") received prior to 31 March 1994 in the former German Democratic Republic or in the territory of the new Länder,
- psychiatric nurse ("Psychiatrische(r) Krankenschwester/Krankenpfleger"),
- speech therapist ("Sprachtherapeut(in)"),

in Italy:

- dental technician ("odontotecnico"),
- optician ("ottico"),
- chiropodist ("podologo"),

in Luxembourg:

- medical X-ray technician (assistant(e) technique médical(e) en radiologie),
- medical laboratory technician (assistant(e) technique médical(e) de laboratoire),
- psychiatric nurse (infirmier/ière psychiatrique),
- medical technician — surgery (assistant(e) technique médical(e) en chirurgie),
- paediatric nurse (infirmier/ière puériculteur/trice),
- nurse — anaesthetics (infirmier/ière anesthésiste),
- qualified masseur/masseuse (masseur/euse diplômé(e)),
- childcare worker (éducateur/trice),

in the Netherlands:

- veterinary assistant ("dierenartassistent"),

which represent education and training courses of a total duration of at least thirteen years, comprising:

- (i) either at least three years of vocational training in a specialized school culminating in an examination, in some cases supplemented by a one or two-year specialization course culminating in an examination,
- (ii) or at least two and a half years of vocational training in a specialized school culminating in an examination and supplemented by work experience of at least six months or by a traineeship of at least six months in an approved establishment,

⁽¹⁾ As from 1 June 1994, the professional title "Krankengymnast(in)" will be replaced by that of "Physiotherapeut(in)". Nevertheless, the members of the profession who obtained their diplomas before this date may, if they wish, continue to use the former title of "Krankengymnast(in)".

- (iii) or at least two years of vocational training in a specialized school culminating in an examination and supplemented by work experience of at least one year or by a traineeship of at least one year in an approved establishment,
- (iv) or in the case of the veterinary assistant ("dierenartassistent") in the Netherlands three years of vocational training in a specialized school ("MBO"-scheme) or alternatively three years of vocational training in the dual apprenticeship system ("LLW"), both of which culminate in an examination.

Training for the following :

in Austria :

- contact lens optician ("Kontaktlinsenoptiker"),
- pedicurist ("Fußpfleger"),
- acoustic-aid technician ("Hörgeräteakustiker"),
- druggist ("Drogist"),

which represent education and training courses of a total duration of at least fourteen years, including at least five years' training followed within a structured training framework, divided into an apprenticeship of at least three years' duration, comprising training partly received in the workplace and partly provided by a vocational training establishment, and a period of professional practice and training, culminating in a professional examination conferring the right to exercise the profession and to train apprentices,

- masseur ("Masseur"),

which represents education and training courses of a total duration of fourteen years, including five years' training within a structured training framework, comprising an apprenticeship of two years' duration, a period of professional practice and training of two years' duration and a training course of one year culminating in a professional examination conferring the rights to exercise the profession and to train apprentices,

- kindergarten worker ("Kindergärtner/in"),
- child care worker ("Erzieher"),

which represent education and training courses of a total duration of thirteen years, including five years of professional training in a specialized school, culminating in an examination.

2. Master craftsman sector ("Mester/Meister/Maître"), which represents education and training courses concerning skills not covered by the Directives listed in Annex A

Training for the following :

in Denmark :

- optician ("optometrist"),

this course is of a total duration of 14 years, including five years' vocational training divided into two and a half years' theoretical training provided by the vocational training establishment and two and a half years' practical training received in the workplace, and culminating in a recognized examination relating to the craft and conferring the right to use the title "Mester",

- orthopaedic technician ("ortopaedimekaniker"),

this course is of a total duration of 12,5 years, including three and a half years' vocational training divided into six months' theoretical training provided by the vocational training establishment and three years' practical training received in the workplace, and culminating in a recognized examination relating to the craft and conferring the right to use the title "Mester",

- orthopaedic boot and shoemaker ("orthopaediskomager"),

this course is of a total duration of 13,5 years, including four and a half years' vocational training divided into two years' theoretical training provided by the vocational training establishment and two and a half years' practical training received in the workplace, and culminating in a recognized examination relating to the craft and conferring the right to use the title "Mester".

in Germany :

- optician ("Augenoptiker"),
- dental technician ("Zahntechniker"),
- surgical truss maker ("Bandagist"),
- hearing-aid maker ("Hörgeräteakustiker"),
- orthopaedic technician ("Orthopädiemechaniker"),
- orthopaedic bootmaker ("Orthopädieschuhmacher"),

in Luxembourg :

- dispensing optician ("opticien"),
- dental technician ("mécanicien dentaire"),
- hearing-aid maker ("audioprothésiste"),
- orthopaedic technician/surgical truss maker ("mécanicien orthopédiste/bandagiste"),
- orthopaedic bootmaker ("orthopédiste-cordonnier"),

these courses are of a total duration of 14 years, including at least five years' training followed within a structured training framework, partly received in the workplace and partly provided by the vocational training establishment, and culminating in an examination which must be passed in order to be able to practise any activity considered as skilled, either independently or as an employee with a comparable level of responsibility.

in Austria :

- surgical truss maker ("Bandagist"),
- corset maker ("Miederwarenerzeuger"),
- optician ("Optiker"),
- orthopaedic shoemaker ("Orthopädienschuhmacher"),
- orthopaedic technician ("Orthopädietechniker"),
- dental technician ("Zahntechniker"),
- gardener ("Gärtner"),

which represent education and training of a total duration of at least fourteen years, including at least five years' training within a structured training framework, divided into apprenticeship of at least three years' duration, comprising training received partly in the workplace and partly provided by a vocational training establishment, and a period of professional practice and training of at least two years' duration culminating in mastership examination conferring the rights to exercise the profession, to train apprentices and to use the title "Meister",

training for master craftsmen in the field of agriculture and forestry, namely,

- master in agriculture ("Meister in der Landwirtschaft"),
- master in rural home economics ("Meister in der ländlichen Hauswirtschaft"),
- master in horticulture ("Meister im Gartenbau"),
- master in market gardening ("Meister im Feldgemüsebau"),
- master in pomology and fruit-processing ("Meister im Obstbau und in der Obstverwertung"),
- master in viniculture and wine-production ("Meister im Weinbau und in der Kellerwirtschaft"),
- master in dairy farming ("Meister in der Molkerei- und Käsereiwirtschaft"),
- master in horse husbandry ("Meister in der Pferdewirtschaft"),
- master in fishery ("Meister in der Fischereiwirtschaft"),
- master in poultry farming ("Meister in der Geflügelwirtschaft"),
- master in apiculture ("Meister in der Bienenwirtschaft"),
- master in forestry ("Meister in der Forstwirtschaft"),
- master in forestry plantation and forest management ("Meister in der Forstgarten- und Forstpflégewirtschaft"),
- master in agricultural warehousing ("Meister in der landwirtschaftlichen Lagerhaltung"),

which represent education and training of a total duration of at least fifteen years, including at least six years' training followed within a structured training framework divided into an apprenticeship of at least three years' duration, comprising training partly received in the workplace and partly provided by a vocational training establishment, and a period of three years of professional practice culminating in a mastership examination relating to the profession and conferring the rights to train apprentices and to use the title "Meister".

3. Seafaring sector

(a) transport

Training for the following :

in Denmark :

- ship's captain ("skibsfører"),
- first mate ("overstyrmand"),
- quartermaster, deck officer ("enestyrmand, vagthavende styrmand"),
- deck officer ("vagthavende styrmand"),
- engineer ("maskinchef"),
- first engineer ("1. maskinmester"),
- first engineer/duty engineer ("1. maskinmester/vagthavende maskinmester"),

in Germany :

- captain, large coastal vessel ("Kapitän AM"),
- captain, coastal vessel ("Kapitän AK"),
- deck officer, large coastal vessel ("Nautischer Schiffsoffizier AMW"),
- deck officer, coastal vessel ("Nautischer Schiffsoffizier AKW"),
- chief engineer, grade C ("Schiffsbetriebstechniker CT — Leiter von Maschinenanlagen"),
- ship's mechanic, grade C ("Schiffsmaschinist CMa — Leiter von Maschinenanlagen"),
- ship's engineer, grade C ("Schiffsbetriebstechniker CTW"),
- ship's mechanic, grade C — solo engineer officer ("Schiffsmaschinist CMaW — Technischer Alleinoffizier"),

in Italy :

- deck officer ("ufficiale di coperta"),
- engineer officer ("ufficiale di macchina"),

in the Netherlands :

- first mate (coastal vessel) (with supplementary training) ("stuurman kleine handelsvaart (met aanvulling)"),
- coaster engineer (with diploma) ("diploma motordrijver"),
- VTS-official ("VTS-functionaris"),

which represent training :

- in Denmark, of nine years' primary schooling followed by a course of basic training and/or service at sea of between 17 and 36 months, supplemented by :
 - (i) the deck officer, one year of specialized vocational training,
 - (ii) for the others, three years of specialized vocational training,
- in Germany, of a total duration of between 14 and 18 years, including a three-year course of basic vocational training and one year's service at sea, followed by one or two years of specialized vocational training supplemented, where appropriate, by two year's work experience in navigation,
- in Italy, of a total duration of 13 years, of which at least five years consist of professional training culminating in an examination and are supplemented, where appropriate, by a traineeship,
- in the Netherlands :
 - (i) for first mate (coastal vessel) (with supplementary training) ("stuurman kleine handelsvaart (met aanvulling)"), and coaster engineer (with diploma) ("diploma motordrijver"), involving a course of 14 years, at least two years of which take place in a specialized vocational training establishment, supplemented by a twelve-month traineeship,
 - (ii) for the VTS-official ("VTS-functionaris") of a total duration of at least 15 years, comprising at least three years of Higher Vocational Education ("HBO") or Intermediate Vocational Training ("MBO"), which are followed by national and regional specialization courses, comprising at least 12 weeks of theoretical training each and culminating each in an examination,

and which are recognized under the International STCW Convention (International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978).

(b) Sea fishing

Training for the following :

in Germany :

- captain, deep-sea fishing ("Kapitän BG/Fischerei"),
- captain, coastal fishing ("Kapitän BLK/Fischerei"),
- deck officer, deep-sea vessel ("Nautischer Schiffsoffizier BGW/Fischerei"),
- deck officer, coastal vessel ("Nautischer Schiffsoffizier BK/Fischerei"),

in the Netherlands :

- first mate/engineer V ("stuurman werktuigkundige V"),
- engineer IV (fishing vessel) ("werktuigkundige IV visvaart"),
- first mate IV (fishing vessel) ("stuurman IV visvaart"),
- first mate/engineer VI ("stuurman werktuigkundige VI"),

which represent training :

- in Germany, of a total duration of between 14 and 18 years, including a three-year course of basic vocational training and one year's service at sea, followed by one or two years of specialized vocational training supplemented, where appropriate, by two years' work experience in navigation,
- in the Netherlands, involving a course varying in duration between 13 and 15 years, at latest two years of which are provided in a specialized vocational school, supplemented by a 12-month period of work experience,

and are recognized under the Torremolinos Convention (1977 International Convention for the Safety of Fishing Vessels).

4. Technical sector

Training for the following :

in Italy :

- building surveyor ("geometra"),
- land surveyor ("perito agrario"),

which represent secondary technical courses of a total duration of at least 13 years, comprising eight years' compulsory schooling followed by five years' secondary study, including three years' vocational study, culminating in the Technical Baccalaureat examination, and supplemented :

- (i) for building surveyors by : either a traineeship lasting at least two years in a professional office, or five years' work experience,
- (ii) for land surveyors, by the completion of a practical traineeship lasting at least two years, followed by the State Examination.

in the Netherlands :

- bailiff ("gerechtsdeurwaarder"),
- dental-prosthesis maker ("tandprotheticus"),

which represent a course of study and vocational training :

- (i) in the case of the bailiff ("gerechtsdeurwaarder"), totalling 19 years, comprising eight years' compulsory schooling followed by eight years' secondary education including four years' technical education culminating in a State examination and supplemented by three years' theoretical and practical vocational training,
- (ii) in the case of the dental-prosthesis maker ("tandprotheticus") totalling at least 15 years of full time training and three years of part time training, comprising eight years of primary education, four years of general secondary education, completion of free years of vocational training, involving theoretical and practical training as a dental technician, supplemented by three years of part-time training as a dental prosthesis-maker, culminating in an examination.

in Austria :

- forester ("Förster"),
- technical consulting ("Technisches Büro"),
- labour leasing ("Überlassung von Arbeitskräften — Arbeitsleihe"),

- employment agent ("Arbeitsvermittlung"),
- investment adviser ("Vermögensberater"),
- private investigator ("Berufsdetektiv"),
- security guard ("Bewachungsgewerbe"),
- real estate agent ("Immobilienmakler"),
- real estate manager ("Immobilienverwalter"),
- advertising and promotion agency ("Werbeagentur"),
- building project organizer ("Bauträger, Bauorganisator, Baubetreuer"),
- debt-collecting institute ("Inkassoinstitut"),

represent education and training of a total duration of at least 15 years, comprising eight years' compulsory schooling followed by a minimum of five years' secondary technical or commercial study, culminating in a technical or commercial matura examination, supplemented by at least two years' workplace education and training culminating in a professional examination,

- insurance consultant ("Berater in Versicherungsangelegenheiten"),

which represents education and training of a total duration of 15 years, including six years' training followed within a structured training framework, divided into an apprenticeship of three years' duration and a three-year period of professional practice and training, culminating in an examination,

- master builder/planning and technical calculation ("Planender Baumeister"),
- master woodbuilder/planning and technical calculation ("Planender Zimmermeister"),

which represent education and training of a total duration of at least 18 years, including at least nine years' vocational training divided into four years' secondary technical study and five years' professional practice and training culminating in a professional examination conferring the rights to exercise the profession and to train apprentices, in so far as this training relates to the right to plan buildings, to make technical calculations and to supervise construction work ("the Maria Theresian privilege").

5. United Kingdom courses accredited as National Vocational Qualifications or Scottish Vocational Qualifications

Training for:

- "medical laboratory scientific officer",
- "mine electrical engineer",
- "mine mechanical engineer",
- "approved social worker — mental health",
- "probation officer",
- "dental therapist",
- "dental hygienist",
- "dispensing optician",
- "mine deputy",
- "insolvency practitioner",
- "licensed conveyancer",
- "prothesist",
- "first mate — freight/passenger ships — unrestricted",
- "second mate — freight/passenger ships — unrestricted",
- "third mate — freight passenger ships unrestricted",
- "deck officer — freight/passenger ships — unrestricted",
- "engineer officer — freight/passenger ships — unlimited trading area",
- "trade mark agent",

leading to qualifications accredited as National Vocational Qualifications (NVQs) or approved or recognized as equivalent by the National Council for Vocational Qualifications or, in Scotland, accredited as Scottish Vocational Qualifications, at levels 3 and 4 of the United Kingdom National Framework of Vocational Qualifications.

These levels are defined as follows :

- *Level 3* : competence in a broad range of varied work activities performed in a wide variety of contexts and most of which are complex and non-routine. There is considerable responsibility and autonomy, and control or guidance of others is often required.
- *Level 4* : Competence in a broad range of complex technical or professional work activities performed in a wide variety of contexts and with a substantial degree of personal responsibility and autonomy. Responsibility for the work of others and the allocation of resources is often present.

**LIST OF COURSES HAVING A SPECIAL STRUCTURE AS REFERRED TO IN THE THIRD
INDENT OF POINT (B) OF THE FIRST SUBPARAGRAPH OF ARTICLE 3**

(ANNEX D TO DIRECTIVE 92/51/EEC)

In the United Kingdom :

Regulated courses leading to qualifications accredited as National Vocational Qualifications (NVQs) by the National Council for Vocational Qualifications or, in Scotland, accredited as Scottish Vocational Qualifications, at levels 3 and 4 of the United Kingdom National Framework of Vocational Qualifications.

These levels are defined as follows :

- *Level 3* : competence in a broad range of varied work activities performed in a wide variety of contexts and most of which are complex and non-routine. There is considerable responsibility and autonomy, and control or guidance of others is often required,
- *Level 4* : Competence in a broad range of complex technical or professional work activities performed in a wide variety of contexts and with a substantial degree of personal responsibility and autonomy. Responsibility for the work of others and the allocation of resources is often present.

In Germany :

The following regulated courses :

- Regulated courses preparatory to the pursuit of the professions of technical assistant ("technische(r) Assistent(in)"), commercial assistant ("kaufmännische(r) Assistent(in)"), social professions ("soziale Berufe") and the profession of state-certified respiration and elocution instructor ("staatlich geprüfte(r) Atem-, Sprech- und Stimmlehrer(in)"), of a total duration of at least 13 years, which require successful completion of the secondary course of education ("mittlerer Bildungsabschluß") and which comprise :
 - (i) at least three years⁽¹⁾ of vocational training at a specialized school ("Fachschule") culminating in an examination and, where applicable, supplemented by one-year or two-year specialization course also culminating in an examination ;
 - (ii) or at least two and a half years at a specialized school ("Fachschule") culminating in an examination and supplemented by work experience of a duration of not less than six months or a traineeship of not less than six months in an approved establishment ;
 - (iii) or at least two years at a specialized school ("Fachschule") culminating in an examination and supplemented by work experience of a duration of not less than one year or a traineeship of not less than one year in an approved establishment,
- Regulated courses for the professions of state-certified ("staatlich geprüfte(r)") technician ("Techniker(in)"), business economist ("Betriebswirt(in)"), designer ("Gestalter(in)") and family assistant ("Familiengestalter(in)"), of a total duration of not less than 16 years, a prerequisite of which is successful completion of compulsory schooling or equivalent education and training (of a duration of not less than nine years) and successful completion of a course at a trade school ("Berufsschule") of a duration of not less than three years and comprising, upon completion of at least two years of work experience, full-time education and training of a duration of not less than two years or part-time education and training of equivalent duration,
- Regulated courses and regulated in-service training, of a total duration of not less than 15 years, a prerequisite of which is, generally speaking, successful completion of compulsory schooling (of a duration of not less than nine years) and of vocational training (normally three years) and which generally comprise at least two years of work experience (three years in most cases) and an examination in the context of in-service training preparation for which generally comprises a training course which is either concurrent with the experience (at least 1 000 hours) or is attended on a full-time basis (at least one year).

The German authorities shall send to the Commission and to the other Member States a list of the training courses covered by this Annex.

In the Netherlands :

- Regulated training courses of a total duration of not less than 15 years, a prerequisite of which is successful completion of eight years of primary education plus four years of either intermediate general secondary education ("MAVO") or Preparatory Vocational Education ("VBO") or general secondary education of a higher level, and which require the completion of a three-year or four-year course at a college for intermediate vocational training ("MBO"), culminating in an examination,

⁽¹⁾ The minimum duration may be reduced from three years to two years if the person concerned has the qualification required to enter university ("Abitur"), i.e. thirteen years of prior education and training, of the qualification needed to enter "Fachhochschule" a ("Fachhochschulreife"), i.e. 12 years of prior education and training.

- Regulated training courses of a total duration not less than 16 years, a prerequisite of which is successful completion of eight years of primary education plus four years of at least preparatory vocational education ("VBO") or a higher level of general secondary education, and which require the completion of at least four years of vocational training in the apprenticeship system, comprising at least one day of theoretical instruction at a college each week and on the other days practical training centre or in a firm, and culminating in a secondary or tertiary level examination.

The Dutch authorities shall send to the Commission and to the other Member States a list of the training courses covered by this Annex.

In Austria :

- Courses at higher vocational schools ("Berufsbildende Höhere Schulen") and higher education establishments for agriculture and forestry ("Höhere Land- und Forstwirtschaftliche Lehranstalten"), including special types ("einschließlich der Sonderformen"), the structure level of which are determined by law, regulations and administrative provisions.

These courses have a total length of not less than 13 years and comprise five years of vocational training, which culminate in a final examination, the passing of which is a proof of professional competence,

- Courses at master schools ("Meisterschulen"), master classes ("Meisterklassen"), industrial master schools ("Werkmeisterschulen") or building craftsmen schools ("Bauhandwerkerschulen"), the structure and level of which are determined by law, regulations and administrative provisions.

These courses have a total length of not less than 13 years, comprising nine years of compulsory education, followed by either at least three years of vocational training at a specialized school or at least three years of training in a firm and in parallel at a vocational training school ("Berufsschule"), both of which culminate in an examination, and are supplemented by successful completion of at least a one-year training course at a master school ("Meisterschule"), master classes ("Meisterklassen"), industrial master school ("Werkmeisterschule") or a building craftsmen school ("Bauhandwerkerschule"). In most cases the total duration is at least 15 years, comprising periods of work experience, which either precede the training courses at these establishments or are accompanied by part-time courses (at least 960 hours).

The Austrian authorities shall send to the Commission and to the other Member States a list of the training courses covered by this Annex'.

COMMISSION DIRECTIVE 95/44/EC

of 26 July 1995

establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 77/93/EEC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 95/4/EC⁽²⁾, and in particular Articles 3 (7) (e), 4 (5), 5 (5) and 12 (3c), thereof,

Whereas under the provisions of Directive 77/93/EEC, harmful organisms listed in its Annexes I and II, whether singly or associated with the relevant plants or plants products listed in Annex II to the said Directive, may not be introduced into and spread by movement within the Community or certain protected zones thereof;

Whereas under the same Directive, plants, plant products and other objects listed in its Annex III, may not be introduced into the Community or into certain protected zones thereof;

Whereas also plants, plant products and other objects listed in Annex IV to the said Directive, may not be introduced into or moved within the Community or certain protected zones thereof unless the relevant special requirements indicated in the said Annex are met;

Whereas plants, plant products and other objects listed in Annex V, Part B to the said Directive coming from third countries may not be introduced into the Community unless they comply with the standards and requirements laid down in the said Directive and are accompanied by an official phytosanitary certificate ensuring such compliance and are, moreover, inspected on an official basis for compliance with these provisions;

Whereas, however, Articles 3 (7) (e), 4 (5), 5 (5) and 12 (3c) of the said Directive provide for those rules not to apply to the introduction and movement of such harmful

organisms, plants, plant products and other objects, for trial or scientific purposes and for work on varietal selections, to certain conditions which shall be determined at Community level;

Whereas therefore, it is necessary to determine the conditions which must be satisfied in the case of such introductions or movements, in order to ensure that there is no risk of harmful organisms spreading;

Whereas, however, the conditions for such introductions of potato breeding material have already been determined by Commission Decision 80/862/EEC⁽³⁾, as last amended by Decision 91/22/EEC⁽⁴⁾, and are therefore not affected by this Directive; whereas furthermore, the conditions for such introductions of soil and growing medium originating in third countries have also already been determined by Commission Decision 93/447/EEC⁽⁵⁾, as amended by Decision 94/9/EC⁽⁶⁾, and are therefore not affected by this Directive;

Whereas the conditions laid down for material under Council Regulation (EEC) No 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora⁽⁷⁾, as last amended by Commission Regulation (EC) No 558/95⁽⁸⁾, and under Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms⁽⁹⁾, as amended by Commission Directive 94/15/EEC⁽¹⁰⁾, and other more specific Community provisions regarding endangered species of wild fauna/EC and flora and genetically modified organisms, are not affected by this Directive;

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

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 44, 28. 2. 1995, p. 56.

⁽³⁾ OJ No L 248, 19. 9. 1980, p. 25.

⁽⁴⁾ OJ No L 13, 18. 1. 1991, p. 21.

⁽⁵⁾ OJ No L 209, 20. 8. 1993, p. 32.

⁽⁶⁾ OJ No L 7, 11. 1. 1994, p. 15.

⁽⁷⁾ OJ No L 384, 31. 12. 1982, p. 1.

⁽⁸⁾ OJ No L 57, 15. 3. 1995, p. 1.

⁽⁹⁾ OJ No L 117, 8. 5. 1990, p. 15.

⁽¹⁰⁾ OJ No L 103, 22. 4. 1994, p. 20.

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Without prejudice to the provisions laid down in Decisions 80/862/EEC and 93/447/EEC for potato breeding material, and for soil and growing medium, respectively, Member States shall ensure that for any activity for trial or scientific purposes and for work on varietal selections, hereinafter referred to as 'the activities', which would involve the use of harmful organisms, plants, plant products and other objects under Articles 3 (7) (e), 4 (5), 5 (5) or 12 (3c) of Directive 77/93/EEC, hereinafter referred to as 'the material', an application shall be submitted to the responsible official bodies prior to the introduction into, or movement within, any Member State or relevant protected zones thereof, of any such material.

2. The application referred to in paragraph 1, shall specify at least the following:

- the name and address of the person responsible for the activities,
- the scientific name or names of the material, including the harmful organism concerned, where appropriate,
- the type of material,
- the quantity of material,
- the place of origin of the material, with appropriate documentary evidence for material to be introduced from a third country,
- the duration, nature and objectives of the activities envisaged, including at least, a resumé of the work and a specification for trial for scientific purposes or work on varietal selections,
- the address and description of the specific site or sites for quarantine containment and, where appropriate, for testing,
- the place of first storage or of first planting, as appropriate, after the material has been officially released, where appropriate,
- the proposed method of destruction or treatment of material on completion of the approved activities, where appropriate,
- the proposed point in entry into the Community for material to be introduced from a third country.

Article 2

1. Member States on receipt of the application referred to in Article 1 shall approve the activities concerned, if it is established that the general conditions laid down in Annex I are satisfied.

Member States shall withdraw the said approval at any time if it is established that the conditions laid down in Annex I cease to be met.

2. Following the approval of the activities referred to in paragraph 1, Member States shall approve the introduction into or movement within the Member State or relevant protected zones, of the material referred to in the application, provided that such material is accompanied in all cases by a letter of authority for such introduction or movement of harmful organisms, plants, plant products and other objects of trial for scientific purposes and for work on varietal selections, hereinafter referred to as a 'letter of authority', conforming to the model set out in Annex II and issued by the responsible official body of the Member State in which the activities are to be undertaken and,

(a) the case of material originating in the Community:

- (i) where the place of origin is in another Member State, the said accompanying letter of authority shall be officially endorsed by the Member State of origin for movement of the material under quarantine containment conditions; and
- (ii) for those plants, plant products and other objects listed in Annex V, Part A to Directive 77/93/EEC, the material shall also be accompanied by a plant passport issued in accordance with Article 10 of Directive 77/93/EEC, on the basis of the examination carried out pursuant to Article 6 of that Directive for compliance with the provisions laid down therein, other than those relating to any harmful organism in respect of which the activities have been approved under the first subparagraph of paragraph 1. The plant passport shall contain the following statement: 'This material is moved under Directive 95/44/EC'.

In cases where the address of the specific site or sites for quarantine containment is located in another Member State, the Member State responsible for issuing the plant passport shall issue a plant passport only on the basis of information regarding the approval referred to in the first subparagraph of paragraph 1 received officially from the Member State responsible for the approval of the activities, and on the assurance that quarantine containment conditions shall be applied during movement of the material; and

(b) in the case of material introduced from a third country;

- (i) Member States shall ensure that the said letter of authority is issued on the basis of appropriate documentary evidence as regards the place of origin the material; and

- (ii) for plants, plant products and other objects listed in Annex V, Part B to Directive 77/93/EEC the material shall also be accompanied wherever possible by a phytosanitary certificate issued in the country of origin in accordance with Article 7 of Directive 77/93/EEC, on the basis of the examination carried out pursuant to Article 6 of that Directive for compliance with the provisions laid down therein, other than those relating to any harmful organism in respect of which the activities have been approved under the first subparagraph of paragraph 1.

The certificate shall, under 'Additional declaration', contain the following indication: 'This material is imported under Directive 95/44/EC'. The relevant harmful organism or organisms shall also be specified, where appropriate.

In all cases Member State shall ensure that the material is held under quarantine containment conditions during the said introduction or movement, and is moved directly and immediately to the site or sites specified in the application.

3. The responsible official body shall monitor the approved activities and shall ensure that:

- (a) the quarantine containment conditions and other general conditions specified in accordance with Annex I are complied with throughout the duration of the activities, by examination of the premises and activities at appropriate times;

- (b) the procedures set out below are followed according to the type of approved activities:

- (i) for plants, plant products or other subjects intended for release from quarantine:

— the plants, plant products or other objects shall not be released without approval by the responsible official body, hereinafter referred to as 'official release'. Prior to official release the plants, plant products or other objects shall have been subject to quarantine measures including testing, and must have been found free by such measures from any harmful organism, unless it is identified as one which is known to occur in the Community and is not listed in Directive 77/93/EEC,

— the quarantine measures including testing shall be carried out by scientifically trained staff of that body or of any officially approved body, and shall be carried out in accordance with the provisions laid down in Annex III to this Directive for the plants, plant products and other objects specified,

— any plants, plant products or other objects which have not been found free, by such measures, from harmful organisms as specified

in the first indent, and any other plants, plant products or other objects with which they have been in contact or which may have become contaminated shall be destroyed or subjected to an appropriate treatment or quarantine measure aimed at eradicating the relevant harmful organisms; the provisions of (ii), second indent shall apply accordingly.

- (ii) for all other material (including harmful organisms), at the end of the duration of the approved activities, and for all material found to be contaminated during the activities:

— the material (including the harmful organisms and any contaminated material) and any other plants, plant products or other objects with which it has been in contact or which may have become contaminated shall be destroyed, sterilized or otherwise treated in a manner to be specified by the responsible official body, and

— the premises and facilities at which the activities in question have been undertaken shall be sterilized or otherwise cleaned, as necessary, in a manner to be specified by the responsible official body;

- (c) any contamination of the material by harmful organisms listed in Directive 77/93/EEC and any other harmful organism considered a risk to the Community by the responsible official body and detected during the activity shall be notified immediately to the responsible official body by the person responsible for the activities, along with notification of any event resulting in the escape of the abovementioned organisms into the environment.

4. Member States shall ensure that for activities utilizing plants, plant products and other objects listed in Annex III to Directive 77/93/EEC and not covered by Part A, Sections I to III of Annex III to this Directive, appropriate quarantine measures including testing shall be carried out. These quarantine measures shall be notified to the Commission and to the other Member States. The details of such quarantine measures shall be completed and inserted in Annex III to this Directive once the necessary technical information is available.

Article 3

1. Before 1 September each year, Member States shall send to the Commission and to the other Member States a list, with quantities, of the introductions and movements of material approved under this Directive during the preceding period of one year ending on 30 June, and of any contamination by harmful organisms of such material, which has been confirmed under the quarantine measures including testing carried out under Annex III, during the same period.

2. Member States shall cooperate administratively through the authorities established or designated pursuant to Article 1 (6) of Directive 77/93/EEC, with regard to the provision of details of the quarantine containment conditions and measures imposed for activities approved under this Directive.

Article 4

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive on 1 February 1996. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission all provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 5

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

1. For the purposes of Article 2 (1) of this Directive the following general conditions shall apply :
 - the nature and objectives of the activities for which the material is to be introduced or moved shall have been examined by the responsible official body and found to comply with the concept of trial or scientific purposes and for work on varietal selections provided for under Directive 77/93/EEC,
 - the quarantine containment conditions of the premises and facilities at the site or sites at which the activities are to be undertaken shall have been inspected for compliance with the provisions laid down in point 2 and approved by the responsible official body,
 - the responsible official body shall limit the quantity of material to an amount that is adequate for the approved activities and in any case the amount shall not exceed quantities which have been determined having regard to available quarantine containment facilities,
 - the scientific and technical qualifications of the personnel by whom the activities are to be undertaken, shall have been examined and approved by the responsible official body.
2. For the purposes of paragraph 1, the quarantine containment conditions of the premises and facilities at the site or sites at which the activities are to be undertaken shall be sufficient to ensure a safe handling of the material such that any harmful organisms of concern are contained and the risk of spreading such harmful organisms eliminated. For each activity specified in the application, the risk of spread of the harmful organisms held under quarantine containment conditions shall be determined by the responsible official body, having regard to the type of material and the activity envisaged, and to the biology of the harmful organisms, the means of their dispersal, the interaction with the environment and other relevant factors relating to the risk posed by the material concerned. As a result of the assessment of the risk the responsible official body shall consider and lay down as appropriate :
 - (a) the following quarantine measures concerning the premises, facilities and working procedures :
 - physical isolation from all other plant/harmful organism material, including consideration of control of vegetation in surrounding areas,
 - designation of a contact person responsible for the activities,
 - restricted access to the premises and facilities, and to the surrounding area, as appropriate, to named personnel only,
 - appropriate identification of the premises and facilities indicating the type of activities and the personnel responsible,
 - maintenance of a register of the activities performed and a manual of operating procedures, including procedures in the event of escape of harmful organisms from containment,
 - appropriate security and alarm systems,
 - appropriate control measures to prevent the introduction into and the spread within the premises of harmful organisms,
 - controlled procedures for sampling and for transfer between premises and facilities, of the material,
 - controlled waste, soil and water disposal, as appropriate,
 - appropriate hygiene and disinfection procedures and facilities for personnel, structures and equipment,
 - appropriate measures and facilities for disposal of experimental material,
 - appropriate indexing (including testing) facilities and procedures ; and
 - (b) further quarantine measures according to the specific biology and epidemiology of the type of material involved and the activities approved,
 - maintenance in facilities which separate chamber 'double door' access to personnel,
 - maintenance under negative air pressure,
 - maintenance in escape-proof containers with appropriate mesh size and other barriers e.g. water barrier for mites, closed soil containers for nematodes, electric insect traps,

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- maintenance in isolation from other harmful organisms and material, e.g. viruliferous plant food material, host material,
 - maintenance of material for breeding in breeding cages with manipulation devices,
 - no interbreeding of the harmful organisms with indigenous strains or species,
 - avoidance of continuous culture of the harmful organisms,
 - maintenance under conditions that strictly control the multiplication of the harmful organism, e.g. under an environmental regime such that diapause does not occur,
 - maintenance in such a way that no spread by propagules can occur, e.g. air streams should be avoided,
 - procedures to check the purity of cultures of the harmful organisms for freedom from parasites and other harmful organisms,
 - appropriate control programmes for the material to eliminate possible vectors,
 - for *in vitro* activities, handling of the material under sterile conditions : equipping the laboratory for the performance of aseptic procedures,
 - maintenance of harmful organisms spread by vectors under conditions such that there is no spread via the vector e.g. controlled mesh size, containment of soil,
 - seasonal isolation to ensure the activities are done during periods of low plant health risk.
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ANNEX II

Model Letter of Authority for the introduction and/or movement of harmful organisms, plants, plant products and other objects for trial or scientific purposes and for work on varietal selections

1. Name and address of consignor/Plant protection organization of the country of origin	Letter of Authority for the introduction and/or movement of harmful organisms, plants, plant products and other objects for trial or scientific purposes and for work on varietal selections (issued under Directive 95/44/EC)	
2. Name and address of person responsible for the approved activities		
4. Address and description of the specific site or sites for quarantine containment	3. Name of the responsible official body of the Member State of issue	
	5. Place of origin (documentary evidence attached for material originating in a third country)	
7. Declared point of entry for material introduced from a third country	6. Plant passport number : or Phytosanitary certificate number :	
8. Scientific name(s) of the material, including the harmful organisms concerned		9. Quantity of material
10. Type of material		
11. Additional declaration This material is introduced into / moved within ⁽¹⁾ the Community under Directive 95/44/EC		
12. Additional information		
13. Endorsement by the responsible official body of the Member State of origin of the material Place of endorsement : Date : Name and signature of authorized officer :	14. Stamp of the responsible official body of issue Place of issue : Date : Name and signature of authorized officer :	

⁽¹⁾ Delete if not applicable.

ANNEX III

QUARANTINE MEASURES INCLUDING TESTING ON PLANTS, PLANT PRODUCTS AND OTHER OBJECTS INTENDED FOR RELEASE FROM QUARANTINE

PART A

For certain plants, plant products and other objects listed in Annex III to Directive 77/93/EEC

Section I: *Plants of Citrus L., Fortunella Swingle, Poncirus Raf. and their hybrids, other than fruit and seeds*

1. The plant material, as appropriate, shall be subjected to appropriate therapy procedures as laid down in FAO/IPGRI Technical Guidelines.
2. The plant material, following the therapy procedures carried out in point 1, shall be subjected to indexing procedures in its entirety. All plant material including indexing plants, shall be held at the approved facilities under the quarantine containment conditions laid down in Annex I. Plant material intended for approval for official release shall be held under conditions conducive to a normal cycle of vegetative growth and be subjected to visual inspection for signs and symptoms of harmful organisms including all relevant harmful organisms listed in Directive 77/93/EEC, on arrival and subsequently, at appropriate times, during the period of the indexing procedures.
3. For the purposes of point 2, the plant material shall be indexed for harmful organisms (tested for and identified) according to the following procedures:
 - 3.1 The testing shall use appropriate laboratory methods and, where appropriate, indicator plants, including *Citrus sinensis* (L.) Osbeck, *C. aurantifolia* Christm. Swing, *C. medica* L., *C. reticulata* Blanco and *Sesamum* L., in order to detect at least the following harmful organisms:
 - (a) Citrus greening bacterium
 - (b) Citrus variegated chlorosis
 - (c) Citrus mosaic virus
 - (d) Citrus tristeza virus (all isolates)
 - (e) Citrus vein enation woody gall
 - (f) Leprosis
 - (g) Naturally spreading psorosis
 - (h) *Phoma tracheiphila* (Petri) Kanchaveli & Gikashvili
 - (i) Satsuma dwarf virus
 - (j) *Spiroplasma citri* Saglio *et al*
 - (k) Tatter leaf virus
 - (l) Witches' broom (MLO)
 - (m) *Xanthomonas campestris* (all strains pathogenic to *Citrus*)
 - 3.2 For diseases such as Blight and Blight-like for which there are no short-term indexing procedures the plant material must be subjected upon arrival to shoot-tip grafting onto seedling stock grown under sterile culture as set out in FAO/IPGRI Technical Guidelines, and the resulting plants subjected to therapy procedures according to point 1.
4. The plant material subjected to the visual inspections referred to in point 2 and on which signs and symptoms of harmful organisms have been observed shall be subjected to an investigation including testing where necessary, to determine as far as possible, the identity of the harmful organisms causing the signs and symptoms.

Section II: *Plants of Cydonia Mill., Malus Mill., Prunus L. and Pyrus L. and their hybrids and Fragaria L., intended for planting, other than seeds*

1. The plant material, as appropriate, shall be subjected to appropriate therapy procedures as laid down in FAO/IPGRI Technical Guidelines.

2. The plant material, following the therapy procedures carried out in point 1, shall be subjected to indexing procedures in its entirety. All plant material including indexing plants, shall be held at the approved facilities under the quarantine containment conditions laid down in Annex I. Plant material intended for approval for official release shall be held under conditions conducive to a normal for signs and symptoms of harmful organisms including all relevant harmful organisms listed in Directive 77/93/EEC, on arrival and subsequently, at appropriate times, during the period of the indexing procedures.
3. For the purposes of point 2 the plant material shall be indexed for harmful organisms (tested for and identified) according to the following procedures :
 - 3.1 In the case of *Fragaria* L., irrespective of the country of origin of the plant material, the testing shall use appropriate laboratory methods and, where appropriate, indicator plants, including *Fragaria vesca*, *F. virginiana* and *Chenopodium* spp. for the detection of at least the following harmful organisms :
 - (a) Arabis mosaic virus
 - (b) Raspberry ringspot virus
 - (c) Strawberry crinkle virus
 - (d) Strawberry latent 'C' virus
 - (e) Strawberry latent ringspot virus
 - (f) Strawberry mild yellow edge virus
 - (g) Strawberry vein banding virus
 - (h) Strawberry witches' broom mycoplasma
 - (i) Tomato black ring virus
 - (j) Tomato ringspot virus
 - (k) *Colletotrichum acutatum* Simmonds
 - (l) *Phytophthora fragariae* Hickman var *fragariae* Wilcox & Duncan
 - (m) *Xanthomonas fragariae* Kennedy & King.
 - 3.2 In the case of *Malus* Mill :
 - (i) where the plant material originates from a country which is not known to be free of any of the following harmful organisms :
 - (a) Apple proliferation mycoplasma ; or
 - (b) Cherry rasp leaf virus (American),the testing shall use appropriate laboratory methods and, where appropriate, indicator plants for the detection of the relevant harmful organisms, and
 - (ii) irrespective of the country of origin of the plant material, the testing shall use appropriate laboratory methods and, where appropriate, indicator plants for the detection of at least the following harmful organisms :
 - (a) Tobacco ringspot virus
 - (b) Tomato ringspot virus
 - (c) *Erwinia amylovora* (Burr.) Winsl. *et al.*
 - 3.3 In the case of *Prunus* L., as appropriate for each *Prunus* species :
 - (i) where the plant material originates from a country which is not known to be free of any of the following harmful organisms :
 - (a) Apricot chlorotic leafroll mycoplasma ;
 - (b) Cherry rasp leaf virus (American); or
 - (c) *Pseudomonas syringae* pv. *persicae* (Prunier *et al.*) Young *et al.*,the testing shall use appropriate laboratory methods and, where appropriate, indicator plants for the detection of the relevant harmful organisms ; and
 - (ii) irrespective of the country of origin of the plant material, the testing shall use appropriate laboratory methods and, where appropriate, indicator plants for the detection of at least the following harmful organisms :
 - (a) Little cherry pathogen (non-European isolates)
 - (b) Peach mosaic virus (American)

- (c) Peach phony rickettsia
 - (d) Peach rosette mosaic virus
 - (e) Peach rosette mycoplasma
 - (f) Peach X-disease mycoplasma
 - (g) Peach yellows mycoplasma
 - (h) Plum line pattern virus (American)
 - (i) Plum pox virus
 - (j) Tomato ringspot virus
 - (k) *Xanthomonas campestris* pv. *pruni* (Smith) Dye.
- 3.4 In the case of *Cydonia* Mill. and *Pyrus* L. irrespective of the country of origin of the plant material, testing by appropriate laboratory methods, and, where appropriate, indicator plants, for detection of at least the following harmful organisms :
- (a) *Erwinia amylovora* (Burr.) Winsl. *et al.*
 - (b) Pear decline mycoplasma.
4. The plant material subjected to the visual inspections referred to in point 2 and on which signs and symptoms of harmful organisms have been observed shall be subject to an investigation including testing where necessary, to determine as far as possible, the identity of the harmful organisms causing the signs and symptoms.

Section III : *Plants of Vitis L., other than fruits*

1. The plant material shall be subjected, as appropriate, to appropriate therapy procedures, as laid down in FAO/IPGRI Technical Guidelines.
2. The plant material, following the therapy procedures carried out in point 1, shall be subjected to indexing procedures in its entirety. All plant material including indexing plants, shall be held at the approved facilities under the quarantine containment conditions laid down in Annex I. Plant material intended for approval for official release shall be held under conditions conducive to a normal cycle of vegetative growth and shall be subjected to visual inspection for signs and symptoms of harmful organisms including those of *Daktulosphaira vitifoliae* (Fitch) and of all other relevant harmful organisms listed in Directive 77/93/EEC, on arrival and subsequently, at appropriate times, during the period of the indexing procedures.
3. For the purposes of point 2 the plant material shall be indexed for harmful organisms (tested for and identified) according to the following procedures :
- 3.1 Where the plant material originates in a country which is not known to be free of the following harmful organisms :
 - (i) Ajinashika disease
The testing shall use an appropriate laboratory method. In the event of a negative result, the plant material shall be indexed on the vine variety Koshu and kept under observation during at least two cycles of vegetation.
 - (ii) Grapevine stunt virus
The testing shall use appropriate indicator plants, including the vine variety Campbell Early, and observation shall take place during one year.
 - (iii) Summer mottle
The testing shall use appropriate indicator plants, including the vine varieties Sideritis, Cabernet-Franc and Mission.
- 3.2 Irrespective of the country of origin of the plant material, the testing shall use appropriate laboratory methods and, where appropriate, indicator plants for the detection of at least the following harmful organisms :
 - (a) Blueberry leaf mottle virus
 - (b) Grapevine Flavescence dorée MLO and other grapevine yellows
 - (c) Peach rosette mosaic virus
 - (d) Tobacco ringspot virus
 - (e) Tomato ringspot virus (strain 'yellow vein' and other strains)
 - (f) *Xylella fastidiosa* (Well & Raju)
 - (g) *Xylophilus ampelinus* (Panagopoulos) Willems *et al.*
4. The plant material subjected to the visual inspections referred to in point 2 and on which signs and symptoms of harmful organisms have been observed shall be subjected to an investigation including testing where necessary, to determine as far as possible, the identity of the harmful organisms causing the signs and symptoms.

PART B

For plants, plant products and other objects listed in Annexes II and IV to Directive 77/93/EEC

1. The official quarantine measures shall include appropriate inspection or testing for the relevant harmful organisms listed in Annexes I and II to Directive 77/93/EEC and shall be carried out in respect of the special requirements laid down in Annex IV to Directive 77/93/EEC and shall be carried out in respect of the special requirements laid down in Annex IV to Directive 77/93/EEC for specific harmful organisms, as appropriate. In respect of such special requirements the methods used for the quarantine measures shall be those laid down in Annex IV to Directive 77/93/EEC or other equivalent officially approved measures.
 2. The plants, plant products and other objects must be found free, according to the provisions of paragraph 1, from the relevant harmful organisms specified in Annexes I, II and IV to Directive 77/93/EEC for the said plants, plant products and other objects.
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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 July 1995

approving the first amendment to the plan presented by Germany for the eradication of classical swine fever in feral pigs in Mecklenburg-Western Pomerania, Lower Saxony and the Rhineland Palatinate

(Only the German text is authentic)

(Text with EEA relevance)

(95/297/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the eradication of classical swine fever⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 6a, paragraph 3 thereof,

Whereas, by Decision 93/617/EC⁽²⁾, the Commission approved the plan for the eradication of classical swine fever in feral pigs in Mecklenburg-Western Pomerania, Lower Saxony and the Rhineland Palatinate submitted by Germany;

Whereas the German authorities have on 7 March 1995 informed the Commission of amendments to the initial plan to take account of the evolution of the disease;

Whereas the amendments have been examined and found to comply with the provisions of Directive 80/217/EEC;

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

Article 1

The amendment to the plan submitted by Germany for the eradication of classical swine fever in feral pigs in Mecklenburg-Western Pomerania, Lower Saxony and the Rhineland Palatinate is hereby approved.

Article 2

Germany shall bring into force the laws, regulations and administrative provisions for implementing the amendment of the plan referred to in Article 1.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No L 296, 1. 12. 1993, p. 60.

COMMISSION DECISION

of 19 July 1995

amending Commission Decision 95/30/EC laying down specific conditions for importing fishery and aquaculture products from Morocco

(Text with EEA relevance)

(95/298/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 (5) thereof,

Whereas the list of establishments approved by Morocco for importing fishery and aquaculture products into the Community has been drawn up in Commission Decision

95/30/EC⁽²⁾; whereas this list may be amended following the communication of a new list by the competent authority in Morocco;

Whereas the competent authority in Morocco has communicated a new list adding seven establishments;

Whereas it is necessary to amend the list of approved establishments;

Whereas the measures provided for in this Decision have been drawn up in accordance with the procedure laid down by Commission Decision 90/13/EEC⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

Annex B of Commission Decision 95/30/EC is amended as follows:

the following establishments are inserted in accordance with the numerical order:

'1238	SURGELPECHE	Larache	30. 6. 1996
1249	CONSERVERIE DU RIF	Nador	30. 6. 1996
2207	JUVIKA	Tanger	30. 6. 1996
2209	SELIM FRESHFISH	Safi	30. 6. 1996
2210	STÉ D'EXPORTATION PETIT MER	Beni-Ensar Nador	30. 6. 1996
2212	LE POISSONNIER	Casablanca	30. 6. 1996
2218	COPRAVE	El Jadida	30. 6. 1996'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 42, 24. 2. 1995, p. 32.

⁽³⁾ OJ No L 8, 11. 1. 1990, p. 70.

COMMISSION DECISION**of 19 July 1995****amending Commission Decision 93/437/EEC laying down specific conditions for
importing fishery products from Argentina****(Text with EEA relevance)****(95/299/EC)**

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

Having regard to Council Directive 91/493/EEC of 22
July 1991 ⁽¹⁾, laying down the health conditions for the
production and the placing on the market of fishery
products, as last amended by the Act of Accession of
Austria, Finland and Sweden, and in particular Article 11
(5) thereof,

Whereas the list of establishments and factory ships
approved by Argentina for importing fishery products
into the Community has been drawn up in Commission
Decision 93/437/EEC ⁽²⁾, as last amended by Decision
94/341/EC ⁽³⁾; whereas this list may be amended fol-
lowing the communication of a new list by the competent
authority in Argentina;

Whereas the competent authority in Argentina has
communicated a new list adding nine establishments and
47 factory ships, deleting 33 establishments and 17
factory ships, and amending the data of seven factory
ships;

Whereas it is necessary to amend the list of approved
establishments and factory ships accordingly;

Whereas the measures provided for in this Decision have
been drawn up in accordance with the procedure laid
down by Commission Decision 90/13/EEC ⁽⁴⁾,

HAS ADOPTED THIS DECISION :

Article 1

Annex B of Decision 93/437/EEC is replaced by the
Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 202, 12. 8. 1993, p. 42.

⁽³⁾ OJ No L 151, 17. 6. 1994, p. 41.

⁽⁴⁾ OJ No L 8, 11. 1. 1990, p. 70.

ANNEX

ANNEX B

LIST OF APPROVED ESTABLISHMENTS AND FACTORY SHIPS

I. Establishments

Number	Name and address	Number	Name and address
97	Carnes Santacruceñas SA (CARSA) Puerto Deseado — Santa Cruz	2121	Di Meglio y Seoane Freyre Mar del Plata — BsAs
409	Indupesa SAIICIF Mar del Plata — BsAs	2123	Mariano Cafiero SA Capital Federal
419	Antonio Barillarri Mar del Plata — BsAs	2132	Engraulis SA Quequen — BsAs
421	Centauro SCA Mar del Plata — BsAs	2168	Costa Brava SRL Mar del Plata — BsAs
428	Marítima Integrada de Armadores Mar del Plata — BsAs	2181	Tres Ases SAIICEA (x) Bahía Blanca — BsAs (x) Dep. de congelados
430	Salerno Hermanos Mar del Plata — BsAs	2184	Frigorífico Bay Blanc de Mario Parodi y Asociados Puerto Ingeniero White — BsAs
442	Marbella SA Mar del Plata — BsAs	2211	Pesquera del Atlántico SAIC Puerto Ingeniero White — BsAs
461	Ángel Musmeci Mar del Plata — BsAs	2214	Loba Pesquera SAMCI Mar del Plata — BsAs
475	Pescasur SA Puerto Deseado — Santa Cruz	2220	Frigorífico Marejada SA Mar del Plata — BsAs
481	Bajamar Necochea — BsAs	2246	Giorno SA Mar del Plata — BsAs
493	El Marisco SACI Mar del Plata — BsAs	2251	Giorno SA Mar del Plata — BsAs
496	Luis Solimeno e Hijos SA Mar del Plata — BsAs	2256	Pespasa Puerto Deseado — Santa Cruz
512	Alpesca, SA Mar del Plata — BsAs	2265	Harengus SA Puerto Madryn — Chubut
517	Siracusa SA Comodoro Rivadavia — Chubut	2266	Alpesca SA Puerto Madryn — Chubut
528	José Di Scala e Hijos SA Mar del Plata — BsAs	2267	Conarpesa SA Puerto Madryn — Chubut
536	Jorge di Scala Mar del Plata — BsAs	2272	Pesquera Santa Elena Puerto Deseado — Santa Cruz
547	Frigorífico del Sudeste SA Mar del Plata — BsAs	2273	Carlos Alberto Yakin y Eduardo Ramón Escudero Mar del Plata — BsAs
553	Frigorífico Mellino SA Mar del Plata — BsAs	2279	Antonio Barillarri Caleta Oliva — Santa Cruz
553 A	Frigorífico Mellino SA Mar del Plata — BsAs	2294	Empesur SA Puerto Deseado — Santa Cruz
555	Rosalía Buono de Di Scala Mar del Plata — BsAs	2298	Centauro SCA Mar del Plata — BsAs
580	Pesquera del Beagle SA Ushuaia — Tierra del Fuego	2344	Pesquera Santa Cruz Puerto Deseado — Santa Cruz
2113	Joaquín Pennisi Mar del Plata — BsAs	2345	Marbetan Mar del Plata — BsAs
2119	Antonio Baldino y María Inmaculada Di Scala Mar del Plata — BsAs		

Number	Name and address	Number	Name and address
2360	Fuerte San Carlos SA Puerto Deseado — Santa Cruz	2748	Terramarre SA Mar del Plata — BsAs
2366	Aldimar SAIC Mar del Plata — BsAs	2751	Arbumasa SA Puerto Deseado — Santa Cruz
2578	Calusa Mar del Plata — BsAs	2752	Isola Verde I SRL Mar del Plata — BsAs
2592	Luis Solimeno e Hijos Mar del Plata — BsAs	2756	P. Moscuzza SA Mar del Plata — BsAs
2600	Pionera SA Puerto Deseado — Santa Cruz	2822	María Celeste Brau de la Frossia, Julia Ruth Muñoz Vázquez de Jerez, Nora María Ellese de Tascón con nombre fantasía Pesquera San Salvador SRL Mar del Plata — BsAs
2609	Bahía Grande SA Punta Quilla — Chubut	2828	Industrial Pesquera Necochea SAIC Necochea — BsAs
2611	Cafiero y Pollio Mar del Plata — BsAs	2846	Camaronera Patagónica SA San Antonio Oeste — Río Negro
2628	José María D'Iorio Mar del Plata — BsAs	2902	Zanella Mare SA Mar del Plata — BsAs
2642	CITEP Mar del Plata — BsAs	2951	Kea SA Frigorífico Mar del Plata — BsAs
2646	Natimar SA Mar del Plata — BsAs	3028	Argen Pesca SA Mar del Plata — BsAs
2672	Nautilus SRL Rawson — Chubut	3061	José Renaudo Necochea — BsAs
2706	Argenova SA Puerto Deseado — Santa Cruz	3143	Francisco Manuel Nucete Jimena y Maria del Carmen Nucete Mar del Plata — BsAs
2725	Emprendimientos Patagónicos SA Puerto Madryn — Chubut		
2744	Fontinalis SA San Carlos de Bariloche Río Negro		

II. Factory ships

Number	Name	Name and address of owner	Number	Name	Name and address of owner
487	Capitán Giachino	Conarpesa SA	2351	Fuji	Argenova SA
2147	Uchi	Pesquera Mayorazgo SAMCI	2355	Estrella I	Hansung AR SA
2166	Lapataia	Pesquera Santa Elena	2356	Floridablanca II	Floridablanca SA
2176	Paku	Luis Solimeno e Hijos SA	2357	Inari Maru 25	Pesquera Arnippo SA
2178	Aracena	Hansung AR SA	2359	Kongo	Pesantar, Pesquera de la Patagonia y Antártida SA
2180	Arrufo	Luis Solimeno e Hijos SA	2361	Codepeca I	Codepeca SA
2189	San Marcos	Pesquera Narwal	2362	Codepeca II	Codepeca SA
2192	Mataco	Frumar SA	2364	Toba Maru	Jiggers SA
2194	Usurbil	Pesquera del Atlántico	2365	Miura Maru	Jiggers SA
2197	Api IV	Api Antártida Pesquera Industrial	2373	Scombrus	Scombrus SA
2198	Ponte Coruxo	Pescamadryn SA	2374	Codepeca IV	Codepeca SA
2203	Api III	Api Antártida Pesquera Industrial	2375	Arkofish I	Arkofish SA
2204	Ribera Vasca	Productos del Mar SA	2376	Codepeca III	Codepeca SA
2206	Kaleu Kaleu	Pesquera Santa Elena	2563	Empesur I	Empesur SA
2207	Antártida	Api Antártida Pesquera Industrial	2565	Estela	Argenova SA
2216	Urouill	Pesquera del Atlántico	2567	Floridablanca IV	Floridablanca SA
2221	Harengus	Harengus SA	2579	Faro de Hércules	Boargen SA
2222	Api II	Api Antártida Pesquera Industrial	2584	Alvamar IV	Pescasur SA
2225	Caaveiro	Pesquera San Carlos SA	2585	Estrella III	Hansung AR SA
2226	Conarpesa I	Conarpesa SA	2594	Beagle I	Pesquera del Beagle
2228	Conarpesa II	Conarpesa SA	2601	Lugo	Argenova SA
2230	Alvamar I	Pescasur SA	2604	Marunaka	Argenova SA
2235	Kasuga Maru	Pespasa, Explotación Pesquera de la Patagonia SA	2606	Kaigel	Argenova SA
2238	Ila	Pesquera del Atlántico	2607	Challenger	Argenova SA
2244	Rokko Maru	Pespasa, Explotación Pesquera de la Patagonia SA	2608	Sarvo	Argenova SA
2254	Conarpesa VI	Conarpesa SA	2614	Floridablanca V	Floridablanca SA
2255	Conarpesa V	Conarpesa SA	2615	Lobo	Pesquera del Atlántico
2263	Alvamar III	Pescasur SA	2617	Coral Negro	Novamar SA
2271	Cristal Marino	Pesquera Sakyu SA	2631	Corageous	Boargen SA
2274	Viernes Santo	Pesquera Santa Cruz SA	2632	Ángela Wright	Argenova SA
2275	Sábado Santo	Pesquera Santa Cruz SA	2634	Arbumasa V	Arbumasa SA
2291	Gloria	Pionera SA	2637	Mar Esmeralda	Antonio Barillari SA
2292	Mar Pionero	Pionera SA	2649	Empesur II	Empesur SA
2297	Mar del Sur	Pesquera Mar Azul SA	2652	Virgen de la Bella	Conarpesa SA
2299	Hotaka Maru	Sur Este Argen SA	2655	Arbumasa I	Arbumasa SA
2309	Hoshin	Pesquera Santa Elena	2656	Arbumasa IV	Arbumasa SA
2310	Hoko 31	Ocean Fish SA	2657	Arbumasa II	Arbumasa SA
2341	Triunfo	Pionera SA	2659	Virgen de la Cinta	Conarpesa SA
2343	Nddanddu	Pesquera Leal SA	2660	Yamato	Pesantar, Pesquera de la Patagonia y Antártida SA
2349	Mar Sur	Pionera SA	2661	Dalian II	Depasur SA
			2662	Lunes Santo	Pesquera Santa Cruz SA
			2663	Martes Santo	Pesquera Santa Cruz SA

Number	Name	Name and address of owner	Number	Name	Name and address of owner
2666	Humback	Arpolco SA	2787	Vieirasa Ocho	Explotación Pesquera del Atlántico Sur SA
2667	Victoria del Mar I	Victoria del Mar SA	2789	Latina 5	Pesquera Oeste SA
2670	Depasur I	Depasur SA	2790	Latina I	Pesquera Sur SA
2671	Esperanza I	Esperanza del Mar SA	2793	Estrella VIII	Hansung AR SA
2679	Reyes del Mar I	Reyes del Mar SRL	2795	Coalsa Segundo	Coalsud SA
2684	Estrella V	Hansung AR SA	2796	Coalsa Tercero	Coalsud SA
2686	Hope Nro. VII	S.K. Istramar SA	2798	Carlos Álvarez	Hispargen SA
2687	Coral Azul	Novamar SA	2799	Mar Novia II	Mar Argentino SA
2688	Fueguino I	Astilleros Fueguinos	2801	Arbumasa XIV	Arbumasa SA
2690	Arbumasa VII	Arbumasa SA	2802	Punta Báltica	Pesquera Alenfish SA
2691	Arbumasa VI	Arbumasa SA	2803	Cincomar I	Cincomar SA
2692	Empesur III	Empesur SA	2806	Pescargen IV	Pescargen SA
2693	Empesur IV	Empesur SA	2810	Centurión del Atlántico	Pesquera SA
2696	Polaris	Charger SA	2815	Estrella VI	Hansung AR SA
2698	Latina 8	Pesquera Latina SA	2818	Mar II	Mar Lavquen SA
2699	Coral Blanco	Novamar SA	2819	Feixa	Pesquera Meridional SA
2700	Tehuelche	Agrepez SA	2824	Rikuzen	Pesantar, Empresa Pesquera de la Patagonia y Antártida SA
2701	Mapuche	Agrepez SA			
2712	Surimi I	Surimi SA	2826	Junella	Griffin SA
2716	Virgen del Rocío	Conarpesa SA	2832	Arbumasa XV	Arbumasa SA
2717	Frumar I	Frumar SA	2833	Pescargen V	Pescargen SA
2718	Atlantis I	Atlantis Patagónica SA	2839	Magallanes I	Boargen SA
2724	Reyes del Mar	Agua Marina SA	2840	Magallanes II	Boargen SA
2729	Bahía Desvelos	Pesquera Santa Cruz SA	2842	Navegantes	Pesquera Comercial SA
2739	Ohtori	Prodesur SA	2850	Jueves Santo	Pesquera Santa Cruz SA
2747	Sovarco II	Gabli Pesquera SA	2851	Miércoles Santo	Pesquera Santa Cruz SA
2750	Corcubión	Pesquera Santa Margarita	2852	Gove Aquarius	Argenova SA
2757	Arbumasa XII	Pesquera Euroamericana SA	2853	Gove Scorpio	Argenova SA
2758	Arbumasa X	Pesquera Euroamericana SA	2854	Gove Pisces	Argenova SA
2759	Arbumasa XI	Pesquera Euroamericana SA	2858	Mar Austral I	Nave Mar Austral SA
2760	Mar Novia I	Mar Argentino SA	2859	Esperanza II	Industrias Pesqueras Madryn SA
2761	Pasa 82	Arnippo SA			
2762	Ontre IV	Mar Verde SA	2860	Gove Leo	Argenova SA
2767	Arco Iris	Bravo Pesquera SA	2881	Cincomar Dos	Cincomar SA
2770	Depemas 81	Depemas SA	2884	Arbumasa XXI	Arbumasa SA
2772	Chang Bo Go I	Arpepa SA	2885	Arbumasa XX	Arbumasa SA
2774	Pescargen III	Pescargen SA	2890	Promasa II	Alpesca SA
2775	José Luis Álvarez	Hispargen SA	2891	Promasa I	Alpesca SA
2776	Juan Álvarez	Hispargen SA	2897	Alvamar Cinco	Alvasur SA
2777	Gran Estrella	Hansung AR SA	2900	Esturión	Galapesca SA, Industria Pesquera Austral
2778	Marcala IV	Marcala SA			
2780	Dasa 508	Dargah Argentina SA	2901	Poseidón	Galapesca SA, Industria Pesquera Austral
2782	Antonio Álvarez	Hispargen SA			
2784	Illex I	Illex SA	2929	Arbumasa XXII	Arbumasa SA
2786	Depemas 51	Depemas SA	2930	Xeitosiño	Pesuar SA

Number	Name	Name and address of owner	Number	Name	Name and address of owner
2939	Cincomar 3	Cincomar SA	3029	Asudepes I	Asudepes SA
2941	Chang Bo Go II	Armadores Pesqueros Patagónicos Marítima Comercial Industrial SA	3031	Asudepes II	Asudepes SA
2946	Kantxope	Pesquera Argentina Albatros SA	3039	Maria Liliana	Pedro Moscuza e Hijos SA
2950	Antartic I	Antartic Longlining SA	3040	Chich Hsiang N° 6	Esamar SA
2964	Tolhuen	Dalmoreproduct Argentina SA	3041	Shun Ying N° 3	Pesquera Alenfish SA
2967	Peixiño	Pesuar SA	3042	Chin Man	Esamar SA
2975	Mar Uno	Mar Lauquen SA	3044	Mar del Sur II	Esamar SA
2985	Kinsho Maru	Pesquera Taska SA	3045	Yeou Dar 101	Pesquera Alenfish SA
6-2867	Inari Maru 28	Pesquera Emiliano SA	3059	Chich Hsiang N° 3	Taipesar SA
6-2870	Shunyo Maru 188	Machiavello SA	3070	Estreito N° 3	Estreito Rande SA
6-2871	Shunyo Maru 178	Machiavello SA	3078	Her Yang N° 1	J.y. M. SA
6-2872	Inari Maru 21	Pionera SA	3081	Cheng N° 1	Interocean Fishery SA
6-2873	Hamazen Maru 68	Frigorífico Mellino SA	3082	Chien Man N° 103	Taipesar SA
6-2874	Sumiho Maru 75	Frigorífico Mellino SA	3085	Chieh Hsiang N° 661	Taipesar SA
6-2879	Hoyo Maru 37	Pesquera Emiliano SA	3095	Mar del Sur III	Esamar SA
6-2880	Kiku Maru 58	Pionera SA	3116	Alvasur Seis	Alvasur SA
3000	Fernando Alvarez	Hispargen, Cia Hispano Argentina de Pesca	3122	Isla Guamblin	Pescom SA
3002	Esamar 3	Esamar SA	3123	Arbumasa XXIII	Arbumasa SA
3005	Bae Fu N° 6	Hsien Yuzh SA	3142	Azuchi Maru	Explotación Pesquera de la Patagonia SA
3009	Esteiro	Mariscos Argentinos SA	3144	Ceres	Pesquera Ceres SA
3010	Arbumasa XVII	Corporación Pesquera del Sur SA	3149	Marazul XIV	Alpesca SA
3016	Arbumasa XVI	Corporación Pesquera del Sur SA	3150	Marazul X	Alpesca SA
3018	Bae Fu 108	Hsien Yuzh SA	3151	Marazul XV	Alpesca SA
3020	Don Santiago	Cabo Corrientes Pesquera SA	3152	Marazul XII	Alpesca SA
3021	Ping Chieh 101	Proyesur SA	3156	Antartic II	Antartic Longlining SA
3022	Shuenn Ying N° 1	Proyesur SA	3160	Erin Bruce	Wanchese International Inc.
3024	Yung Chun 66	Proyesur SA	3166	Carolina P.	Pescamellino Puerta SA
3025	Ping Chun 101	J.y. M. SA	3167	Anabella M.	Pesquera Puerta Mellino SA
3027	Hsiang Man Chuen 17	J.y. M. SA	3168	Paradanta Primero	Paradanta SA
			3169	Urabain	Pesquera Vasco Gallega SA
			3171	Itxas Lur	Hispano Patagonica SA
			3177	Buque Arbumasa XVIII	Corporación Pesquera del Sur'

COMMISSION DECISION

of 26 July 1995

amending Decision 94/887/EC derogating from prohibitions relating to African swine fever for certain areas in Spain and repealing Council Decision 89/21/EEC

(Text with EEA relevance)

(95/300/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9a thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on animal health problems affecting intra-Community trade in fresh meat⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 8a thereof,

Having regard to Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products⁽³⁾, as last amended by Directive 91/687/EEC⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Article 9a (1) of Directive 64/432/EEC, Article 8a (1) of Directive 72/461/EEC and Article 7a (1) of Directive 80/215/EEC, a derogation from the prohibition on the export of live swine, fresh pigmeat and certain meat products may be granted for one or more parts of the territory of a Member State where African swine fever has been recorded within the previous 12 months;

Whereas in the light of an improved health situation it was possible to adopt Commission Decision 94/887/EC⁽⁵⁾; whereas the said Decision resulted in the creation of a disease free area, a surveillance zone and an infected zone;

Whereas it is necessary to take account of the protective measures taken by the Spanish authorities to prevent the contamination or re-contamination of pig holdings and measures to control the movement of pigs and pigmeat;

likewise it is necessary to recognize the measures put in place by the Spanish authorities;

Whereas it is the objective, within the eradication programme adopted by Commission Decision 94/879/EC of 21 December 1994 approving the programme for the eradication and surveillance of African swine fever for 1995 presented by Spain and fixing the level of the Community financial contribution⁽⁶⁾, to eliminate African swine fever from the remaining infected areas of Spain;

Whereas in the light of an improved health situation in certain parts of the autonomous region of Andalusia, some areas of this region can now be added to the established African swine fever free area and zones defined as infective can be recognized as surveillance zones;

Whereas the Standing Veterinary Committee has delivered a favourable opinion,

HAS ADOPTED THIS DECISION:

Article 1

Decision 94/887/EC is amended as follows:

1. In Article 1 (2), Article 2 (2) and Article 3 (2), the following is added to the indication to be included in the health certificate: 'as amended by Decision 95/300/EC'.
2. In Article 3 (1), 'Annex I' is replaced by 'Annexes I and III'.
3. In point (d) of Article 4 (2), point (d) of Article 4 (3) and point (b) of Article 4 (4), the word 'four' is replaced by 'five'.
4. Article 7 is amended as follows:
 - (a) in point (c) of paragraph 2, the following words are deleted: 'which shall be located in the towns of Guijuelo, the province of Salamanca or Merida, the province of Badajoz';

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽³⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁴⁾ OJ No L 377, 31. 12. 1991, p. 16.

⁽⁵⁾ OJ No L 352, 31. 12. 1994, p. 112.

⁽⁶⁾ OJ No L 352, 31. 12. 1994, p. 104.

(b) paragraph 3 is replaced by the following :

'3. The competent authority certifying the health document referred to in point (c) of paragraph 2 shall inform the official veterinary officer at the designated slaughterhouse and the Central Service of Animal Health of the autonomous region where the slaughterhouse in question is situated of the date and time the consignment is scheduled to arrive at the slaughterhouse.'

5. Article 8 is replaced by the following :

Article 8

Meat from pigs slaughtered in the area described in Annex III must be health marked as laid down in the Annex to Directive 72/461/EEC.'

6. Article 9 is replaced by the following :

Article 9

Spain shall provide Member States and the Commission with :

- (a) the name and location of slaughterhouses designated to receive pigs for slaughter referred to in Article 7 (2);
- (b) a monthly report which contains information on the pigs for slaughter referred to under (a) as regards :

- number of pigs slaughtered at the designated slaughterhouses,
- the identification system and movement controls applied to pigs for slaughter,
- the results of examinations carried out for the detection of antibodies to African swine fever virus.'

7. Annexes I, II and III are replaced in accordance with the Annex hereto.

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 Member States.

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Annexes I, II and III are replaced by the following :

ANNEX I

Area defined as free from African swine fever and consisting of :

1. Autonomous regions

ARAGON
ASTURIAS
BALERIAN ISLANDS
CANARY ISLANDS
CASTILLA LA MANCHA
CASTILLA Y LEON
CANTABRIA
CATALONIA
EXTREMADURA
GALICIA
MADRID
MURCIA
NAVARRA
RIOJA
VALENCIA
BASQUE COUNTRY

2. In Andalusia :

(a) the provinces of Almería, Granada, Jaén, Cádiz y Málaga ;

(b) in the province of Huelva, the municipalities :

Aljaraque, Almendro (El), Almonaster la Real, Almonte, Alosno, Ayamonte, Beas, Berrocal, Bollullos del Condado, Bonares, Cabezas Rubias, Cala, Calañas, Campillo (El), Cartaya, Cerro de Andévalo (El), Chucena, Escacena del Campo, Gibralfaró, Granada (El), Hinojos, Huelva, Isla Cristina, Lepe, Lucena del Puerto, Manzanilla, Minas de Riotinto, Moguer, Nerva, Niebla, Palma del Condado (La), Palos de la Frontera, Paterna del Campo, Paymogo, Puebla de Guzmán, Punta Umbría, Rociana del Condado, San Bartolomé de la Torre, San Juan del Puerto, Sanlúcar de Guadiana, San Silvestre de Guzmán, Santa Bárbara de Casa, Trigueros, Valverde del Camino, Villablanca, Villalba del Alcor, Villanueva de las Cruces, Villanueva de los Castillejos, Villarrasa and Zalamea la Real ;

(c) in the province of Sevilla, the municipalities :

Aguadulce, Albaida de Aljarafe, Alcalá de Guadaira, Alcalá del Río, Alcolea del Río, Algaba (La), Algamitas, Almensilla, Arahal (El), Aznalcózar, Aznalcollar, Badajoz, Beracozán, Bollullos de la Mitación, Bormujos, Brenes, Burguillos, Cabezas de San Juan (Las), Camas, Campana (La), Cantillana, Carmona, Carrión de los Céspedes, Casariche, Castilleja de Guzmán, Castilleja de la Cuesta, Castilleja del Campo, Castillo de las Guardas (El), Constantina, Coria del Río, Corice, Coranti (El), Corrales (Los), Dos Hermanas, Ecija, Espartinos, Estepa, Fuentes de Andalucía, Garrobo (El), Gelves, Gerena, Gilena, Ginés, Guillena, Guadalcanal, Herrera, Huelva, Lantejuela (La), Lebrija, Lora de Estepa, Lora del Río, Luisiana (La), Madroño (El), Mairena del Alcor, Mairena del Aljarafe, Marchena, Marín, Martín de la Jara, Molares (Los), Montellano, Morón de la Frontera, Navas de la Concepción (Las), Olivares, Osuna, Palacios (Los) y Villafranca, Palomares del Río, Paradas, Pedrera, Peñaflores, Pilas, Pruna, Puebla de Cazalla (La), Puebla de los Infantes, Puebla del Río (La), Rinconada (La), Roda de Andalucía (La), Ronquillo (El), Rubio (El), Salteras, San Juan de Aznalfarache, San Nicolás del Puerto, Sanlúcar la Mayor, Santiponce, Sauces (El), Sevilla, Tocina, Tomares, Umbrete, Utrera, Valencina de la Concepción, Villamarque de la Condesa, Villanueva del Ariscal, Villanueva de San Juan, Villanueva del Río and Minas, Villaverde del Río, Viso del Alcor (El) ;

(d) in the province of Córdoba, the municipalities :

Adamuz, Aguilar, Almedinilla, Almodovar del Río, Baena, Belacázar, Benalup, Blázquez, Bujalance, Cabra, Cañete de las Torres, Carcabuey, Carlota (La), Carpio (El), Castro del Río, Conquista, Córdoba, Doña Mencía, Dos-Torres, Encinas Reales, Espejo, Fernán-Núñez, Fuente Obejuna, Fuente Palmera,

Fuente Tojar, Granjuela (La), Guadalcazar, Guijo, Hinojosa del Duque, Iznajar, Lucena, Luque, Montalbán de Córdoba, Montemayor, Montilla, Montoro, Monturque, Moriles, Nueva-Cartaya, Palenciana, Palma del Río, Pedro Abad, Pedroche, Posadas, Priego, Puente-Genil, Rambla (La), Rute, San Sebastián de los Ballesteros, Santaella, Santa Eufemia, Torrecampo, Valenzuela, Valsequillo y Victoria (La), Villa del Río, Villafranca de Córdoba, Villarlito, Viso (El) and Zuheros.

e) In the province of Cadiz, the municipalities :

Alcalá del Valle, Barbate de Franco, Cádiz, Conil, Chiclana, Chipiona, Espera, Medina-Sidonia, Puerto de Santa María (El), Puerto Real, Puerto Serrano, Rota, San Fernando, Sanlúcar de Barrameda, Trebujena, Vejer de la Frontera, Alcalá de los Gazules, Algar, Algeciras, Algodonales (Zona sur), Arcos de la Frontera (Zona sur), Barrios (Los), Benaocaz, Bornos (Zona sur), Bosque (El), Castellar de la Frontera, Gastor (El), Grazalema, Jerez de la Frontera (Zona sur), Jimena de la Frontera, Línea (La), Olvera (Zona sur), Paterna de Rivera, Prado del Rey, San Roque, Setenil (Zona sur), Tarifa, Torre-Alhaquime (Zona sur), Ubrique, Villaluenga da Rosario, Villamartín (Zona sur) and Zahara.

ANNEX II

Area defined as an infected area.

ANNEX III

Area defined as a surveillance area and consisting in the autonomous region of Andalusia of :

(a) in the province of Huelva, the municipalities :

Alajar, Aracena, Aroche, Arroyomolinos de León, Cala, Campofrío, Cañaveral de León, Castaño de Robledo, Corteconcepción, Cortegana, Cortelazor, Cumbres de en Medio, Cumbres de San Bartolomé, Cumbres Mayores, Encinasola, Fuenteheridos, Galaroza, Granada de Río-Tinto (La), Higuera de la Sierra, Hinojales, Jabugo, Linares de la Sierra, Marines (Los), Nava (La), Puerto-Moral, Rosal de la Frontera, Santa Ana la Real, Santa Olalla del Cala, Valdelarco and Zufre ;

(b) in the province of Sevilla, the municipalities :

Alanís, Almadén de la Plata, Castiblanco de los Arroyos, Cazalla de la Sierra, Pedroso (El) and Real de la Jara (El) ;

(c) in the province of Córdoba, the municipalities :

Alcaracejos, Añora, Bélmez, Espiel, Fuente la Lancha, Pozoblanco, Villaharta, Villanueva de Córdoba, Villanueva del Rey, Cardeña, Obejo, Peñarroya-Pueblonuevo, Villanueva del Duque, Villaviciosa de Córdoba and la parte norte, respecto del río Guadalquivir, del municipio de Hornachuelos.'.

COMMISSION DECISION

of 26 July 1995

concerning protection measures in relation to foot-and-mouth disease in Russia

(Text with EEA relevance)

(95/301/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Decision 93/242/EEC of 30 April 1993 concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to foot-and-mouth disease⁽²⁾, as last amended by Decision 95/147/EC⁽³⁾, provides for the prohibition of the importation of live animals, fresh meat and certain meat products of susceptible species from certain countries including Russia;

Whereas Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (1) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, lays down the conditions for the importation of animal casings, hides and skins, bones and bone products, horn and horn products, hooves and hoof products, game trophies and unprocessed wool and hair;

Whereas Commission Decision 94/70/EC⁽⁵⁾, as last amended by Decision 94/506/EC⁽⁶⁾, draws up a provisional list of third countries from which Member States authorize imports of raw milk, heat-treated milk and milk-based products; whereas Russia is included in this list;

Whereas Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on

importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽⁷⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, permits Member States to import glands and organs for the pharmaceutical processing industry and fresh meat not intended for human consumption, under special conditions; whereas these conditions have been laid down by Commission Decision 92/183/EEC laying down the general conditions to be complied with for the import of certain raw materials for the pharmaceutical processing industry, coming from third countries which appear on the list established by Council Decision 79/542/EEC⁽⁸⁾, and Commission Decision 89/18/EEC concerning the conditions of importation from third countries of fresh meat for purposes other than human consumption⁽⁹⁾ respectively; whereas this material constitutes a risk;

Whereas an outbreak of foot-and-mouth disease has been confirmed in Russia;

Whereas the occurrence of foot-and-mouth disease in Russia presents a serious threat to the herds of Member States in view of the trade in milk, milk-based products, and certain other animal products;

Whereas, although the origin of the virus has not been established, it is possible to identify regions of the territory of Russia which could be considered to be free from the virus; whereas therefore it is necessary to apply protection measures only to the region of Moscow;

Whereas it is necessary therefore to prohibit the importation of certain animal products including milk and milk-based products from the region of Moscow, except if they have undergone specific treatments;

Whereas the types of treatment to be prescribed must have a scientific basis to the sort recommended by the Scientific Veterinary Committee and must take into account public and animal health protection requirements;

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

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 110, 4. 5. 1993, p. 36.

⁽³⁾ OJ No L 96, 28. 5. 1995, p. 51.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁵⁾ OJ No L 36, 8. 2. 1994, p. 5.

⁽⁶⁾ OJ No L 203, 6. 8. 1994, p. 24.

⁽⁷⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁸⁾ OJ No L 84, 31. 3. 1992, p. 33.

⁽⁹⁾ OJ No L 8, 11. 1. 1989, p. 17.

HAS ADOPTED THIS DECISION :

Article 1

1. Member States shall not authorize the importation of the following products of the bovine, ovine, caprine, porcine and other biungulate species originating in the territory of the region of Moscow, Russia

- milk and milk-based products,
- blood products not intended for human consumption,
- glands and organs as mentioned in Directive 72/462/EEC intended for the pharmaceutical industry under the provisions of Commission Decision 92/183/EEC,
- fresh meat not intended for human consumption as mentioned in Directive 72/462/EEC under the provisions of Commission Decision 89/18/EEC.

2. These prohibition provided for in paragraph 1 shall not apply to milk or milk-based products which have undergone :

either

1. a sterilization process, whereby an F_0 value equal to or greater than three was achieved ; or
2. an initial heat treatment having a heating effect at least equal to that achieved by a pasteurization process of at least 72 °C for at least 15 seconds and sufficient to produce a negative reaction to a phosphatase test, following by :

either

- (a) (i) in the case of milk or milk-based products intended for human consumption :
 - a second heat treatment involving high temperature pasteurization, ultra high temperature (UHT) treatment or sterilization, being in any case sufficient to produce a negative reaction to a peroxidase test, or

- for dried milk or dried milk-based products, a second heat treatment with a heating effect at least equal to that achieved by the initial heat treatment and which would be sufficient to produce a negative reaction to a phosphatase test, followed by a drying process ; or

- (ii) in the case of milk or milk-based products not intended for human consumption :

- a second heat treatment with a heating effect at least equal to that achieved by the initial heat treatment and which would be sufficient to produce a negative reaction to a phosphatase test, followed in the case of dried milk or dried milk-based products, by a drying process ;

or,

- (b) an acidification process such that the pH has been maintained at less than six for at least one hour.

3. Member States shall ensure that the certificates accompanying milk and milk-products to be sent from Russia shall bear the following words :

'Milk and milk-based products conforming to Commission Decision 95/301/EC of 26 July 1995 concerning protection measures in relation to foot-and-mouth disease in Russia'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 July 1995.

For the Commission

Franz FISCHLER

Member of the Commission