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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2870/95
of 8 December 1995
amending Regulation (EEC) No 2847/93 establishing a control system applicable
to the common fisheries policy

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⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Regulation (EC) No 2027/95 of 15 June 1995 establishing a system for the management of fishing effort relating to certain Community fishing areas and resources ⁽⁴⁾ fixes the maximum annual fishing effort levels in certain areas;

Whereas, under Council Regulation (EEC) No 685/95 of 27 March 1995 on the management of the fishing effort relating to certain Community fishing areas and resources ⁽⁵⁾, provision should be made for control and monitoring measures so as to ensure that the system for the management of fishing effort is being complied with;

Whereas Article 7 (3) of Regulation (EC) No 685/95 provides that Member States should take the necessary action to make it compulsory for vessels flying their flags to communicate details of entry into, and exit from, fishing parts located within those areas, in which fishing effort limitation or limitation on capacity applies, and of entries into, and exits from, the area lying south of latitude 56° 30' north, east of longitude 12° west and north of latitude 50° 30' north, hereinafter known as the 'Irish Box';

Whereas the Council shall decide no later than 30 June 1997 on the Commission's proposal of 12 June 1995 on the Community infrastructure for the management of data on catches in Community waters;

Whereas it is appropriate to allow derogations for vessels operating under specific conditions;

Whereas it should therefore be possible for Member States to adopt simplified communication methods for vessels undertaking fishing activities in the waters under the sovereignty or jurisdiction of their flag Member State or the Member State in which the vessels are registered;

Whereas, for reasons of simplification, masters of Community vessels which spend less than 72 hours at sea should be allowed to communicate, before the departure of a vessel, a single effort report containing all the information required by this Regulation;

Whereas the above measures shall in no case be less effective in monitoring fishing effort than the measures envisaged by this Regulation and consequently not disadvantage any Community vessel;

Whereas it is necessary for the number of days spent in areas by fishing vessels flying Member States' flags to be monitored; whereas, therefore, it is essential that the masters of fishing vessels record in their logs the number of days spent in each fishing area; whereas it is necessary for the competent authorities in the Member States to be informed of this so as to ensure that their fishing activities are monitored;

Whereas each Member State must take the necessary measures to check by sampling the fishing activities of fishing vessels exempt from the obligation to keep a logbook;

Whereas access to fishing areas and to the Irish Box should be controlled both by the flag Member State and by the Member State responsible for monitoring in the waters under its jurisdiction or sovereignty and covered by a fishing area; whereas, to that end, provision should be made for the flag Member State to communicate to the

⁽¹⁾ OJ No C 188, 22. 7. 1995, p. 8.

⁽²⁾ OJ No C 269, 16. 10. 1995.

⁽³⁾ Opinion delivered on 25 October 1995 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 199, 24. 8. 1995, p. 1.

⁽⁵⁾ OJ No L 71, 31. 3. 1995, p. 5.

Commission by computerized means the lists of named vessels authorized to exercise their activities in the fishing areas and in the Irish Box and for the Commission to ensure that the Member States responsible for control have access to such data;

Whereas restrictions on fishing effort should be managed both at Member State and at Community level; whereas Member States must record fishing efforts for each fishing area and must communicate aggregated fishing effort data to the Commission;

Whereas provision should be made for vessels flying the flag of a given Member State to cease their activities in a given fishing area once the overall fishing effort for that Member State in that fishing area is exhausted;

Whereas it is necessary to adopt provisions relating to the use of fishing gear so as to ensure that fishing vessels respect fishing effort restrictions;

Whereas, therefore, Regulation (EEC) No 2847/93⁽¹⁾ should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2847/93 is hereby amended as follows:

(1) The following title shall be inserted after Article 19:

TITLE IIA

Control of fishing effort

Article 19a

1. The provisions of this Title shall apply to Community fishing vessels which are authorized by Member States in accordance with Articles 2, 3 (5) and 9 of Council Regulation (EC) No 685/95 of 27 March 1995 on the management of the fishing effort relating to certain Community fishing areas and resources⁽²⁾ to carry out fishing activities in the fishing areas defined in Annex I to that Regulation and to such vessels authorized by Member States to carry out fishing activities directed at demersal species, in the area situated south of latitude 56° 30' north, east of longitude 12° west and north of latitude 50° 30' north, hereinafter known as the "Irish Box".

2. For the purpose of this Title, vessels over 18 metres overall shall be considered equivalent to vessels over 15 metres between perpendiculars. Member States shall notify the Commission of the method of measurement chosen. Vessels over the relevant length which

are not authorized by Member States under Articles 2, 3 (5) and 9 of Regulation (EC) No 685/95 shall not carry out fishing activities in the areas referred to in paragraph 1.

3. Notwithstanding the provisions of paragraph 1, Articles 19b and 19c shall apply solely to Community fishing vessels authorized to carry out fishing activities directed at demersal species.

⁽¹⁾ OJ No L 71, 31. 3. 1995, p. 5.

Article 19b

1. Masters of Community fishing vessels shall communicate the following information in the form of an "effort report":

- the name, external identification mark, radio call sign and name of the master of the vessel,
- the geographical location of the vessel to which the communication refers,
- the date and time of:
 - each entry into, and exit from, a part located inside the area,
 - each entry into an area,
 - each exit from an area.

2. Notwithstanding paragraph 1, vessels conducting trans-zonal fisheries which cross the line separating areas more than once during a period of 24 hours, provided they remain within a delimited zone of five miles either side of the line between areas, shall communicate their first entry and last exit within that 24-hour period.

3. Member States shall take the necessary measures to ensure that the masters, or the representatives of the masters, of fishing vessels flying their flag comply with the reporting obligation.

Article 19c

1. Masters of Community fishing vessels of their representatives shall communicate the information referred to in Article 19b by telex, by fax, by telephone message duly recorded by the recipient or by radio via a radio station approved under Community rules for the reception of such reports, or by any other method recognized in accordance with the procedure laid down in Article 36, simultaneously to the competent authorities of:

- the flag Member State, and,
- the Member State or Member States responsible for monitoring, where the vessel will carry out, or has carried out, its fishing activities in waters under the sovereignty or jurisdiction of that Member State or those Member States.

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

Such information shall be communicated immediately before each entry and exit. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on its behalf by another vessel.

2. Notwithstanding paragraph 1, where masters of Community fishing vessels :

- conduct trans-zonal fisheries, as defined in Article 19b, the masters or their representatives shall make an Effort Report for their first entry and last exit for each 24-hour period,

- undertake fishing activity in the waters under the sovereignty or jurisdiction of their flag Member State or the Member State in which the vessels are registered, the masters or their representatives shall communicate the information required under Article 19b to the competent authorities of the flag Member State in accordance with arrangements adopted by that State. Such arrangements shall in no case be less effective in monitoring fishing effort than the measures envisaged in paragraph 1. The flag Member State shall inform the Commission in due time of the arrangements envisaged,

- spend less than 72 hours at sea, but during that time undertake fishing activities in the waters under the sovereignty or jurisdiction of another Member State or Member States, the masters or their representatives shall communicate, before the departure of a vessel, the information required under Article 19b to the competent authorities of the Member State or Member States concerned, and of the flag Member State, by the methods set out in paragraph 1. The said competent authorities shall register this information in computer form. Should changes occur in the information provided, they shall be notified immediately to the said competent authorities by the master or his representative.

3. Real-time automatic systems recognized under Community legislation shall, however, constitute a recognized method of communication for the purpose of paragraph 1.

Article 19d

No later than 30 June 1997, the Council shall decide on the provisions proposed by the Commission on catch reporting and on the integrated computerized system for controlling the data referred to in Article 19b.

Article 19e

1. Masters of Community fishing vessels shall record and account for in their logs the time spent in an area as follows :

with regard to towed gear :

- the date and time of entry of the vessel into an area or of exit from a port located in that area,
- the date and time of the vessel from that area or of entry into a port located in that area ;

with regard to static gear :

- the date and time of entry of the vessel using the static gear into an area, or of exit from a port located in that area,
- the date and time of setting or re-setting of static gear in the area concerned,
- the date and time of the completion of fishing operations using the static gear,
- the date and time of exit of the vessel from that area or of entry into a port located in that area.

2. Notwithstanding paragraph 1, masters of Community fishing vessels conducting trans-zonal fisheries as defined in Article 19b shall record the date and time of their first entry and of their last exit.

3. Masters of Community vessels exercising fishing activities directed at demersal species shall record the information required under Article 19b in their logs.

4. For vessels exempt from the obligation to keep a logbook the flag Member State shall carry out checks by sampling to assess the overall effort deployed in a fishery.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 36.

Article 19f

1. The flag Member State shall complete the register(s) which it has created in accordance with Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*) so as to incorporate into it/them the data contained in the lists of named vessels as referred to in Article 2 of Regulation (EC) No 685/95.

2. The flag Member State shall transmit the data referred to in paragraph 1 in computer form, preferably by electronic mail, in accordance with the procedure laid down in Regulation (EC) No 109/94.

3. Under the procedures provided for in Regulation (EC) No 109/94, the Commission shall ensure that the Member States responsible for control have available the data concerning the identification of vessels having access to their waters.

(^(*)) OJ No L 19, 22. 1. 1994, p. 5.

Article 19g

Each Member State shall record the fishing efforts deployed by vessels flying its flag in each fishing area referred to in Article 19a and in the Irish Box for demersal fishing areas on the basis of available information contained in vessels' logbooks and information collected in accordance with Article 19e (4).

Article 19h

Each Member State shall assess in overall terms the fishing efforts deployed by vessels flying its flag, which have a length of less than 15 metres between perpendiculars or 18 metres overall in accordance with the provisions of Article 19a (2), in the fishing areas referred to in Article 19a and in the Irish Box.

Article 19i

Each Member State shall inform the Commission, by computerized means in accordance with the procedures laid down in Regulation (EC) No 109/94, of the aggregate data for the fishing effort deployed:

- in the previous month for each fishing area referred to in Article 19a and in the Irish Box for demersal species, before the 15th of each month,
- in the previous quarter for each fishing area referred to in Article 19a for pelagic species, before the end of the first month of each calendar quarter.

- (2) The following Article shall be inserted after Article 20:

Article 20a

1. Where fishing vessels to which Title IIa applies carry out fishing activities in the fishing areas referred to in Article 19a and in the Irish Box they may carry with them and use only the corresponding fishing gear or gears.

2. However, fishing vessels also fishing in fishing areas other than those referred to in paragraph 1 during the same trip may carry gear corresponding to their activities in the areas concerned, provided that gear kept on board and not authorized for use in the fishing area or areas referred to in Article 19a and in the Irish Box is stowed so that it may not be readily

used, in accordance with the second subparagraph of Article 20 (1).

3. Provisions relating to the identification of static fishing gear shall be adopted no later than 31 December 1996 in accordance with the procedure laid down in Article 36.'

- (3) The following Articles shall be inserted after Article 21:

Article 21a

Without prejudice to Article 3 (2) (i) of Regulation (EC) No 685/95 and Article 4, second indent, of Council Regulation (EC) 2027/95 of 15 June 1995 relating to certain Community fishing areas and resources (^(*)), each Member State shall determine the date on which the vessels flying its flag or registered in its territory shall be deemed to have reached the maximum fishing in effort level in a fishing area as laid down in the latter Regulation. As from that date, it shall provisionally prohibit the fishing activities of the said vessels in that area. The Commission shall be notified forthwith of this measure and shall then inform the other Member States.

(^(*)) OJ No L 199, 24. 8. 1995, p. 1.

Article 21b

Where vessels flying the flag of a Member State are deemed to have exhausted 70 % of the maximum fishing effort in a fishing area as fixed in Regulation (EC) No 2027/95, the Member State concerned shall notify the Commission of the measures adopted pursuant to the second subparagraph of Article 7 (1) of Regulation (EC) No 685/95.

Article 21c

1. On the basis of the information referred to in Article 19i, the Commission shall ensure that the maximum fishing effort levels as fixed in Regulation (EC) No 2027/95 are complied with.

2. Following notification under Article 21a or on its own initiative, the Commission shall fix, on the basis of available information, the date on which the maximum fishing effort level of a Member State for a fishing area is deemed to have been reached. From that date on, vessels flying the flag of that Member State shall not undertake fishing activities in the fisheries concerned'.

Article 2

This Regulation shall enter into force on 1 January 1996.

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

Done at Brussels, 8 December 1995.

For the Council

The President

J. A. GRIFÁN

COMMISSION REGULATION (EC) No 2871/95

of 13 December 1995

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1101/95⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of 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⁾; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector⁽⁵⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾, as amended by Regulation (EC) No 1380/95⁽⁷⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 2815/95⁽⁸⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾, as last amended by Regulation (EC) No 150/95⁽¹⁰⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹¹⁾, as last amended by Regulation (EC) No 1053/95⁽¹²⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 December 1995.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

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

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 16.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁸⁾ OJ No L 297, 9. 12. 1995, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹²⁾ OJ No L 107, 12. 5. 1995, p. 4.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 13 December 1995 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	38,63 ⁽¹⁾
1701 11 90 910	38,24 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	38,63 ⁽¹⁾
1701 12 90 910	38,24 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4199
	— ECU/100 kg —
1701 99 10 100	41,99
1701 99 10 910	41,57
1701 99 10 950	41,57
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4199

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

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

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 2815/95 are observed.

COMMISSION REGULATION (EC) No 2872/95

of 13 December 1995

fixing the maximum export refund for white sugar for the 20th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1813/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1101/95 ⁽²⁾, and in particular the second subparagraph of Article 17 (5) (b) thereof,

Whereas Commission Regulation (EC) No 1813/95 of 26 July 1995 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1813/95 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 20th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93 ⁽⁴⁾, as amended by Regulation (EC) No 1380/95 ⁽⁵⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas

this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 2815/95 ⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 20th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1813/95 the maximum amount of the export refund is fixed at ECU 44,599 per 100 kilograms.

2. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 2815/95 are observed.

Article 2

This Regulation shall enter into force on 14 December 1995.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 175, 27. 7. 1995, p. 12.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 297, 9. 12. 1995, p. 1.

COMMISSION REGULATION (EC) No 2873/95

of 13 December 1995

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or

if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 December 1995.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question in the event of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	9,67	—	0,00
1703 90 00 ⁽¹⁾	10,39	—	0,00

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

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

COMMISSION REGULATION (EC) No 2874/95**of 12 December 1995****establishing unit values for the determination of the customs value of certain perishable goods**

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 1762/95 ⁽³⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 December 1995.

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

Done at Brussels, 12 December 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 171, 21. 7. 1995, p. 8.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Inl £	Dkr Lit	Dr Fl	Pta Esc
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	57,06 320,98 493,55	754,79 369,79 2 205,18	107,28 46,80 48,40	414,89 117 939,27	17 636,28 120,13	9 149,58 11 264,05
1.30	Onions (other than seed) 0703 10 19	a) b) c)	13,49 75,89 116,69	178,45 87,43 521,36	25,36 11,06 11,44	98,09 27 883,66	4 169,64 28,40	2 163,18 2 663,09
1.40	Garlic 0703 20 00	a) b) c)	78,98 444,27 683,11	1 044,70 511,82 3 052,16	148,48 64,78 66,99	574,25 163 238,26	24 410,16 166,27	12 663,82 15 590,43
1.50	Leeks ex 0703 90 00	a) b) c)	43,73 245,97 378,20	578,39 283,37 1 689,81	82,21 35,86 37,09	317,93 90 375,77	13 514,52 92,05	7 011,24 8 631,54
1.60	Cauliflowers ex 0704 10 10 ex 0704 10 90	a) b) c)	32,94 185,29 284,91	435,72 213,47 1 272,99	61,93 27,02 27,94	239,51 68 083,03	10 180,93 69,35	5 281,80 6 502,42
1.70	Brussels sprouts 0704 20 00	a) b) c)	53,71 302,13 464,56	710,46 348,07 2 075,66	100,98 44,05 45,56	390,52 111 012,12	16 600,42 113,07	8 612,18 10 602,46
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	37,61 211,54 325,26	497,43 243,70 1 453,29	70,70 30,84 31,90	273,43 77 725,85	11 622,89 79,17	6 029,88 7 423,38
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	32,37 182,09 279,98	428,18 209,78 1 250,96	60,86 26,55 27,46	235,36 66 904,91	10 004,76 68,15	5 190,40 6 389,90
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	81,30 457,33 703,19	1 075,41 526,87 3 141,90	152,85 66,68 68,96	591,13 168 037,34	25 127,80 171,16	13 036,13 16 048,78
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 90	a) b) c)	69,32 389,95 599,59	916,97 449,25 2 679,01	130,33 56,86 58,80	504,04 143 280,88	21 425,79 145,94	11 115,55 13 684,36
1.120	Endives ex 0705 29 00	a) b) c)	21,82 122,74 188,73	288,63 141,41 843,25	41,02 17,90 18,51	158,65 45 099,32	6 744,02 45,94	3 498,75 4 307,31
1.130	Carrots ex 0706 10 00	a) b) c)	28,30 159,19 244,78	374,34 183,40 1 093,67	53,21 23,21 24,00	205,77 58 492,70	8 746,82 59,58	4 537,79 5 586,48
1.140	Radishes ex 0706 90 90	a) b) c)	90,31 508,01 781,12	1 194,58 585,25 3 490,07	169,79 74,07 76,60	656,64 186 658,49	27 912,35 190,12	14 480,74 17 827,24
1.160	Peas (<i>Pisum sativum</i>) 0708 10 10 0708 10 90	a) b) c)	292,38 1 644,71 2 528,92	3 867,53 1 894,79 11 299,29	549,69 239,80 248,00	2 125,90 604 317,47	90 367,81 615,53	46 882,20 57 716,69

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
1.170	Beans :							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 10 ex 0708 20 90	a) b) c)	120,90 680,10 1 045,73	1 599,25 783,51 4 672,33	227,30 99,16 102,55	879,07 249 889,51	37 367,72 254,53	19 386,12 23 866,26
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 10 ex 0708 20 90	a) b) c)	83,60 470,27 723,09	1 105,84 541,77 3 230,78	157,17 68,57 70,91	607,85 172 791,17	25 838,67 176,00	13 404,93 16 502,81
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 522,19 802,92	1 227,93 601,59 3 587,48	174,53 76,14 78,74	674,97 191 868,47	28 691,43 195,43	14 884,92 18 324,83
1.190	Globe artichokes 0709 10 10 0709 10 20 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus :							
1.200.1	— green ex 0709 20 00	a) b) c)	324,33 1 824,43 2 805,26	4 290,16 2 101,84 12 534,01	609,76 266,01 275,10	2 358,21 670 353,67	100 242,67 682,80	52 005,21 64 023,63
1.200.2	— other ex 0709 20 00	a) b) c)	114,14 642,06 987,24	1 509,81 739,69 4 411,02	214,59 93,61 96,81	829,91 235 913,68	35 277,82 240,29	18 301,89 22 531,46
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	176,76 994,34 1 528,90	2 338,19 1 145,53 6 831,18	332,33 144,98 149,93	1 285,25 365 350,80	54 633,46 372,13	28 343,46 34 893,65
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	44,49 250,26 384,80	588,48 288,31 1 719,30	83,64 36,49 37,74	323,48 91 952,80	13 750,34 93,66	7 133,59 8 782,16
1.230	Chantarelles 0709 51 30	a) b) c)	1 046,89 5 888,98 9 054,95	13 847,95 6 784,41 40 457,80	1 968,21 858,63 887,98	7 611,92 2 163 796,00	323 567,53 2 203,95	167 864,62 206 658,18
1.240	Sweet peppers 0709 60 10	a) b) c)	118,06 664,11 1 021,14	1 561,65 765,09 4 562,48	221,96 96,83 100,14	858,41 244 014,41	36 489,18 248,54	18 930,34 23 305,14
1.250	Fennel 0709 90 50	a) b) c)	73,55 413,73 636,16	972,90 476,64 2 842,39	138,28 60,32 62,39	534,78 152 019,02	22 732,47 154,84	11 793,45 14 518,92
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	65,99 371,22 570,80	872,94 427,67 2 550,35	124,07 54,13 55,98	479,83 136 399,61	20 396,79 138,93	10 581,71 13 027,15
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	140,85 792,29 1 218,23	1 863,07 912,76 5 443,10	264,80 115,52 119,47	1 024,09 291 111,99	43 532,01 296,51	22 584,11 27 803,30
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	67,45 379,40 583,36	892,15 437,08 2 606,49	126,80 55,32 57,21	490,40 139 402,17	20 845,78 141,99	10 814,65 13 313,92

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.40	Avocados, fresh ex 0804 40 10 ex 0804 40 90	a) b) c)	77,68 436,95 671,86	1 027,49 503,39 3 001,88	146,04 63,71 65,89	564,79 160 549,04	24 008,02 163,53	12 455,20 15 333,60
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	94,94 534,05 821,17	1 255,83 615,26 3 668,99	178,49 77,87 80,53	690,30 196 227,93	29 343,33 199,87	15 223,12 18 741,19
2.60	Sweet oranges, fresh :							
2.60.1	— Sanguines and semi-sanguines 0805 10 01 0805 10 11 0805 10 21 0805 10 32 0805 10 42 0805 10 51	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamou- tis, Ovalis, Trovita and Hamlins 0805 10 05 0805 10 15 0805 10 25 0805 10 34 0805 10 44 0805 10 55	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 09 0805 10 19 0805 10 29 0805 10 36 0805 10 46 0805 10 59	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh ; clementines, wilkings and simi- lar citrus hybrids, fresh :							
2.70.1	— Clementines ex 0805 20 11 ex 0805 20 21	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and Satsumas ex 0805 20 13 ex 0805 20 23	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings ex 0805 20 15 ex 0805 20 25	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 17 ex 0805 20 19 ex 0805 20 27 ex 0805 20 29	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	106,89 601,27 924,51	1 413,88 692,69 4 130,76	200,95 87,67 90,66	777,18 220 924,67	33 036,41 225,02	17 139,06 21 099,90

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU Fmk SKr	öS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.90	Grapefruit, fresh :							
2.90.1	— white	a)	47,90	633,56	90,05	348,25	14 803,58	7 680,00
	ex 0805 40 10	b)	269,43	310,39	39,28	98 996,11	100,83	9 454,85
	ex 0805 40 90	c)	414,27	1 850,99	40,63			
2.90.2	— pink	a)	47,67	630,53	89,62	346,59	14 732,89	7 643,33
	ex 0805 40 10	b)	268,14	308,91	39,10	98 523,42	100,35	9 409,70
	ex 0805 40 90	c)	412,30	1 842,15	40,43			
2.100	Table grapes	a)	214,66	2 839,40	403,56	1 560,76	66 344,65	34 419,15
	0806 10 21	b)	1 207,48	1 391,08	176,05	443 667,16	451,90	42 373,43
	0806 10 29	c)	1 856,64	8 295,51	182,07			
	0806 10 30							
	0806 10 61							
	0806 10 69							
2.110	Water melons	a)	128,41	1 698,62	241,42	933,70	39 689,56	20 590,67
	0807 10 10	b)	722,36	832,19	105,32	265 416,33	270,34	25 349,18
		c)	1 110,70	4 962,65	108,92			
2.120	Melons (other than water melons) :							
2.120.1	— Amarillo, Cuper, Honey Dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	a)	42,48	561,95	79,87	308,89	13 130,46	6 812,00
	ex 0807 10 90	b)	238,98	275,31	34,84	87 807,47	89,44	8 386,25
		c)	367,45	1 641,79	36,03			
2.120.2	— autres	a)	101,86	1 347,37	191,50	740,62	31 482,32	16 332,81
	ex 0807 10 90	b)	572,98	660,11	83,54	210 531,98	214,44	20 107,33
		c)	881,02	3 936,44	86,40			
2.140	Pears							
2.140.1	Pears — Nashi (<i>Pyrus pyrifolia</i>)	a)	—	—	—	—	—	—
	ex 0808 20 31	b)	—	—	—	—	—	—
	ex 0808 20 37	c)	—	—	—	—	—	—
	ex 0808 20 41							
2.140.2	Other	a)	—	—	—	—	—	—
	ex 0808 20 31	b)	—	—	—	—	—	—
	ex 0808 20 37	c)	—	—	—	—	—	—
	ex 0808 20 41							
2.150	Apricots	a)	248,90	3 292,39	467,95	1 809,75	76 929,08	39 910,28
	0809 10 10	b)	1 400,12	1 613,01	204,14	514 448,50	524,00	49 133,56
	0809 10 50	c)	2 152,84	9 618,95	211,12			
2.160	Cherries	a)	87,78	1 161,13	165,03	638,25	27 130,60	14 075,17
	0809 20 11	b)	493,78	568,86	71,99	181 430,73	184,80	17 327,95
	0809 20 19	c)	759,24	3 392,32	74,46			
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	300,85	3 979,50	565,61	2 187,45	92 984,07	48 239,50
	0809 30 19	b)	1 692,32	1 949,65	246,75	621 813,20	633,35	59 387,66
	0809 30 59	c)	2 602,13	11 626,42	255,18			
2.180	Nectarines	a)	260,34	3 443,67	489,45	1 892,91	80 463,81	41 744,08
	ex 0809 30 11	b)	1 464,45	1 687,13	213,52	538 086,37	548,07	51 391,14
	ex 0809 30 51	c)	2 251,76	10 060,92	220,82			

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	BCU Fmk SKr	δS FF Bfrs/Lfrs	DM £ Irl £	Dkr Lit	Dr Fl	Pta Esc
2.190	Plums	a)	274,14	3 626,19	515,39	1 993,24	84 728,65	43 956,64
	0809 40 10	b)	1 542,07	1 776,55	224,84	566 606,63	577,12	54 115,03
	0809 40 40	c)	2 371,11	10 594,19	232,52			
2.200	Strawberries	a)	246,64	3 262,46	463,69	1 793,31	76 229,89	39 547,55
	0810 10 10	b)	1 387,40	1 598,35	202,29	509 772,80	519,23	48 686,99
	0810 10 90	c)	2 133,27	9 531,53	209,20			
2.205	Raspberries	a)	762,88	10 091,15	1 434,25	5 546,89	235 787,14	122 324,76
	0810 20 10	b)	4 291,36	4 943,87	625,69	1 576 781,41	1 606,05	150 594,04
		c)	6 598,44	29 482,03	647,08			
2.210	Fruit of the species <i>Vaccinium myrtillus</i>	a)	145,17	1 920,27	272,93	1 055,53	44 868,42	23 277,43
	0810 40 30	b)	816,61	940,78	119,06	300 048,97	305,62	28 656,85
		c)	1 255,63	5 610,20	123,13			
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	a)	76,71	1 014,66	144,21	557,74	23 708,28	12 299,69
	0810 90 10	b)	431,49	497,10	62,91	158 544,58	161,49	15 142,15
		c)	663,47	2 964,40	65,06			
2.230	Pomegranates	a)	107,03	1 415,82	201,23	778,24	33 081,66	17 162,54
	ex 0810 90 85	b)	602,09	693,64	87,79	221 227,26	225,33	21 128,80
		c)	925,78	4 136,42	90,79			
2.240	Khakis (including Sharon fruit)	a)	89,69	1 186,40	168,62	652,14	27 721,09	14 381,51
	ex 0810 90 85	b)	504,53	581,24	73,56	185 379,50	188,82	17 705,08
		c)	775,77	3 466,15	76,08			
2.250	Lychees	a)	219,51	2 903,56	412,68	1 596,03	67 843,94	35 196,97
	ex 0810 90 30	b)	1 234,77	1 422,52	180,03	453 693,39	462,11	43 331,00
		c)	1 898,59	8 482,98	186,19			

COMMISSION REGULATION (EC) No 2875/95

of 13 December 1995

opening an invitation to tender for the reduction in the duty on maize imported
into Spain from third countries

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⁾, and in particular Article 12 (1) thereof,

Whereas, pursuant to the Agreement on Agriculture
concluded during the Uruguay Round of multilateral
trade negotiations, the Community has undertaken to
import a certain quantity of maize into Spain;

Whereas Commission Regulation (EC) No 1839/95 of 26
July 1995 laying down detailed rules for the tariff quotas
for maize and sorghum into Spain and maize into
Portugal⁽³⁾, as amended by Commission Regulation (EC)
No 1963/95⁽⁴⁾, lays down the rules governing the admin-
istration of those special arrangements; whereas this
Regulation lays down the special additional detailed rules
necessary for implementing the invitation to tender, in
particular those relating to the lodging and release of the
security to be lodged by operators to ensure compliance
with their obligations and, in particular, the obligation to
process or use the imported product on the Spanish
market;

Whereas in the light of current market needs in Spain, an
invitation to tender for the reduction in the duty on
imports of maize should be opened in the framework of
these special arrangements for imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the
reduction in the import duty referred to in Article 10 (2)
of Regulation (EEC) No 1766/92 on maize to be imported
into Spain.
2. The invitation to tender shall be open until 14
March 1996. During that period, weekly invitations shall
be issued with quantities and closing dates as shown in
the notice of invitation to tender.
3. Regulation (EC) No 1839/95 shall apply save as
otherwise provided for in this Regulation.

Article 2

1. Import licences issued in December 1995 under
these invitations to tender shall be valid 50 days from 1
January 1996.
2. Import licences issued as from 1 January 1996
under these invitations to tender shall be valid 50 days
from the date they are issued, within the meaning of
Article 10 (4) of Regulation (EC) No 1839/95.

Article 3

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

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

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 177, 28. 7. 1995, p. 4.

⁽⁴⁾ OJ No L 189, 10. 8. 1995, p. 22.

COMMISSION REGULATION (EC) No 2876/95

of 13 December 1995

opening an invitation to tender for the reduction in the duty on sorghum
imported into Spain from third countries

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 Commission Regulation (EC) No 1863/95⁽²⁾, and in particular Article 12 (1) thereof,

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations the Community has undertaken to import a certain quantity of sorghum into Spain;

Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the tariff quotas for maize and sorghum into Spain and maize into Portugal⁽³⁾, as amended by Commission Regulation (EC) No 1963/95⁽⁴⁾, lays down the rules governing the administration of those special arrangements; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular the obligation to process or use the imported product on the Spanish market;

Whereas Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)⁽⁵⁾, as last amended by Regulation (EC) No 2484/94⁽⁶⁾, provides in particular for a reduction of 60 % in the duty applicable to grain sorghum up to a quota of 100 000 tonnes per calendar year and of 50 % in excess of that quota; whereas, if that benefit is combined with the reduction provided for under this Regulation, this is likely to disturb the Spanish market for cereals; whereas such

combined benefits should be ruled out for the sake of the satisfactory functioning of the invitation to tender;

Whereas in the light of current market needs in Spain an invitation to tender for the reduction in the duty on imports of sorghum should be opened in the framework of these special arrangements for imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10 (2) of Regulation (EEC) No 1766/92 on sorghum to be imported into Spain.
2. Under this invitation to tender, the reduction in the import duty on grain sorghum provided for in Article 11 of Regulation (EEC) No 715/90 shall not apply.
3. The invitation to tender shall be open until 14 March 1996. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.
4. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

1. Import licences issued in December 1995 under these invitations to tender shall be valid 50 days from 1 January 1996.
2. Import licences issued as from 1 January 1996 under these invitations to tender shall be valid 50 days from the date they are issued, within the meaning of Article 10 (4) of Regulation (EC) No 1839/95.

Article 3

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 177, 28. 7. 1995, p. 4.

⁽⁴⁾ OJ No L 189, 10. 8. 1995, p. 22.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 265, 15. 10. 1994, p. 3.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2877/95

of 13 December 1995

opening an invitation to tender for the reduction in the duty on maize imported into Portugal from third countries

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⁾, and in particular Article 12 (1) thereof,

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Portugal;

Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the tariff quotas for maize and sorghum into Spain and maize into Portugal ⁽³⁾, as amended by Regulation (EC) No 1963/95 ⁽⁴⁾, lays down the rules governing the administration of those special arrangements; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation to process or use the imported product on the Portuguese market;

Whereas in the light of current market needs in Portugal, an invitation to tender for the reduction in the duty on imports of maize should be opened in the framework of these special arrangements for imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened for the reduction in the import duty referred to in Article 10 (2) of Regulation (EEC) No 1766/92 on maize to be imported into Portugal.

2. The invitation to tender shall be open until 15 February 1996. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.

3. Regulation (EC) No 1839/95 shall apply save as otherwise provided for in this Regulation.

Article 2

Import licences issued under these invitations to tender shall be valid 50 days from the date they are issued, within the meaning of Article 10 (4) of Regulation (EC) No 1839/95.

Article 3

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

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

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 177, 28. 7. 1995, p. 4.

⁽⁴⁾ OJ No L 189, 10. 8. 1995, p. 22.

COMMISSION REGULATION (EC) No 2878/95

of 13 December 1995

amending Regulation (EEC) No 1201/89 laying down rules implementing the system of aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton introduced by Protocol 4 annexed to the Act of Accession of Greece⁽²⁾, as last amended by Regulation (EC) No 1553/95, and in particular Article 2(4) thereof,

Having regard to Council Regulation (EC) 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⁽³⁾, and in particular Article 11(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⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾, and in particular Article 13(1) thereof,

Whereas Article 7(1) of Commission Regulation (EEC) No 1201/89⁽⁶⁾, as last amended by Regulation (EC) No 2064/95⁽⁷⁾, includes the time limit for lodging the aid application, Article 9(2) includes the time limit for lodging an application for supervised storage and Article 11 includes the time limit by which the ginning plants must notify the quantities of unginned cotton produced; whereas the second paragraph of Article 5(3) of that Regulation sets out the consequences should an aid application be lodged late; whereas the time limits indicated above make it difficult to comply with the time limit laid down in Article 5(3) of Regulation (EC) No 1554/95 for paying the aid; whereas, in the interest of the operators concerned, the time limits laid down in Article 7(1), Article 9(2) and Article 11 of Regulation (EEC) No 1201/89 should be brought forward as much as possible without, however, disturbing trade in the sector concerned;

Whereas Article 7(2) of Regulation (EEC) No 1201/89 lays down that where an application for aid is lodged before the application for supervised storage is made, a security is to be lodged; whereas, with effect from 1 February 1995 Article 13(2) of Regulation (EEC) No 3813/92 amends the value in ecus of certain prices and amounts so as to neutralize the effects of abolishing the correction factor of 1,207509 which affected until 31 January 1995 the conversion rates used for agriculture;

Whereas the new values in ecus of the amounts concerned are established since 1 February 1995 in accordance with the rules laid in Article 13(2) of Regulation (EEC) No 3813/92 and Article 18(1) of Commission Regulation (EEC) No 1068/93⁽⁸⁾, as last amended by Regulation (EC) No 1053/95⁽⁹⁾;

Whereas a value rounded to the nearest whole number should be fixed for the security laid down in Article 7(2) of Regulation (EEC) No 1201/89;

Whereas the amendment made to Article 12(1)(b) of Regulation (EEC) No 1201/89 by Regulation (EC) No 2064/95 was incorrectly transported in certain language versions; whereas for reasons of clarity the entire text of that point (b) should be replaced with a new text incorporating the subsequent amendments;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1201/89 is amended as follows:

1. The second subparagraph of Article 5(3) is replaced by the following:

‘However, if the aid application is lodged:

— between 1 and 15 April of the marketing year for which the aid is applied for, the aid granted shall be that valid on the preceding 31 March, less 50 %,

— after 15 April of the said marketing year, the aid application shall be rejected.’

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 14.

⁽³⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁷⁾ OJ No L 204, 30. 8. 1995, p. 8.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 107, 12. 5. 1995, p. 4.

2. In Article 7(1) '30 April' is replaced by '31 March'.
3. In Article 7(2) 'ECU 10' is replaced by 'ECU 12'.
4. In Article 9(2) '30 April' is replaced by '31 March'.
5. In Article 11 '20 May' is replaced by '20 April'.
6. Article 12(1)(b) is replaced by the following:

'(b) that the contracts lodged fulfil the conditions laid down in Article 10, in particular compliance with the minimum price and the proportional nature of any adjustment thereto. A reduction of the agreed

price can be considered disproportional only if the reduction indicated in the contract to take account of the difference in the length or grade of the cotton fibre delivered compared to those parameters for cotton of standard quality is clearly unreasonable in terms of the real depreciation in value of the cotton delivered.'

Article 2

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

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2879/95

of 13 December 1995

amending Regulation (EEC) No 1725/79 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1538/95 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas, pursuant to Article 4 (1) of Commission Regulation (EEC) No 1725/79 ⁽³⁾, as last amended by Regulation (EC) No 1585/95 ⁽⁴⁾, the granting of aid for skimmed-milk powder processed into compound feedingstuffs is conditional upon the requirement that the latter contain not less than 50 kg of powder per 100 kg of the finished product;

Whereas paragraph 1a of that Article lays down, however, that the said minimum quantity shall be fixed at 35 kilograms for the period 1 February 1993 to 31 December 1995; whereas the trend on the market in skimmed-milk powder justifies maintaining this derogation until 30 June 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 (1a) of Regulation (EEC) No 1725/79, 'between 1 February 1993 and 31 December 1995' is replaced by 'between 1 February 1993 and 30 June 1996'.

Article 2

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

It shall apply from 1 January 1996.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 17.

⁽³⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 150, 1. 7. 1995, p. 83.

COMMISSION REGULATION (EC) No 2880/95

of 13 December 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 Commission 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 14 December 1995.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

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 13 December 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 45	052	45,0	0805 30 40	052	75,2
	060	80,2		388	67,5
	064	59,6		400	68,6
	066	41,7		512	54,8
	068	62,3		520	66,5
	204	84,2		524	100,8
	208	44,0		528	94,7
	212	117,9		600	74,2
	624	102,3		624	78,0
	999	70,8		999	75,6
0707 00 40	052	77,6	0808 10 92, 0808 10 94, 0808 10 98	052	80,2
	053	166,9		064	78,6
	060	61,0		388	39,2
	066	53,8		400	72,5
	068	60,4		404	57,9
	204	49,1		508	68,4
	624	115,9		512	51,2
	999	83,5		524	57,4
0709 10 40	220	244,5	0808 20 67	528	48,0
	999	244,5		800	78,0
0709 90 79	052	100,1		804	21,0
	204	77,5		999	59,3
	624	153,5		052	143,7
	999	110,4		064	72,7
0805 10 61, 0805 10 65, 0805 10 69	052	43,0		388	79,6
	204	50,8		400	73,4
	388	40,5		512	89,7
	600	58,4		528	84,1
	624	46,5		624	79,0
0805 20 31	999	47,8		728	115,4
	204	77,2		800	55,8
	624	79,8		804	112,9
	999	78,5		999	90,6
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	58,3			
	464	52,9			
	624	135,6			
	999	82,3			

⁽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 2881/95
of 13 December 1995
amending 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 import duties in the rice sector have been fixed by Commission Regulation (EC) No 2827/95 ⁽⁵⁾;

Whereas Article 4 (1) of Regulation (EC) No 1573/95 provides that if during the period of application, the

average import duty calculated differs by ECU 10 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2827/95,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2827/95 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 14 December 1995.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 5.

⁽³⁾ OJ No L 150, 1. 7. 1995, p. 53.

⁽⁴⁾ OJ No L 175, 27. 7. 1995, p. 25.

⁽⁵⁾ OJ No L 292, 7. 12. 1995, p. 24.

ANNEX I

to the Commission Regulation of 13 December 1995 altering 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 ⁽⁷⁾ Article 4, Regulation (EC) No 1573/95	Basmati Pakistan ⁽⁸⁾ Article 4, Regulation (EC) No 1573/95	Arrangement in Regulation (EEC) No 3877/86 ⁽⁹⁾
1006 10 21	⁽⁹⁾	150,76			
1006 10 23	⁽⁹⁾	150,76			
1006 10 25	⁽⁹⁾	150,76			
1006 10 27	⁽⁹⁾	150,76			—
1006 10 92	⁽⁹⁾	150,76			
1006 10 94	⁽⁹⁾	150,76			
1006 10 96	⁽⁹⁾	150,76			
1006 10 98	⁽⁹⁾	150,76			—
1006 20 11	242,51	116,92			
1006 20 13	242,51	116,92			
1006 20 15	242,51	116,92			
1006 20 17	341,65	166,49	91,65	291,65	—
1006 20 92	242,51	116,92			
1006 20 94	242,51	116,92			
1006 20 96	242,51	116,92			
1006 20 98	341,65	166,49	91,65	291,65	—
1006 30 21	520,82	245,50			
1006 30 23	520,82	245,50			
1006 30 25	520,82	245,50			
1006 30 27	602,52	286,35			—
1006 30 42	520,82	245,50			
1006 30 44	520,82	245,50			
1006 30 46	520,82	245,50			
1006 30 48	602,52	286,35			—
1006 30 61	520,82	245,50			
1006 30 63	520,82	245,50			
1006 30 65	520,82	245,50			
1006 30 67	602,52	286,35			—
1006 30 92	520,82	245,50			
1006 30 94	520,82	245,50			
1006 30 96	520,82	245,50			
1006 30 98	602,52	286,35			—
1006 40 00	⁽⁹⁾	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)	341,65	602,52	242,51	520,82	(²)

2. Elements of calculation :

(a) Arag cif price (\$/tonne)	—	380,36	420,63	509,99	497,96	—
(b) fob price (\$/tonne)	—	—	—	479,99	497,96	—
(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 2882/95

of 13 December 1995

providing for the rejection of applications for export licences in relation to
products falling within CN code 1001 90 99

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 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EC) No 2147/95⁽⁴⁾, and in particular Article 7 (3) thereof,

Whereas the quantity covered by applications for advance fixing of refunds on common wheat is of great importance and could give rise to speculation;

Whereas it has therefore been decided to reject all applications for export licences of such products made on 11, 12 and 13 December 1995,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 7 (3) of Regulation (EC) No 1162/95, applications for export licences with advance fixing of refunds for products falling within CN code 1001 90 99 made on 11, 12 and 13 December 1995 shall be rejected.

Article 2

This Regulation shall enter into force on 14 December 1995.

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

Done at Brussels, 13 December 1995.

For the Commission

Franz FISCHLER

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 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ No L 215, 9. 9. 1995, p. 4.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 December 1995

on a Community financial contribution towards certain expenditure incurred by the Member States implementing the monitoring and control systems applicable to the common fisheries policy

(95/523/EC)

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⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources ⁽⁴⁾, and in particular Article 1 (5) thereof, provides that before 30 June 1995 the Council must adopt the provisions for Community financial assistance which could apply from 1 January 1996;

Whereas the common fisheries policy, which guarantees the long-term existence of fishery stocks and thus employment in the sector, can achieve its objectives only if its rules are complied with and effectively controlled;

Whereas those objectives and rules are primarily established by Council Regulation (EEC) No 3760/92 of

20 December 1992 establishing a Community system for fisheries and aquaculture ⁽⁵⁾ and by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽⁶⁾;

Whereas the Member States, by guaranteeing the implementation of the control system applicable to the common fisheries policy, are carrying out an obligation of Community interest;

Whereas for some Member States the scale of the enforcement task is unrelated to budget capacity and may in certain cases constitute a disproportionate burden;

Whereas it is therefore appropriate to provide for a contribution by the Community towards certain inspection and monitoring expenditure incurred by some Member States;

Whereas Article 7 of Council Regulation (EC) No 685/95 of 27 March 1995 on the management of the fishing effort relating to certain Community fishing areas and resources ⁽⁷⁾ provides for additional Community financial support for Ireland, including support for operating expenditure, for the purposes of improving controls, with due regard for authorized Community practices and in the framework of financial guidelines;

⁽¹⁾ OJ No C 186, 20. 7. 1995, p. 9.

⁽²⁾ OJ No C 287, 30. 10. 1995.

⁽³⁾ Opinion delivered on 25 October 1995 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 364, 14. 12. 1989, p. 64. Decision as last amended by Decision 94/207/EC (OJ No L 101, 20. 4. 1994, p. 9).

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 261, 20. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2870/95 (see p. 1 of this Official Journal).

⁽⁷⁾ OJ No L 71, 31. 3. 1995, p. 5.

Whereas the total Community contribution should remain within the limits of a budget provision of ECU 205 million for a period of five years (1996-2000); whereas the corresponding financial resources should be entered as annual appropriations in the general budget of the European Communities;

Whereas any such contribution should be conditional on the attainment, by the Member States which are beneficiaries, of a satisfactory standard of enforcement both at sea and on land; whereas the effectiveness of the enforcement must be made apparent in the annual report referred to in Article 35 of Regulation (EEC) No 2847/93,

HAS ADOPTED THIS DECISION:

Article 1

1. The Community may, under the conditions set out in this Decision, contribute to the financing of certain expenditure by Member States relating to the implementation of the control system applicable to the common fisheries policy provided for in Regulation (EEC) No 2847/93. Expenditure covering the following may be regarded as eligible:

- (a) the acquisition or modernization of inspection and control equipment;
- (b) specific measures intended to improve the quality and effectiveness of the monitoring of fishing and related activities, the duration of which does not exceed two years.

The expenditure referred to in the first subparagraph must contribute to the mobilization of monitoring facilities in accordance with Article 1 (2) of Regulation (EEC) No 2847/93.

2. The Community contribution shall relate to eligible expenditure incurred by Member States between 1 January 1996 and 31 December 2000.

'Eligible expenditure' shall mean the costs arising from legal and financial undertakings entered into by competent authorities within the above period.

3. The Community funding of the measures introduced by this Decision shall cover a five-year period (1996-2000). The financial reference illustrating the will of the legislative authority for the implementation of the actions covered by this Decision shall be ECU 205 million.

The financial statement shall be revised each year on the basis, especially, of the appropriations decided by the budgetary authority during the annual budgetary procedure.

4. The budgetary authority shall determine the available appropriations for each financial year. The Community contribution shall be granted within the limits of the appropriations allocated to that end in the Community budget.

Article 2

1. The financial contribution referred to in Article 1 (1) (a) shall cover investment expenditure relating to the acquisition or modernization of:

- vessels, aircraft and land vehicles employed in the monitoring and control of fishing activities;
- systems for the detection and recording of fishing activities (including equipment installed on fishing vessels);
- systems for the recording, management and transmission of data relating to controls, including computer applications and software.

The expenditure referred to in the first subparagraph shall be eligible to the extent that it is actually used for the implementation of the control system referred to in Article 1.

2. The financial contribution referred to in Article 1 (1) (b) shall cover eligible expenditure which is intended to increase the effectiveness of the application of the common fisheries policy and relates to measures and projects not exceeding two years in duration and having at least one of the following purposes:

- (a) the implementation of joint inspection programmes as referred to in Article 2 (4) of Regulation (EEC) No 2847/93;
- (b) experiments with, and the introduction of, new technologies to improve the monitoring of fishing and related activities;
- (c) the implementation of specific control programmes established by Community initiative and carried out by the Member State(s) concerned;
- (d) programmes to computerize the processing and exchange of data developed by joint agreement between several Member States and, where appropriate, the Commission;
- (e) other control measures of Community interest to be adopted at a later date.

3. In addition, the financial contribution referred to in Article 1 (1) (b) may relate to eligible expenditure intended for the training of national officials connected with control activities, in particular in a Member State other than that in which they work.

Detailed rules for the application of this paragraph shall be adopted in accordance with Article 18 of Regulation (EEC) No 3760/92.

Article 3

1. For any Member State in any year, the Community financial contribution shall not be lower than 35 % or higher than 50 % of the eligible expenditure.

2. Notwithstanding paragraph 1, the Commission may decide to grant a higher rate, in particular in order to permit:

- the realization of a joint measure by Member States and the Commission likely to remedy control difficulties affecting an area of special Community interest,
- experiments with, and the introduction of, new technologies to improve the monitoring of fishing and related activities.

The annual budget allocation reserved for such measures shall be limited to 15 % of the budget allocation.

3. Notwithstanding paragraph 1, the Commission may decide to grant a higher rate in order to provide for additional financial support for the purpose of improving controls, as defined in Article 2 (1), including support for the following operating expenditure :

- remuneration of national officials connected with monitoring and control activities and occupying additional posts created after 1 January 1996 within the framework of a detailed programme, for the duration of the programme, and relating to the inspection and control of specific fisheries and zones; for the purposes of this paragraph, 'remuneration' shall mean the salaries and travel allowances of the officials concerned necessary for the carrying out of their duties, less taxes and charges, levied in accordance with national legislation,
- costs relating to training and providing information for the national officials connected with control activities,
- costs incurred as a result of controls entrusted to surveillance companies,
- costs relating to equipment of national officials connected with control activities,
- running costs associated with items purchased under Article 2 (1).

The financial support for operating expenditure for Ireland shall be granted up to a total amount of ECU 3 million per annum.

Article 4

1. Member States wishing to benefit from a financial contribution shall forward to the Commission, no later than 15 November 1995 :

- (a) a five-year programme describing the controls which they intend to carry out during the period referred to in Article 1 (2). The control programme must contain in particular the objectives of the proposed control and inspection measures, the envisaged operational measures and the anticipated results;
- (b) a programme of forecast annual expenditure for the period referred to in Article 1 (2) for which they wish to receive a financial contribution from the Community.

2. Each Member State shall forward to the Commission, for the first time in 1996 and each year thereafter, a report on progress achieved with regard to forecasts and

to the need to adjust the control programme. That report shall form a special chapter in the report referred to in Article 35 of Regulation (EEC) No 2847/93.

3. The information referred to in paragraphs 1 and 2 must enable the Commission to ensure adequate monitoring of the expenditure relating to the implementation of the control system applicable to the common fisheries policy.

Article 5

1. Member States wishing to benefit from a Community financial contribution towards the expenditure referred to in Article 2 shall forward to the Commission, on the first occasion no later than 15 November 1995 and subsequently no later than 30 June of each year, an application for funding for the following year containing the information specified in points 1 and 2 of the Annex. Applications received after those dates shall not be considered except in exceptional, duly justified cases.

2. The application for funding must be drawn up within the framework of the programmes referred to in Article 4.

Article 6

On the basis of information provided by the Member States, the Commission shall decide, for the first time before 15 March 1996 and subsequently before 31 December of each year, in accordance with the procedure laid down in Article 18 of Regulation (EEC) No 3760/92, on :

- the eligibility of the planned expenditure,
- the rate of the Community contribution,
- any conditions to which the contribution may be subject.

Article 7

At the reasoned request of a Member State, the Commission may grant advances up to a maximum of 50 % of the Community's annual contribution. That advance shall be deducted from the final amount of the Community contribution to the eligible expenditure actually incurred.

Article 8

Should a Member State decide not to realize all or part of the expenditure which the Commission has deemed eligible, in accordance with Article 6, it shall inform the Commission thereof without delay giving details of the impact on its control programme.

Article 9

1. Member States shall present their applications for reimbursement of expenditure no later than 31 May of the year following that in which the expenditure was incurred.

2. When submitting an application for the reimbursement of expenditure, Member States should verify and certify that the expenditure was carried out with due regard to the conditions laid down in this Decision, in particular point 4 of the Annex.

3. If the application reveals indications that the conditions set out in paragraph 2 have not been complied with, the Commission shall undertake a thorough examination of the case by asking the Member State to forward its comments within a specific time limit. If the examination confirms that the conditions have not been complied with, the Commission shall set a suitable time limit for compliance by the Member State. If, when the time limit has expired, the Member State has not acted on the recommendations, the Commission may reduce, suspend or cancel its contribution in the area of assistance concerned.

Article 10

Member States shall provide the Commission with any information which it may request for the performance of its duties under this Decision.

Member States shall provide the Commission with any information which will enable it to verify the use of the surveillance and control facilities which have been the subject of a Community financial contribution pursuant to this Decision.

If the Commission considers that the facilities are not being used for the intended purpose or in accordance with the conditions set out in this Decision, it shall

inform the Member State accordingly. The Member State shall then conduct an administrative inquiry in which Commission officials may participate. The Member State shall inform the Commission of the progress and results of the inquiry and provide the Commission without delay with a copy of the report of the inquiry and the principal data used in preparing it.

Article 11

The Commission may carry out any checks which it deems necessary to ensure that the conditions and tasks imposed on the Member States by this Decision are fulfilled, and the Member States shall provide assistance to the staff appointed by the Commission for this purpose.

The provisions of this Article shall be without prejudice to Article 29 of Regulation (EEC) No 2847/93.

Article 12

This Decision is addressed to the Member States.

Done at Brussels, 8 December 1995.

For the Council

The President

J. BORRELL FONTELLES

ANNEX

1. The application for funding referred to in Article 5 shall state the expenditure envisaged for the following years. It shall specify in particular:
 - the timetable for the expenditure envisaged,
 - the technical features of the equipment, its cost, the method of payment envisaged and its control objective relative to the programme,
 - the planned use of the equipment, including its date of entry into service,
 - the nature and cost of specific measures intended to improve the quality and effectiveness of the control of fishing and related activities and details of their envisaged duration.
2. Member States shall forward all relevant information allowing the Commission to appreciate the expenditure envisaged with regard to the following criteria:
 - the objectives pursued within the framework of the expenditure which they wish to incur,
 - the anticipated results linked to the expenditure to be incurred,
 - in the case of expenditure on the purchase of vessels, aircraft and land vehicles, the estimated amount of time which they will devote to fisheries inspection and monitoring,
 - the use made by a Member State of any financial contribution granted under Decision 89/631/EEC or under this Decision in any previous year,
 - the improvement in the Member State's performance in fisheries enforcement at sea and on land in the period preceding the application, under the programme referred to in Article 4, and the improvement likely to result from the expenditure envisaged.
3. In considering a Member State's enforcement performance, the Commission shall have regard to the following considerations in particular:
 - the prevention, detection and prosecution of infringements against the common fisheries policy,
 - the presence in national legislation, and the application in practice, of penalties that are commensurate with the seriousness of infringements and effectively discourage further infringements of the same kind,
 - the reliability of the catch figures forwarded by the Member State to the Commission and the Member State's ability to prevent the overfishing of its quotas,
 - the amount and effectiveness of the human and material resources devoted by the Member State to fisheries enforcement,
 - the diversity of the fishing activities in the Member State's fishery zone,
 - the degree of cooperation in fisheries enforcement between that Member State and other Member States and the Commission,
 - where applicable, that Member State's contribution to fisheries enforcement in areas governed by international conventions to which the Community is a Contracting Party and the scale and effectiveness of that enforcement,
 - the enforcement effort devoted by the Member State to the fishing activities of its vessels on the high seas.
4. The reimbursement of expenditure and the payment of advances shall be made only if the provisions of the Directives coordinating procedures for the award of public works and supply contracts have been complied with, in the sense that the duly completed public contract questionnaires must make reference to the notices on the award of public contracts published in the *Official Journal of the European Communities*. In case of non-publication of the notices in the *Official Journal of the European Communities*, the beneficiary shall certify that the public contracts have been awarded in conformity with Community legislation.

The Commission may request any information which it considers necessary for judging whether Community legislation on public contracts has been respected.

Reimbursement shall be subject to the presentation of documentary evidence in duplicate. That evidence should contain at least the main elements of the agreement between the Member State and the service provider(s) and the corresponding proofs of payment. To be eligible for reimbursement, individual items of expenditure must be listed in a summary statement indicating explicitly for each item the object of the expenditure, its connection with the proposed programme and the net amount excluding VAT.

COUNCIL DECISION

of 5 December 1995

amending Regulation (EEC) No 2847/93 and Decision 89/631/EEC as regards the time limit for implementing certain pilot projects on continuous position monitoring of Community fishing vessels and the Community contribution to the expenditure incurred in their implementation

(95/524/EC)

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, as a result of delays in implementing the pilot projects, provided for in Article 3 (2) of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾, on continuous position monitoring of Community fishing vessels, whether land or satellite-based, some Member States have requested that the period in question be extended;

Whereas these Member States should be granted additional time to complete their projects so that they can be of greatest use;

Whereas the date on which the Council will decide on the application of the continuous position monitoring system referred to in Article 3 (1) of Regulation (EEC) No 2847/93 should consequently also be deferred;

Whereas, to allow the Member States in question as a consequence to adjust their expenditure plans for executing their pilot projects, the period laid down in Article 2a (2) of Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources ⁽⁴⁾, should be adjusted, as should the time limit by which

Member States must submit applications for reimbursement of expenditure on implementing the above pilot projects,

HAS ADOPTED THIS DECISION:

Article 1

Regulation (EEC) No 2847/93 is hereby amended as follows:

- (1) in Article 3 (1) the date of '1 January 1996' shall be replaced by that of '1 July 1996';
- (2) In Article 3 (2) the date of '30 June 1995' shall be replaced by that of '31 December 1995'.

Article 2

Decision 89/631/EEC is amended as follows:

- (1) in Article 2a (2) the date of '1 June 1995' shall be replaced by that of '31 December 1995';
- (2) in paragraph 4 of Annex A the date of '1 October 1995' is replaced by that of '30 April 1996'.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 5 December 1995.

For the Council

The President

J. A. GRIFÁN

⁽¹⁾ OJ No C 313, 24. 11. 1995, p. 6.

⁽²⁾ OJ No C 308, 20. 11. 1995.

⁽³⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽⁴⁾ OJ No L 364, 14. 12. 1989, p. 64. Decision as last amended by Decision 94/207/EC (OJ No L 101, 20. 4. 1994, p. 9).

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 62/95

of 29 September 1995

**amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 41/95⁽¹⁾;

Whereas Directive 94/12/EC of the European Parliament and the Council of 23 March 1994 relating to measures to be taken against air pollution by emissions from motor vehicles and amending Directive 70/220/EEC⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 3 (Council Directive 70/220/EEC) of Chapter I of Annex II to the Agreement:

— 394 L 0012 : Directive 94/12/EC of the European Parliament and of the Council of 23 March 1994 (OJ No L 100, 19. 4. 1994, p. 42).'

Article 2

In the second paragraph of the adaptation to Chapter I, 'and 93/59/EEC' is replaced by ', 93/59/EEC and 94/12/EC'.

Article 3

The texts of Directive 94/12/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 1 October 1995, provided that all the notifications pursuant to Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ No L 100, 19. 4. 1994, p. 42.

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 September 1995.

For the EEA Joint Committee

The President

E. BERG

DECISION OF THE EEA JOINT COMMITTEE

No 63/95

of 29 September 1995

amending Annex II (Technical regulations, standards, testing and certification)
and Annex IV (Energy) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 7/94 of 21 March 1994 amending Protocol 47 and certain Annexes to the EEA Agreement⁽¹⁾;

Whereas Annex IV to the Agreement was amended by Decision of the EEA Joint Committee No 19/95 of 5 April 1995 amending Annex IV (Energy) to the EEA Agreement⁽²⁾;

Whereas Commission Directive 94/2/EC of 21 January 1994 implementing Council Directive 92/75/EEC with regard to energy labelling of household electric refrigerators, freezers and their combinations⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 4 (Council Directive 92/75/EEC) of Chapter IV of Annex II to the Agreement:

' as amended by,

— 394 L 0002 : Commission Directive 94/2/EC of 21 January 1994 (OJ No L 45, 17. 2. 1994, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

⁽¹⁾ OJ No L 160, 28. 6. 1994, p. 1.

⁽²⁾ OJ No L 158, 8. 7. 1995, p. 40.

⁽³⁾ OJ No L 45, 17. 2. 1994, p. 1.

- (a) Annex I to Commission Directive 94/2/EC shall be supplemented with the texts as set out below:

Orka Framleiðandi Gerð	Kennimerki ABC 123
Góð nýtni A B C D E F G	B 
Slæm nýtni Orkunotkun (kWh á ári) (Byggt á stöðiuðum prófunamiðurstöðum fyrir 24 klst.) Raunnotkun fer eftir því hvernig tækið er notað og hvar það er staðsett	XYZ
Rúmmál kæliþýmis (l) Rúmmál frystirýmis (l)	xyz xyz ✱ ***
Hávaði (dB(A) re1 pW)	XZ
Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum Staðall En 153 maí 1990 Tilskipun 94/2/EB um orkumerkingar kælikápa	

Energi Merke Modell/type	Logo ABC 123
Lavt energiforbruk A B C D E F G Høyt energiforbruk	B 
Energiforbruk (kWh/år) <i>(På grunnlag av resultater oppnådd gjennom 24 timers standardprøver)</i> Det faktiske energiforbruket avhenger av hvordan apparatet brukes og hvor det er plassert	XYZ
Netto volum av kjøledel (l) Netto volum av frysedel (l)	xyz xyz ✱ ***
Lydnivå (støy) (dB(A) re 1 pW) Produktbrosjyrene inneholder ytterligere opplysninger Europeisk standard EN 163 av mai 1990 Direktiv 94/2/EF om merking av kjøleskap	XZ 

(b) Annex VI to Commission Directive 94/2/EC shall be supplemented with the texts as set out below :

Note			EN	IS	NO
Label	Fiche	Mail order			
Annex I	Annex II	Annex III			
☒			Energy	Orka	Energi
I			Manufacturer	Framleiðandi	Merke
II			Model	Gerð	Modell/type
☒			More efficient	Góð nýtni	Lavt energiforbruk
☒			Less efficient	Slæm nýtni	Høyt energiforbruk
	3 category 1		Larder fridge	Kælikápur án frystihólfs	Kjøleskap uten frostboks
	category 2		Refrigerator/chiller	Kælikápur/svalaskápur	Kjøle/svalskap
	categories 3 to 6		Refrigerator	Kælikápur	Kjøleskap
	category 7		Fridge/freezer	Kælikápur/frystir	Kjøle/fryseskap
	category 8		Upright freezer	Frystiskápur	Fryseskap
	category 9		Chest freezer	Frystikista	Fryseboks
	5	1	Energy efficiency class ... on a scale of A (more efficient) to G (less efficient)	Orkunýtniflokkur á kvar- ðanum A (góð nýtni) til G (slæm nýtni)	Klassifisering av energieffek- tivitet etter en skala fra A (lavt energiforbruk) til G (høyt energiforbruk)
V	6	2	Energy consumption	Orkunotkun	Energiforbruk
V	6	2	kWh per year	kWh á ári	kWh/år
V	6	2	Based on standard test results for 24 h	Byggt á stöðluðum prófu- narniðurstöðum fyrir 24 klst.	På grunnlag av resultater oppnådd gjennom 24 timers standardprøver
	6	2	Actual consumption will depend on how the appliance is used and where it is located	Raunnotkun fer eftir því hvernig tækið er notað og hvar það er staðsett	Det faktiske energiforbruket avhenger av hvordan appa- ratet brukes og hvor det er plassert

Note			EN	IS	NO
Label	Fiche	Mail order			
Annex I	Annex II	Annex III			
VII	7	3	Fresh food volume I	Rúmmál kælírymis (1)	Netto volum av kjøledel (I)
VIII	8	4	Frozen food volume I	Rúmmál frystírymis (1)	Netto volum av frysedel (I)
	10		No frost	Frostlaust	"No frost"
	11		Powercut safe ... h	Þiðnunartími í klukkust. ef straumrof verður	Opptiningstíð ved strømbrydd (t)
	12		Freezing capacity kg/24 h	Frystigeta kg/24 klst.	Innfrysingskapasitet i kg/24 t
	13		Sub-normal		Subnormal
	13		Temperate	Temprað	Temperert
	13		Subtropical	Heitemprað	Subtropisk
	13		Tropical	Hitabeltis	Tropisk
IX	14	6	Noise (dB(A) re 1 pW)	Hávaði (dB (A) re 1 pW)	Lydnivå dB(A) (støy)
☒			Further information is contained in product brochures.	Nánari upplýsingar er að finna í bæklingum sem fylgja vörum	Produktbrosjýrene inneholder ytterligere opplysninger
☒			Norm EN 153 May 1990	Staðall EN 153 maí 1990	Europeisk standard EN 153 av mai 1990
☒			Refrigerator Label Directive 94/2/EC	Tilskipun 94/2/EB um orkumerkingar kælikápa	Direktiv 94/2/EF om merking av kjøleskap

Article 2

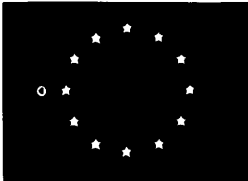
The following shall be added in point 11 (Council Directive 92/75/EEC) of Annex IV to the Agreement :

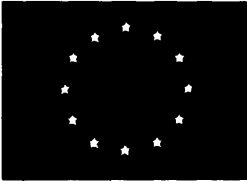
‘, As amended by :

— 394 L 0002 : Commission Directive 94/2/EC of 21 January 1994 (OJ No L 45, 17. 2. 1994, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations :

- (a) Annex I to Commission Directive 94/2/EC shall be supplemented with the texts as set out below:

Orka Framleiðandi Gerð	Kennimerki ABC 123
Góð nýtni A B C D E F G Slæm nýtni	B 
Orkunotkun (kWh á ári) (Byggt á stöðiuðum prófunamiðurstöðum fyrir 24 klst.) Raunnotkun fer eftir því hvernig tækið er notað og hvar það er staðsett	XYZ
Rúmmál kælrýmis (l) Rúmmál frystirýmis (l)	xyz xyz ✱ ***
Hávaði (dB(A) re1 pW) Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum Staðall En 153 maí 1990 Tilskipun 94/2/EB um orkumerkingar kælikápa	XZ 

Energi	Logo ABC 123
Merke Modell/type	
Lavt energiforbruk	
 A	 B
 B	
 C	
 D	
 E	
 F	
 G	
Høyt energiforbruk	
Energiforbruk (kWh/år) <i>(På grunnlag av resultater oppnådd gjennom 24 timers standardprøver)</i>	XYZ
Det faktiske energiforbruket avhenger av hvordan apparatet brukes og hvor det er plassert	
Netto volum av kjøledel (l) Netto volum av frysedel (l)	xyz xyz 
Lydnivå (støy) (dB(A) re 1 pW)	XZ
Produktbrosjyrene inneholder ytterligere opplysninger	
Europeisk standard EN 163 av mai 1990 Direktiv 94/2/EF om merking av kjøleskap	

(b) Annex VI to Commission Directive 94/2/EC shall be supplemented with the texts as set out below:

Note			EN	IS	NO
Label	Fiche	Mail order			
Annex I	Annex II	Annex III			
☒			Energy	Orka	Energi
I			Manufacturer	Framleiðandi	Merke
II			Model	Gerð	Modell/type
☒			More efficient	Góð nýtni	Lavt energiforbruk
☒			Less efficient	Slæm nýtni	Høyt energiforbruk
	3 category 1		Larder fridge	Kælikápur án frystihólfs	Kjøleskap uten frostboks
	category 2		Refrigerator/chiller	Kælikápur/svalaskápur	Kjøle/svalskap
	categories 3 to 6		Refrigerator	Kælikápur	Kjøleskap
	category 7		Fridge/freezer	Kælikápur/frystir	Kjøle/fryseskap
	category 8		Upright freezer	Frystiskápur	Fryseskap
	category 9		Chest freezer	Frystikista	Fryseboks
	5	1	Energy efficiency class ... on a scale of A (more efficient) to G (less efficient)	Orkunýtniflokkur á kvar- ðanum A (góð nýtni) til G (slæm nýtni)	Klassifisering av energieffek- tivitet etter en skala fra A (lavt energiforbruk) til G (høyt energiforbruk)
V	6	2	Energy consumption	Orkunotkun	Energiforbruk
V	6	2	kWh per year	kWh á ári	kWh/år
V	6	2	Based on standard test results for 24 h	Byggt á stöðluðum prófu- narniðurstöðum fyrir 24 klst.	På grunnlag av resultater oppnådd gjennom 24 timers standardprøver
	6	2	Actual consumption will depend on how the appliance is used and where it is located	Raunnotkun fer eftir því hvernig tækið er notað og hvar það er staðsett	Det faktiske energiforbruket avhenger av hvordan appa- ratet brukes og hvor det er plassert

Note			EN	IS	NO
Label	Fiche	Mail order			
Annex I	Annex II	Annex III			
VII	7	3	Fresh food volume I	Rúmmál kælrýmis (1)	Netto volum av kjøledel (l)
VIII	8	4	Frozen food volume I	Rúmmál frystirýmis (1)	Netto volum av frysedel (l)
	10		No frost	Frostlaust	"No frost"
	11		Powercut safe ... h	Þiðnunartími í klukkust. ef straumrof verður	Opptiningstíð ved strømbrydd (t)
	12		Freezing capacity kg/24 h	Frystigeta kg/24 klst.	Innfrysingskapasitet i kg/24 t
	13		Sub-normal		Subnormal
	13		Temperate	Temprað	Temperert
	13		Subtropical	Heittemprað	Subtropisk
	13		Tropical	Hitabeltis	Tropisk
IX	14	6	Noise (dB(A) re 1 pW)	Hávaði (dB (A) re 1 pW)	Lydnivå dB(A) (støy)
☒			Further information is contained in product brochures.	Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum	Produktbrosjýrene inneholder ytterligere opplysninger
☒			Norm EN 153 May 1990	Staðall EN 153 maí 1990	Europeisk standard EN 153 av mai 1990
☒			Refrigerator Label Directive 94/2/EC	Tilskipun 94/2/EB um orkumerkingar kælikápa	Direktiv 94/2/EF om merking av kjøleskap

Article 3

The texts of Directive 94/2/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 1 January 1996, provided that all the notifications pursuant to Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 29 September 1995.

For the EEA Joint Committee
The President
E. BERG

CORRIGENDA**Corrigendum to Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road**

(Official Journal of the European Communities No L 319 of 12 December 1994)

On page 11 in Article 6(6), last three lines :

for: '... date of manufacture ; other metal packagings and all plastics packagings, for up to five years after their date of manufacture but not after 31 December 1998.',

read: '... date of manufacture but not after 31 December 1998.'
