

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1436/95
of 26 June 1995**

determining the extent to which applications lodged in June 1995 licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with Romania and Bulgaria can be accepted

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

Having regard to Commission Regulation (EC) No 1559/94 ⁽¹⁾ laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Agreements concluded by the Community, of the one part, and Bulgaria and Romania, of the other part, as last amended by Regulation (EC) No 481/95 ⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the third quarter of 1995 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case

of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION :

Article 1

Applications for import licences for the period 1 July to 30 September 1995 submitted under Regulation (EC) No 1559/94 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 1. 7. 1994, p. 62.

⁽²⁾ OJ No L 49, 4. 3. 1995, p. 22.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1995
37	12,72
38	100,00
39	—
40	100,00
43	—

COMMISSION REGULATION (EC) No 1437/95
of 26 June 1995

determining the extent to which applications lodged in June 1995 licences for certain eggs and poultrymeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic can be accepted

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

Having regard to Commission Regulation (EEC) No 2699/93 ⁽¹⁾ laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the former Czech and Slovak Federal Republic, as last amended by Regulation (EC) No 481/95 ⁽²⁾, and in particular Article 4 (5),

Whereas the applications for import licences lodged for the third quarter of 1995 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case

of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION :

Article 1

Applications for import licences for the period 1 July to 30 September 1995 submitted under Regulation (EEC) No 2699/93 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 245, 1. 10. 1993, p. 88.

⁽²⁾ OJ No L 49, 4. 3. 1995, p. 22.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1995
1	2,62
2	11,56
4	100,00
7	1,97
8	63,39
9	19,27
10	100,00
11	—
12	4,15
14	—
15	100,00
16	—
17	—
18	—
19	9,30
21	100,00
22	100,00
23	—
24	—
25	100,00
26	100,00
27	100,00
28	100,00
30	—
31	—
32	—
33	—
34	—
35	—
36	—

COMMISSION REGULATION (EC) No 1438/95
of 26 June 1995

determining the extent to which applications lodged in June 1995 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted

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

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products⁽¹⁾, as last amended by Regulation (EC) No 1244/95⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the period 1 July to 30 September 1995 are greater than

the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION :

Article 1

Applications for import licences for the period 1 July to 30 September 1995 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 156, 23. 6. 1994, p. 9.

⁽²⁾ OJ No L 121, 1. 6. 1995, p. 65.

ANNEX

	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1995
1	7,75
2	7,81
3	7,75
4	90,91
5	11,36

**COMMISSION REGULATION (EC) No 1439/95
of 26 June 1995**

laying down detailed rules for the application of Council Regulation (EEC) No 3013/89 as regards the import and export of products in the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1265/95⁽²⁾, and in particular Articles 9 (2) and 12 (4) thereof,

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

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of

the one part, and Romania, of the other part⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽⁹⁾, and in particular Article 1 thereof,

Whereas under the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations⁽¹⁰⁾, the Community has undertaken to replace the variable import levies by fixed customs duties as from 1 July 1995; whereas the Agreement on Agriculture also provides for the replacement of the present special arrangements with third countries on imports of products in the sheep and goat sector by a system of tariff quotas; whereas these changes require the adoption of new detailed rules and also the repeal of certain existing rules; whereas it is appropriate in the interest of transparency to group the rules on the administration of all tariff quotas in the sector into one single Regulation and to provide for the opening of the various quotas in separate legal texts;

Whereas henceforth the duty payable upon information into the Community is fixed in the Common Customs Tariff;

Whereas it is appropriate to maintain the obligation to submit a licence upon importation and upon exportation of all products of the sector, with the exception of purebred sheep and goats and certain offals and fats;

Whereas since the Agreement on Agriculture requires the conversion of Voluntary Restraint Agreements into country-specific tariff quotas it is necessary to provide for a management system which ensures that only products originating in those specific countries can be imported under the tariff quotas; whereas the latter consideration as well as the need to ensure a smooth transition to the new regime warrant a system whereby the issuance of an import licence is made subject to the presentation of a document of origin issued by an authority of the exporting State which fulfils certain criteria and which has been recognized by the Community; whereas it is therefore necessary to fix the said criteria and in particular to require of the issuing authorities of the exporting countries that controls be effected as to the adherence to the quantities that may be imported under the quotas, notably through a system of precise and regular notifications to

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 123, 3. 6. 1995, p. 1.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁵⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁶⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁷⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁸⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽⁹⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽¹⁰⁾ OJ No L 336, 22. 12. 1994, p. 22.

the Commission of the quantities in respect of which documents of origin have been issued;

Whereas rules should be laid down for the format and the other details of the document of origin as well as for the procedures to be followed in respect of its issuance and its exchange for an import licence; whereas the introduction of yearly tariff quotas also requires strict rules as to the validity of documents of origin and of import licences;

Whereas the additional preferential imports provided for in the Association Agreements with the countries of Central Europe should be administered in the same way as the country-specific quotas resulting from the Uruguay Round of multilateral trade negotiations;

Whereas the Community also undertook in the Uruguay Round of multilateral trade negotiations to open a non-country-specific tariff quota for countries other than those for which a country-specific quota was provided for; whereas it is appropriate to manage this quota in the same way as the autonomous import system laid down in Commission Regulation (EEC) No 3653/85⁽¹⁾, as last amended by Regulation (EEC) No 2779/93⁽²⁾; whereas the detailed rules should therefore provide for the issuance of import licences on a quarterly basis and, where necessary, the application of a reduction coefficient;

Whereas an efficient administration of these tariff quotas also requires a regular flow of information from the Member States to the Commission on the quantities in respect of which import licences have been issued; whereas the frequency of the notifications relating to a country-specific quota should be increased when the annual quota is close to exhaustion whereas the Member States should also inform the Commission of quantities for which export licences have been issued;

Whereas the abolition of the variable import levy and the introduction of tariff quotas require the repeal of Commission Regulations (EEC) No 2668/80⁽³⁾, as last amended by Regulation (EEC) No 3890/92⁽⁴⁾, (EEC) No 19/82⁽⁵⁾, as last amended by Regulation (EC) No 3302/94⁽⁶⁾, (EEC) No 20/82⁽⁷⁾, as last amended by Regulations (EC) No 3302/94 and (EEC) No 3653/85; whereas it is, however, necessary to provide that those regulations remain applicable to import licences that have been issued thereunder;

⁽¹⁾ OJ No L 348, 24. 12. 1985, p. 21.

⁽²⁾ OJ No L 252, 9. 10. 1993, p. 10.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁴⁾ OJ No L 391, 31. 12. 1992, p. 51.

⁽⁵⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽⁶⁾ OJ No L 3, 7. 1. 1982, p. 26.

⁽⁷⁾ OJ No L 341, 30. 12. 1994, p. 45.

Whereas the Management Committee for Sheep and Goats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the application of Articles 9 and 12 Regulation (EEC) No 3013/89.

Article 2

Notwithstanding the conditions laid down in Title II of this Regulation, the importation into the Community of any of the products listed under points (a), (c) and (d) of Article 1 of Regulation (EEC) No 3013/89 shall be subject to the submission of an import licence issued by the Member State to any applicant who so requests, irrespective of the place of his establishment in the Community.

That import licence shall be valid throughout the Community.

Article 3

1. The exportation from the Community of any of the products listed under points (a), (c) and (d) of Article 1 of Regulation (EEC) No 3013/89 shall be subject to the provision of an export licence issued by the Member State to any applicant who so requests, irrespective of his place of establishment in the Community.

2. The export licence shall be valid for three months from its date of issue within the meaning of Article 21 (1), of Commission Regulation (EC) No 3719/88⁽⁸⁾.

3. The export licence application and the licence itself shall state, in section 7, the country of destination of the product.

TITLE I

Standard Import System

Article 4

An import licence for the import of products not covered by Title II of this regulation shall be valid for three months from its date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3719/88.

⁽⁸⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

1. The import licence application and the import licence itself shall be endorsed with the country of origin. The import licence shall carry with it an obligation to import from that country.

2. The import licence shall be issued on the fifth working day following the date on which the application is lodged.

Article 6

1. The issue of the import licence shall be conditional on the provision of a security as a guarantee that importation will be effected during the period of validity of the licence. The security shall be wholly forfeit if the operation is not carried out or partially forfeit if the operation is only partially carried out, within that period.

2. The amount of security in respect of import licences shall be :

- 1 ECU per head for live animals,
- 7 ECU per 100 kilograms for other products.

Where applications for import licences are refused, the security shall be released forthwith for the quantity for which the application was not granted.

TITLE II**Quotas***Article 7*

The import quantities to which this title refers are set out in Commission Regulation (EC) No 1440/95⁽¹⁾ and in subsequent annual tariff quota regulations.

A. Import of products under CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 under GATT/WTO country-specific tariff quotas and under preferential quota systems

Article 8

Applications for an import licence for imports within country-specific tariff quotas referred to in Article 12 of Regulation (EEC) No 3013/89 and for imports under the Europe Agreements establishing an association between the European Communities and their Member States of the one part, and Bulgaria, the Czech Republic, Hungary, Poland, Slovakia and Romania of the other part, shall be accompanied by a valid document of origin.

⁽¹⁾ See page 17 of this Official Journal.

Article 9

1. The document of origin referred to in Article 8 shall be valid only if it is duly completed and endorsed, in accordance with the provisions of this Regulation, by an issuing authority shown in the list in Annex I.

2. The document of origin shall be deemed to have been duly endorsed if it specifies the place and date of issue and the final date of validity, and if it bears the stamp of the issuing authority and the signature of the person or persons empowered to sign it.

Article 10

1. The document of origin referred to in Article 8 shall be drawn up in one original and three numbered copies of different colours and shall consist of a form, a model of which is shown in Annex II.

The form shall measure approximately 210 × 297 mm. The original shall be drawn up on such paper as shall show up any tampering by mechanical or chemical means.

2. The forms shall be printed and completed in at least one of the official languages of the Community.

3. The original and the copies thereof shall be either typewritten or handwritten. In the latter case, they must be completed in ink and in block capitals.

4. Each document of origin shall bear an individual serial number allocated by the issuing authority referred to in Article 9. The copies shall bear the same serial number as the original.

5. Each document of origin shall bear the reference 'issued in accordance with Title II A of Regulation (EC) No 1439/95.'

6. The issuing authority shall keep two copies and give the original and one copy to the applicant.

Article 11

1. The document of origin shall be valid for three months from its actual date of issue but in any event not later than 31 December of the year of its issue.

The original of the document of origin shall be submitted, together with a copy, to the competent authorities at the time when the application for the corresponding import licence is submitted.

However, from 1 October, documents of origin valid from 1 January until 31 March of the following year for quantities within the quota for that year may be issued on condition that they are not used in applications for import licences until 1 January of that year.

2. The original shall be retained by the authority issuing the import licence. However, where the application for an import licence relates to only part of the quantity appearing on the document of origin, the issuing authority shall state on the latter the quantity in respect of which it has been used and, after having affixed its stamp thereto, shall pass it to the party concerned.

Article 12

1. An issuing authority shown in the list set out in Annex I shall :

- (a) be recognized as such by the exporting third country ;
- (b) undertake to verify the particulars appearing on document of origin ;
- (c) undertake to issue documents of origin only within the quantities and the duties provided for in Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations ;
- (d) undertake to communicate to the Commission before the fifteenth day of each month the quantities, including the CN codes, in respect of which documents of origin were issued, together with the issue number of each document and the year to which it refers, broken down according to the duty payable and the intended destination during the preceding month ; however, for all products they shall as soon as the documents of origin for 75 % of the quantities concerned have been issued (undertake, at the Commission's request, to communicate to the Commission any relevant information more frequently) ;
- (e) at the request of the Commission, undertaken to supply to the Commission and, if appropriate, to the Member States any item of relevant information enabling the particulars appearing on documents of origin to be verified.

2. If the conditions referred to in paragraph 1 are not fully satisfied the list may be revised or it may be decided to introduce new rules for the administration of the import arrangements concerned.

Article 13

1. The import licence referred to in Article 8 shall be issued not later than one working day following that on which the application is lodged. Subject to the third subparagraph of Article 11 (1), it shall be valid until the

final date of validity of the document of origin submitted in accordance with Article 8 but not later than 31 December of the year of issue of the document of origin.

However, in duly justified exceptional cases Member States may extend the validity of an import licence for a period up to 25 January of the following year. Member States shall inform the Commission before 31 March each year of the import quantities and the circumstances involved for each supplier country.

However, as soon as the Commission has requested from a supplier country, pursuant to Article 12 (1) (d), more frequent data as to the issue of documents of origin, the Commission can request that the import licence be issued only after the competent authority is satisfied that all information on the document of origin corresponds to the information received from the Commission through more frequent communication on the matter. The licence shall be issued immediately thereafter.

2. Import licences shall be issued only within the quantities laid down in the relevant tariff quotas and only in response to an application accompanied by a valid document of origin issued for the same calendar year.

3. On issue, each import licence shall bear in Box 20 the remark 'issued in accordance with Title IIA of Regulation (EC) No 1439/95'.

4. No security shall be required for the issue of the import licence referred to in paragraph 1.

5. The import licence must be returned to the issuing agency as soon as possible after use and not later than five days after its expiry.

Article 14

1. Licence applications and licences shall bear in Box 8 the name of the country of origin. In the case of produce falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90, licence applications and licences shall bear in Boxes 17 and 18 particulars of the net mass and where appropriate the number of animals to be imported.

A licence shall make it compulsory to import the products from the country indicated.

2. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity put in free circulation may not exceed that indicated in Boxes 17 and 18 of the import licence ; the number '0' shall be entered to this effect in Box 19 of the said licence.

3. Import licences issued in respect of the quantities referred to in Annex I to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in Box 24 at least one of the following entries :

- Derecho limitado a 0 [aplicación del Anexo I del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]
- Told nedsat til 0 (jf. bilag I til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)
- Beschränkung des Zollsatzes auf Null (Anwendung von Anhang I der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)
- Δασμός περιοριζόμενος στο μηδέν [εφαρμογή του παραρτήματος I του κανονισμού (ΕΚ) αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]
- Duty limited to zero (application of Annex I of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)
- Droit de douane nul [application de l'annexe I du règlement (CE) n° 1440/95]
- Dazio limitato a zero [applicazione dell'allegato I del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]
- Invoerrecht beperkt tot 0 (toepassing van bijlage I bij Verordening (EG) nr. 1440/95)
- Direito limitado a zero (aplicação do anexo I do Regulamento (CE) n° 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais)
- Tulli rajoitettu 0 prosenttiin [asetuksen (EY) N:o 1440/95 liitteeseen I ja sen jälkeen annettujen vuotuisia tariffikiintiötä koskevien asetusten soveltaminen]
- Tull begränsad till noll procent (tillämpning av bilaga I i förordning (EG) nr 1440/95).

4. Import licences issued in respect of the quantities referred to in Annex II of Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in Box 24 at least one of the following entries :

- Derecho limitado a 4 % [aplicación del Anexo II del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]
- Told nedsat til 4 % (jf. bilag II til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)

— Beschränkung des Zollsatzes auf 4 % (Anwendung von Anhang II der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)

— Δασμός περιοριζόμενος στο 4% [εφαρμογή του παραρτήματος II του κανονισμού (ΕΚ) αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]

— Duty limited to 4 % (application of Annex II of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)

— Droit de douane 4 % [application de l'annexe II du règlement (CE) n° 1440/95]

— Dazio limitato a 4 % (applicazione dell'allegato II del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]

— Invoerrecht beperkt tot 4 % (toepassing van bijlage II bij Verordening (EG) nr. 1440/95)

— Direito limitado a 4 % (aplicação do anexo II do Regulamento (CE) n° 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais)

— Tulli rajoitettu 4 % prosenttiin [asetuksen (EY) N:o 1440/95 liitteeseen II ja sen jälkeen annettujen vuotuisia tariffikiintiötä koskevien asetusten soveltaminen]

— Tull begränsad till 4 % procent (tillämpning av bilaga II i förordning (EG) nr 1440/95).

5. Import licences issued in respect of the quantities referred to in Annex III to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in Box 24 at least one of the following entries :

— Derecho limitado a 10 % [aplicación del Anexo III del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]

— Told nedsat til 10 % (jf. bilag III til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)

— Beschränkung des Zollsatzes auf 10 % (Anwendung von Anhang III der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)

— Δασμός περιοριζόμενος στο 10% [εφαρμογή του παραρτήματος III του κανονισμού (ΕΚ) αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]

— Duty limited to 10 % (application of Annex III of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)

— Droit de douane 10 % [application de l'annexe III du règlement (CE) n° 1440/95]

- Dazio limitato a 10 % (applicazione dell'allegato III del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]
- Invoerrecht beperkt tot 10 % (toepassing van bijlage III bij Verordening (EG) nr. 1440/95)
- Direito limitado a 10 % (aplicação do anexo III do Regulamento (CE) n.º 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais)
- Tulli rajoitettu 10 % prosenttiin [asetuksen (EY) N:o 1440/95 liitteeseen III ja sen jälkeen annettujen vuotuisia tariffikiintiötä koskevien asetusten soveltaminen]
- Tull begränsad till 10 % procent (tillämpning av bilaga III i förordning (EG) nr 1440/95).

B: Imports of products under CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 pursuant to GATT/WTO non-country specific tariff quotas

Article 15

Member States shall issue import licences for the import of products under GATT non-country-specific tariff quotas for supplier countries other than those included in Title IIA.

During each of the first three quarters of each year, such import licences shall be issued within the limits of one quarter of the quantities, expressed in tonnes liveweight and referred to in Annex IV, Part A, and expressed in tonnes of carcase equivalent and referred to in Annex IV, Part B to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations.

During September of each year Member States shall issue import licences within the remaining balance of these quantities.

Article 16

1. The maximum overall quantity for which any one party may apply by lodging one or more licence applications shall be that laid down in Annex IV to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations for the quarter in which the licence application(s) concerned is (are) lodged.

2. Applications for licences may be lodged only during the first 10 days of each of the first three quarters of the year and during the first 10 days of September.

3. Applications for licences, broken down by product (referring to total quantities expressed in carcase equivalent) and by country of origin, shall be forwarded by the Member States to the Commission no later than the sixteenth day of each of the first three quarters and by 16 September, at 5 pm.

4. The Commission shall decide, before the twenty-sixth day of each of the first three quarters and before 26 September by product and by country of origin, either:

- (a) to authorize the issue of licences for all the quantities applied for, or
- (b) to reduce all the quantities applied for by the same percentage.

Subject to the Commission decision Member States shall issue the licences only within the quantities for which they have forwarded application to the Commission.

5. Licences shall be issued on the thirtieth day of each of the first three quarters and on 30 September.

6. On issue each import licence shall bear the reference in Box 20 'issued in accordance with Title IIA of Regulation (EC) No 1439/95.'

Article 17

1. Import licences referred to in Article 15 of this Regulation shall be valid for three months from their date of issue within the meaning of Article 21 (1) of Regulation (EEC) No 3919/88.

2. Licence applications and licences shall bear in Box 8 the name of the country of origin. In the case of products falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90, licence applications and licences shall bear in Boxes 17 and 18 particulars of the net mass and where appropriate the number of animals to be imported.

A licence shall make it compulsory to import products from the country indicated.

3. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity put in free circulation may not exceed that indicated in Boxes 17 and 18 of the import licence; the number '0' shall be entered to this effect in Box 19 of the said licence.

4. Import licences issued in respect of the quantities referred to in Annex IV, Part A, to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in Box 24 at least one of the following entries:

- Derecho limitado a 0 [aplicación de la parte A del Anexo IV del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]
- Told nedsat til 0 (jf. bilag IV, del A til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)
- Beschränkung des Zollsatzes auf Null (Anwendung von Anhang IV Teil A der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)
- Δασμός περιοριζόμενος στο μηδέν [εφαρμογή του παραρτήματος IV σημείο Α του κανονισμού (ΕΚ) αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]
- Duty limited to zero (application of Annex IV Part A of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)
- Droit de douane nul [application de la partie A de l'annexe IV du règlement (CE) n° 1440/95]
- Dazio limitato a zero [applicazione dell'allegato IV A del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]
- Invoerrecht beperkt tot 0 (toepassing van bijlage IV deel A bij Verordening (EG) nr. 1440/95)
- Direito limitado a zero (aplicação do anexo IV, ponto A, do Regulamento (CE) n° 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais)
- Tulli rajoitettu 0:aan [asetuksen (EY) N:o 1440/95 liitteeseen IV kohta A ja sen jälkeen annettujen vuotuisia tariffikiintiötä koskevien asetusten soveltaminen]
- Tull begränsad till noll (tillämpning av bilaga IV, punkt A, i förordning (EG) nr 1440/95).

5. Import licences issued in respect of the quantities referred to in Annex IV, Part B to Regulation (EC) No 1440/95 and in subsequent annual tariff quota regulations shall bear in Box 24 at least one of the following entries :

- Derecho limitado a 0 [aplicación de la parte B del Anexo IV del Reglamento (CE) n° 1440/95 y de posteriores Reglamentos por los que se establecen contingentes arancelarios anuales]
- Told nedsat til 0 (jf. bilag IV, del B til forordning (EF) nr. 1440/95 og efterfølgende forordninger om årlige toldkontingenter)
- Beschränkung des Zollsatzes auf Null (Anwendung von Anhang IV Teil B der Verordnung (EG) Nr. 1440/95 und der späteren jährlichen Verordnungen über die Zollkontingente)
- Δασμός περιοριζόμενος στο μηδέν [εφαρμογή του παραρτήματος IV σημείο Β του κανονισμού (ΕΚ)

αριθ. 1440/95 και των μεταγενέστερων κανονισμών σχετικά με την ετήσια δασμολογική ποσόστωση]

- Duty limited to zero (application of Annex IV Part B of Regulation (EC) No 1440/95 and subsequent annual tariff quota regulations)
- Droit de douane nul [application de la partie B de l'annexe IV du règlement (CE) n° 1440/95]
- Dazio limitato a zero [applicazione dell'allegato IV B del regolamento (CE) n. 1440/95 e dei successivi regolamenti relativi ai contingenti tariffari annuali]
- Invoerrecht beperkt tot 0 (toepassing van bijlage IV deel B bij Verordening (EG) nr. 1440/95)
- Direito limitado a zero (aplicação do anexo IV, ponto B, do Regulamento (CE) n° 1440/95 e regulamentos subsequentes relativos aos contingentes pautais anuais)
- Tulli rajoitettu 0:aan [asetuksen (EY) N:o 1440/95 liitteeseen IV kohta B ja sen jälkeen annettujen vuotuisia tariffikiintiötä koskevien asetusten soveltaminen]
- Tull begränsad till noll (tillämpning av bilaga IV, punkt B, i förordning (EG) nr 1440/95).

Article 18

1. The issue of the import licence shall be conditional on the provision of a security as a guarantee that importation will be effected during the period of validity of the licence. The security shall be wholly forfeit if the operation is not carried out, or partially forfeit if the operation is only partially carried out within that period.

2. The level of the security relating to the import licences shall be :

- 1 ECU per animal for live animals,
- 7 ECU per 100 kg for other products.

TITLE III

Notification

Article 19

1. In respect of Title I, Member States shall communicate to the Commission before 15 July and 15 November each year the cumulative situation in respect of import licences issued for the periods January to June and January to October respectively. They shall also communicate before 31 January each year the final cumulative total of import licences issued during the course of the previous year.

2. In respect of Title IIA :

(a) Member States shall communicate to the Commission before the fifth working day of each month, by telex or by fax, the quantities, by product and by origin, in respect of which during the preceding month :

- the import licences referred to in Article 8 have been issued,
- the import licences returned to the issuing agency pursuant to Article 13 (5) have been used.

However, as soon as the Commission has requested from a supplier country, pursuant to Article 12 (1) (d), more frequent data as to the issue of documents of origin, the Member States as well shall communicate to the Commission more frequently the same information.

(b) Member States shall communicate to the Commission before 15 July, 15 September and 15 November each year, the cumulative situation in respect of import licences issued for the periods January to June, January to August and January to October respectively ; they shall also communicate before 31 January each year the final cumulative total of import licences issued during the course of the previous year.

3. In respect of Title II.B, Member States shall communicate to the Commission before 15 February, 15 May, 15 August and 15 October each year the cumulative situation in respect of import licences issued for the first three quarters and September of each year.

4. In respect of exports, Member States shall communicate to the Commission before the fifth working day of each month, by telex or fax, the quantities by product and by destination in respect of which export licences have been issued.

Article 20

Regulations (EEC) No 2668/80, (EEC) No 19/82, (EEC) No 20/82 and (EEC) No 3653/85 are hereby repealed. However they shall remain applicable to import licences issued under those regulations.

Article 21

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

It shall apply from 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***List of authorities in exporting countries empowered to issue Documents of origin**

1. Argentina : Secretaria de agricultura ganaderia y pesca
 2. Australia : Australian Meat and Livestock Corporation
 3. Bosnia-Herzegovina : Economic Chamber of Bosnia and Herzegovina
 4. Bulgaria : Ministry of Industry and Trade
 5. Chile : Servicio agricola y ganadero del Ministerio de Agricultura — Santiago
 6. Croatia : 'EUROINSPEKT', Zagreb
 7. Hungary : Ministry of International Economic Relations
 8. Island : Ministry of Trade
 9. Former Yugoslav Republic of Macedonia : Chambre d'économie, Skopje
 10. New Zealand : New Zealand Meat Producers Board
 11. Poland : Ministertwe Wspolpracy gospodarczej z zagranica
 12. Romania : Ministère du Commerce et du Tourisme — Département pour le commerce extérieur
 13. Slovenia : 'INSPECT', Ljubljana
 14. Slovakia : Ministry of Economy
 15. Czech Republic : Ministry of Industry and Trade
 16. Uruguay : Instituto nacional de carnes (Inac)
-

ANNEX II

Document of origin

1. Exporter (name, full address, country)	2. No of deliverance	ORIGINAL
	3. ISSUING AUTHORITY	
4. Consignee (name, full address, country)	5. Country of exportation	
	6. Intended country of destination	
	7. Means of transport at the outset	8. Duty Rate
Document of origin to accompany application for a licence to import sheep, goats, sheepmeat and goatmeat into the European Community, issued in accordance with Title II. A of Regulation (EC) No 1439/95.		
Expiry date		
9. Marks, numbers, number and kind of packages; description of goods; nature and presentation of the products; whether the meat is fresh, chilled or frozen; number of livestock		10. CN code
		11. Net mass (kg)
12. Net mass (kg) (in words)		
CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the quantity shown on this document of origin representing . . . kg carcass mass ⁽¹⁾ of the total quantity covered by Regulation (EC) No 1440/95 and by subsequent tariff quota regulations originates in . . . It relates to the tariff quota for the year . . .		
Place		Date
(Stamp of the issuing authority)		(Signature)

To be completed by typewriter or in block capitals.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton or goatmeat other than kid corresponds to 100 kg of bone-in mutton or goatmeat other than kid and 60 kg of boned lamb or kid corresponds to 100 kg of bone-in lamb. 100 kg live weight corresponds to 47 kg carcass weight (bone-in equivalent weight).

COMMISSION REGULATION (EC) No 1440/95

of 26 June 1995

opening Community tariff quotas for the second half of 1995 for sheep, goats, sheepmeat and goatmeat falling within CN codes ex 0104 10, ex 0104 20 and 0204

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1265/95⁽²⁾, and in particular Article 12 (4) thereof,

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

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3328/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽⁹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 3125/92 of 26 October 1992 on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia⁽¹⁰⁾, and in particular Article 3 thereof,

Whereas under the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations⁽¹¹⁾, the Community has undertaken to replace, as from 1 July 1995, the Voluntary Restraint Agreements in the sheep and goat sector by country-specific tariff quotas and to open a non-country-specific tariff quota; whereas the Europe Agreements concluded between the Community and the countries of Central Europe allow additional preferential access to the Community market;

Whereas the tariff quotas have to be opened by the Commission and be managed according to the rules laid down in Commission Regulation (EC) No 1439/95 of 1995 of 26 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 3013/89 as regards the import and export of products in the sheepmeat and goatmeat sector⁽¹²⁾;

Whereas since imports in the Community market have traditionally been managed on a calendar year basis, it is appropriate to maintain this system in the future; whereas it is therefore necessary, by way of transitional measure, to open only quotas for the second half of 1995;

Whereas a carcase-weight equivalent needs to be fixed in order to ensure a proper functioning of the tariff quotas;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 123, 3. 6. 1995, p. 1.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁵⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁶⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁷⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁸⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽⁹⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽¹⁰⁾ OJ No L 313, 30. 10. 1992, p. 3.

⁽¹¹⁾ OJ No L 336, 23. 12. 1994, p. 22.

⁽¹²⁾ See page 7 of this Official Journal.

whereas furthermore certain tariff quotas provide the option of importing either the live animals or their meat ; whereas a conversion factor is therefore required ;

Whereas it is necessary, in order to ensure a smooth transition between the import arrangements which apply 1 July 1995 and the new tariff quotas, and in order to adhere the overall quantity that can be imported under preferential schemes in 1995, to deduct the quantities for which valid import licences were issued up to 30 June under the 'old' arrangements, from the quantities set out in the Annexes ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The customs duties applicable to imports into the Community of sheep, goats, sheepmeat and goatmeat falling within CN codes ex 0104 10, ex 0104 20 and 0204 originating in the countries indicated in the Annexes, shall be suspended or reduced during the periods, at the levels and within the limits of the tariff quotas laid down in this Regulation.

Article 2

Subject to the conditions laid down in Article 5 :

- the quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports originating in specific supplying countries, is suspended for the period between 1 July and 31 December 1995, shall be those laid down in Annex I,
- the quantities of live animals and meat, expressed as carcase weight equivalent, falling within CN codes ex 0104 10, ex 0104 20 and 0204 for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to 4 % *ad valorem* for the period between 1 July and 31 December 1995, shall be those laid down in Annex II,
- the quantities of live animals, expressed in live weight, falling under CN codes ex 0104 10 and ex 0104 20 for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to 10 % *ad valorem* for the period between 1 July and 31 December 1995, shall be those laid down in Annex III,

- the quantities of live animals, expressed in live weight, falling within CN codes ex 0104 10 and ex 0104 20 for which the customs duty, applicable to imports, is reduced to 10 % *ad valorem* for the period between 1 July and 31 December 1995, shall be those laid down in Annex IV, Part A,
- the quantities of meat, expressed in carcase weight equivalent, falling within CN codes 0204 for which the customs duty, applicable to imports, is suspended for the period between 1 July and 31 December 1995, shall be those laid down in Annex IV, Part B.

Article 3

1. The tariff quotas provided for under the first three indents of Article 2 shall be managed in accordance with the rules laid down in Title II A of Regulation (EC) No 1439/95.
2. The tariff quotas provided for under the fourth indent of Article 2 shall be managed in accordance with the rules laid down in Title II B of Regulation (EC) No 1439/95.

Article 4

1. The term 'carcase weight equivalent' referred to in Article 2 shall be taken to mean the weight of bone-in meat presented as such, and also boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton or goatmeat other than kid corresponds to 100 kg of bone-in mutton or goatmeat other than kid and 60 kg of boned lamb or kid corresponds to 100 kg of bone-in lamb or kid.
2. Where the option is available under the Association Agreements between the Community and certain supplier countries of allowing imports in the form of live animals or as meat, 100 kg of live animals shall be considered to be equivalent to 47 kg of meat.

Article 5

The quantity covered by valid import licences issued up to 30 June 1995, in response to export certificates issued in the period between 1 January and 30 June 1995,

- pursuant to the temporary adaptation of the Voluntary Restraint Agreements concluded between the Community and the supplier countries concerned for the first half of 1995,
- pursuant to the Association Agreements concluded between the Community and Hungary, Poland, the Czech Republic, Slovakia, Bulgaria and Romania,

— pursuant to Commission Regulation (EC) No 256/95⁽¹⁾,

— pursuant to the autonomous system set up in Council Regulation (EEC) No 3643/85⁽²⁾,

shall be deducted from the quantities set out in Annexes I, II, III and IV for the purpose of the quantities covered by import licences which may be issued in the period

between 1 July and 31 December 1995 under the system laid down in Title II of Regulation (EC) No 1439/95.

Article 6

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

It shall apply from 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 30, 9. 2. 1995, p. 24.

⁽²⁾ OJ No L 348, 24. 12. 1985, p. 2.

ANNEX I

QUANTITIES REFERRED TO IN THE FIRST INDENT OF ARTICLE 2

Sheepmeat and goatmeat (tonnes in CWE) at zero duty

	<i>(in tonnes)</i>
Argentina	21 000
Australia	17 500
Chile	1 490
New Zealand	215 300
Uruguay	5 510
Iceland	600
Poland	200
Romania	75
Hungary	1 150
Bulgaria	1 250
Bosnia Herzegovina	850
Croatia	450
Slovenia	50
Former Yugoslav Republic of Macedonia	1 750

ANNEX II

QUANTITIES (TONNES CWE) REFERRED TO IN THE SECOND INDENT OF ARTICLE 2

Duty rate 4 %

	Live animals	Meat
Poland	8 500 ⁽¹⁾	—
Romania ⁽²⁾	689,5	34,5
Hungary	11 275	350
Bulgaria	2 923	577,5
Czech Republic ⁽²⁾	767,5	767,5
Slovakia	1 545	1 545

⁽¹⁾ Quantity in the form of live animals or meat.

⁽²⁾ Possibility of convert in converting limited quantities between live animals and meat.

*ANNEX III***QUANTITIES REFERRED TO IN THE THIRD INDENT OF ARTICLE 2****Live sheep and goats (tonnes live weight)****Duty rate 10 %**

Former Yugoslav Republic of Macedonia	215 tonnes
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*ANNEX IV***Quantities referred to in the fourth indent of Article 2****A. Live sheep and goats (tonnes live weight). Duty rate 10 %.**

Others	105 tonnes
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B. Sheepmeat and goatmeat (tonnes CWE). Duty rate zero.

Others (of which Greenland 100 tonnes and Faroe Islands 20 tonnes)	300 tonnes
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COMMISSION REGULATION (EC) No 1441/95

of 26 June 1995

amending Annexes I, II and III of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽¹⁾, as last amended by Commission Regulation (EC) No 1102/95⁽²⁾, and in particular Article 6, 7 and 8 thereof,

Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

Whereas, for the control of residues, as provided for in appropriate Community legislation maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey;

Whereas sarafloxacin should be inserted into Annex I to Regulation (EEC) No 2377/90;

Whereas oxytocin should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas, in order to allow for the completion of scientific studies, dexamethasone should be inserted into Annex III to Regulation (EEC) No 2377/90;

Whereas, in order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III of Regulation (EEC) No 2377/90 should be extended for ofendazole, febantel, fenbendazole and triclabendazole;

Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorizations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC⁽³⁾, as last amended by Directive 93/40/EEC⁽⁴⁾ to take account of the provisions of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Veterinary Medicinal Products Sector,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II and III of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the 60th day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 1.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 9.

⁽³⁾ OJ No L 317, 6. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 214, 24. 8. 1993, p. 31.

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

Done at Brussels, 26 June 1995.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

Regulation (EEC) No 2377/90 is amended as follows :

A. Annex I is modified as follows

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.3. Quinolones

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'1.2.3.2. Sarafloxacin	Sarafloxacin	Chicken	100 µg/kg 10 µg/kg	Liver Fat + skin'	

B. In Annex II, point '2. Organic compounds' the following heading is added :

2. Organic chemicals

Pharmacologically Active Substances(s)	Animal Species	Other provisions
'2.16. Oxytocin	All food producing mammals'	

C. Annex III is modified as follows :

2. Antiparasitic agents
- 2.1. Agents acting against endo-parasites
- 2.1.1. Benzimidazoles and pro-benzimidazoles

Pharmacologically Active substance(s)	Marker Residue	Animal Species	MRLs	Target Tissues	Other provisions
'2.1.1.1. Febantel	Combined residues of oxfendazole, oxfendazole sulfone and fenbendazole	All food producing species	1 000 µg/kg 10 µg/kg 10 µg/kg	Liver Muscle, kidney, fat Milk	Provisional MRLs expire on 1 July 1997 The MRLs cover all residues of febantel, fenbendazole and oxfendazole
2.1.1.2. Fenbendazole	Combined residues of oxfendazole, oxfendazole sulfone and fenbendazole	All food producing species	1 000 µg/kg 10 µg/kg 10 µg/kg	Liver Muscle, kidney, fat Milk	Provisional MRLs expire on 1 July 1997 The MRLs cover all residues of febantel, fenbendazole and oxfendazole

Pharmacologically Active substance(s)	Marker Residue	Animal Species	MRLs	Target Tissues	Other provisions
2.1.1.3. Oxfendazole	Combined residues of oxfendazole, oxfendazole sulfone and fenbendazole	All food producing species	1 000 µg/kg 10 µg/kg 10 µg/kg	Liver Muscle, kidney, fat Milk	Provisional MRLs expire on 1 July 1997 The MRLs cover all residues of febantel, fenbendazole and oxfendazole
2.1.1.4. Triclabendazole	Sum of extractable residues that may be oxidized to keta-triclabendazole	Bovine, ovine	150 µg/kg 50 µg/kg	Muscle, liver, kidney Fat	Provisional MRLs expire on 1 July 1997
4. Corticoids					
4.1. Glucocorticoids					
Pharmacologically Active substance(s)	Marker Residue	Animal Species	MRLs	Target Tissues	Other provisions
4.2.1. Dexamethasone	Dexamethasone	Bovine, porcine, equidae Bovine	2,5 µg/kg 0,5 µg/kg 0,3 µg/kg	Liver Muscle, kidney Milk	Provisional MRLs, expire on 1 January 1997

COMMISSION REGULATION (EC) No 1442/95
of 26 June 1995

amending Annexes I, II, III and IV of Council Regulation (EEC) No 2377/90
laying down a Community procedure for the establishment of maximum residue
limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽¹⁾, as last amended by Commission Regulation (EC) No 1441/95⁽²⁾, and in particular Article 6, 7 and 8 thereof,

Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

Whereas, for the control of residues, as provided for in appropriate Community legislation maximum residue limits should usually be established for the target tissues

of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey;

Whereas carazolol, diazinon and spiramycin (applicable to the species cattle and chicken) should be inserted into Annex I to Regulation (EEC) No 2377/90;

Whereas lecirelin, sodium dichloroisocyanurate, dinoprost tromethamine, hydrochloric acid, malic acid, l-tartaric acid and its mono- and di-basic salt of sodium, potassium and calcium, benzylalcohol, ethanol, n-butanol should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas, in order to allow for the completion of scientific studies, danofloxacin and erythromycin should be inserted into Annex III to Regulation (EEC) No 2377/90;

Whereas, in order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III of Regulation (EEC) No 2377/90 should be extended for tylosin and spiramycin (applicable to the species pigs);

Whereas it appears that maximum residue limits cannot be established for furazolidone because residues, at whatever limit, in foodstuffs of animal origin constitute a hazard to the health of the consumer; whereas furazolidone should therefore be inserted into Annex IV to Regulation (EEC) No 2377/90;

Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorizations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 1.

⁽²⁾ See page 22 of this Official Journal.

81/851/EEC⁽¹⁾, as last amended by Directive 93/40/EEC⁽²⁾ to take account of the provisions of this Regulation ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Veterinary Medicinal Products Sector,

HAS ADOPTED THIS REGULATION :

Article 1

Annexes I, II, III and IV of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the sixtieth 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, 26 June 1995.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 317, 6. 11. 1981, p. 1.

⁽²⁾ OJ No L 214, 24. 8. 1993, p. 31.

ANNEX

Regulation (EEC) No 2377/90 is amended as follows:

A. Annex I is modified as follows:

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.4. Macrolides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'1.2.4.3. Spiramycin	Sum. of spiramycin and neospiramycin	Bovine	300 µg/kg 200 µg/kg 200 µg/kg	Liver, kidney, fat Muscle Milk	
		Chicken	400 µg/kg 300 µg/kg 200 µg/kg	Liver Fat + skin Muscle'	

2. Antiparasitic agents
- 2.2. Agents acting against ectoparasites
- 2.2.3. Organophosphates

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'2.2.3.1. Diazinon	Diazinon	Bovine, ovine, caprine, porcine	700 µg/kg 20 µg/kg	Fat Kidney, liver, muscle	
		Bovine, ovine, caprine	20 µg/kg	Milk'	

3. Agents acting on the nervous system
- 3.2. Agents acting on the autonomic nervous system
- 3.2.1. Anti-adrenergics

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'3.2.1.1. Carazolol	Carazolol	Porcine	25 µg/kg 5 µg/kg	Liver, kidney Muscle, fat, + skin'	

B. In Annex II the following headings are added:

1. Inorganic chemicals

Pharmacologically Active Substance(s)	Animal Species	Other provisions
'1.6. Hydrochloric acid	All food producing species	For use as excipient
1.7. Sodium dichloroisocyanurate	Bovine, ovine, caprine	For topical use only'

2. Organic chemicals

Pharmacologically Active Substance(s)	Animal Species	Other provisions
'2.20. Lecithin	Bovine, equidae, rabbit	
2.21. Dinoprost tromethamine	All mammalian species	
2.22. Malic acid	All food producing species	For use as excipient
2.23. L-tartaric acid and its mono- and di-basic salt of sodium, potassium and calcium	All food producing species	For use as excipient
2.24. Benzylalcohol	All food producing species	For use as excipient
2.25. Ethanol	All food producing species	For use as excipient
2.26. N-butanol	All food producing species	For use as excipient'

C. Annex III is modified as follows:

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.2. Macrolides

Pharmacologically Active substance(s)	Marker Residue	Animal Species	MRLs	Target Tissues	Other provisions
'1.2.2.1. Spiramycin	Spiramycin	Porcine	600 µg/kg 300 µg/kg 200 µg/kg	Liver Kidney, muscle Fat	Provisional MRLs expire on 1 July 1997 MRLs apply to all microbiological active residues expressed as Spiramycin-equivalent
1.2.2.2. Tylosin	Tylosin	Bovine, Porcine, Poultry Bovine	100 µg/kg 50 µg/kg	Muscle, liver, kidney Milk	Provisional MRLs expire on 1 July 1997

Pharmacologically Active substance(s)	Marker Residue	Animal Species	MRLs	Target Tissues	Other provisions
1.2.2.3. Erythromycin	Erythromycin	Bovine, ovine, porcine, poultry Bovine, ovine Poultry	400 µg/kg 40 µg/kg 200 µg/kg	Liver, kidney, muscle, fat Milk Eggs	Provisional MRLs expire on 1 June 2000 MRLs apply to all microbiological active residues expressed as Erythromycin-equivalent

1.2.4. Quinolones

Pharmacologically Active substance(s)	Marker Residue	Animal Species	MRLs	Target Tissues	Other provisions
1.2.4.1. Danofloxacin	Danofloxacin	Bovine Chicken	900 µg/kg 500 µg/kg 300 µg/kg 200 µg/kg 1 200 µg/kg 600 µg/kg 300 µg/kg	Liver Kidney Muscle Fat Liver, kidney Fat + skin Muscle	Provisional MRLs expire on 1 July 1997

D. Annex IV is modified as follows :

List of pharmacologically active substances for which no maximum residue limits can be fixed

5. Furazolidon'

COMMISSION REGULATION (EC) No 1443/95

of 26 June 1995

determining, for the 1995 marketing year, the estimated loss of income and the estimated level of the premium payable per ewe and per female goat and fixing the first advance payment for this premium and an advance payment of the specific aid for sheep and goat farming in certain less favoured areas of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Council Regulation (EC) No 1265/95⁽²⁾, and in particular Article 5 (6) thereof,

Having regard to Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as amended by Regulation (EC) No 3290/94⁽⁴⁾, and in particular Article 13 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992, relating to the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, and in particular Article 6 thereof,

Whereas Article 5 (1) and (5) of Regulation (EEC) No 3013/89 provides for the grant of a premium to compensate for any loss of income sustained by producers of sheepmeat and, in certain areas, of goatmeat; whereas those areas are defined in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Commission Regulation (EEC) No 1065/86 of 11 April 1986 determining the mountain areas in which the premium for goatmeat is granted⁽⁷⁾, as amended by Regulation (EEC) No 3519/86⁽⁸⁾;

Whereas, pursuant to Article 5 (6) of Regulation (EEC) No 3013/89 and to enable an advance payment to be made to sheepmeat and goatmeat producers, the foreseeable loss of income should be estimated in the light of the foreseeable trend in market prices;

Whereas, pursuant to Article 5 (2) of Regulation (EEC) No 3013/89, the amount of the premium per ewe for producers of heavy lambs is obtained by multiplying the loss of

income referred to in the second subparagraph of paragraph 1 of that Article by a coefficient expressing the annual average production of heavy lamb meat per ewe producing these lambs expressed per 100 kilograms of carcase weight; whereas the coefficient for 1995 has not yet been fixed in view of the lack of full Community statistics; whereas, pending the fixing of that coefficient, a provisional coefficient should be used; whereas Article 5 (2) of that Regulation also fixes the amount per ewe for producers of light lambs and per female of the caprine species and at 80 % of the premium per ewe for producers of heavy lambs;

Whereas, pursuant to Article 8 of Regulation (EEC) No 3013/89, the premium must be reduced by the impact on the basic price of the coefficient provided for in paragraph 2 of that Article; whereas that coefficient is fixed by Article 8 (4) at 7 %;

Whereas, in accordance with Article 5 (6) of Regulation (EEC) No 3013/89, the half-yearly advance payment is fixed at 30 % of the expected premium; whereas, in accordance with Article 4 (3) of Commission Regulation (EEC) No 2700/93⁽⁹⁾, as last amended by Regulation (EC) No 279/94⁽¹⁰⁾, the advance payment is to be paid only if it is equal to or greater than ECU 1;

Whereas, for the advance payments, due to the agrimontary changes which occurred on 1 February 1995 and in order to simplify administrative management, it is appropriate to apply, by derogation from Article 6 of Regulation (EEC) No 2700/93, the agricultural conversion rate valid on the above-mentioned date;

Whereas, under Council Regulation (EEC) No 1323/90 of 14 May 1990⁽¹¹⁾, as last amended by Regulation (EEC) No 363/93⁽¹²⁾, the Council instituted specific aid for sheep and goat farming in certain less-favoured areas of the Community; whereas it lays down that the aid is to be granted under the same conditions as those for the grant of the premium for producers of sheepmeat and goatmeat; whereas, in view of the expected difficult market situation in certain Member States during the second half of 1995, the Member States should be authorized, for the 1995 marketing year, to pay immediately an amount equal to 90 % of the aid;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 123, 3. 6. 1995, p. 1.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

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

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 97, 12. 4. 1986, p. 25.

⁽⁸⁾ OJ No L 325, 20. 11. 1986, p. 17.

⁽⁹⁾ OJ No L 245, 1. 10. 1993, p. 99.

⁽¹⁰⁾ OJ No L 37, 9. 2. 1994, p. 1.

⁽¹¹⁾ OJ No L 132, 23. 5. 1990, p. 17.

⁽¹²⁾ OJ No L 42, 19. 2. 1993, p. 1.

Whereas Regulation (EEC) No 1601/92 provides for the application of specific measures relating to agricultural production in the Canary Islands; whereas those measures entail the grant of a supplement to the ewe premium to producers of light lambs and she-goats on the same conditions as those governing the grant of the premium referred to in Article 5 of Regulation (EEC) No 3013/89; whereas those conditions provide that Spain is authorized to pay an advance on the said supplementary premium;

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

HAS ADOPTED THIS REGULATION:

Article 1

A difference is hereby estimated between the basic price, reduced by the impact of the coefficient laid down in Article 8 (4) of Regulation (EEC) No 3013/89, and the foreseeable market price during 1995 is ECU 162,785 per 100 kg.

Article 2

1. The estimated amount of the premium payable per ewe is as follows:

- producers of heavy lambs: ECU 26,046,
- producers of light lambs: ECU 20,837.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the first advance that the Member States are authorized to pay to producers shall be as follows:

- producers of heavy lambs: ECU 7,814 per lamb,
- producers of light lambs: ECU 6,251 per lamb.

Article 3

1. The estimated amount of the premium payable per female of the caprine species in the areas designated in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Regulation (EEC) No 1065/86: ECU 20,837.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the first advance which the Member States are authorized to pay to goatmeat producers located in the areas designated in paragraph 1 shall be as follows: ECU 6,251 per female of the caprine species.

Article 4

By derogation from Article 6 of Regulation (EEC) No 2700/93 the advances of the ewe and she-goat premium for the 1995 marketing year are to be converted at the agricultural conversion rate valid on 1 February 1995.

Article 5

The advance of the specific aid which the Member States are authorized to pay to producers of sheepmeat and goatmeat in less-favoured areas pursuant to Article 1 (1) of Regulation (EEC) No 1323/90, within the meaning of Council Directive 75/268/EEC⁽¹⁾, shall be as follows:

- ECU 5,977 per ewe in the case of the producers referred to in Article 5 (2) and (4) of the said Regulation,
- ECU 4,130 per ewe in the case of the producers referred to in Article 5 (3) of the said Regulation,
- ECU 4,130 per ewe in the case of the producers referred to in Article 5 (5) of the said Regulation.

Article 6

Pursuant to Article 13 (3) of Regulation (EEC) No 1601/92, the first advance on the supplementary premium for the 1995 marketing year for producers of light lambs and she-goats in the Canary Islands within the limits provided for in Article 1 (1) of Council Regulation (EEC) No 3493/90⁽²⁾ shall be as follows:

- ECU 3,410 per ewe in the case of producers referred to in Article 5 (3) of that Regulation,
- ECU 3,410 per ewe in the case of producers referred to in Article 5 (5) of that Regulation.

Article 7

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, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 337, 4. 12. 1990, p. 7.

COMMISSION REGULATION (EC) No 1444/95

of 26 June 1995

fixing for the 1995/96 marketing year the minimum price to be paid to producers for dried plums and the amount of production aid for prunes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1032/95⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1206/90⁽³⁾, as amended by Regulation (EEC) No 2202/90⁽⁴⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to products and the difference between the cost of the raw material in the Community and in the major competing third countries;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1995/96 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for dried plums derived from prunes d'Ente;
- and
- (b) the production aid referred to in Article 5 of the same Regulation for prunes ready to be offered for human consumption,

shall be as set out in the Annex.

Article 2

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 3

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

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 105, 9. 5. 1995, p. 3.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.

ANNEX**Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Prunes d'Ente of the size category corresponding to 66 fruit per 500 grams	193,523

Production aid

Product	ECU/100 kg net, for products obtained from raw materials
Dried plums derived from prunes d'Ente of the size category corresponding to 66 fruit per 500 grams	76,146

COMMISSION REGULATION (EC) No 1445/95
of 26 June 1995
on rules of application for import and export licences in the beef and veal sector
and repealing Regulation (EEC) No 2377/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 424/95⁽²⁾, and in particular Articles 9, 13 and 25 thereof,

Whereas the first subparagraph of Article 15 (1) of Regulation (EEC) No 805/68 makes all imports into the Community of the products listed in Article 1 (1) (a) of that Regulation subject to presentation of an import licence; whereas experience has shown the need for close monitoring of the trend of trade in all products of the sector of particular importance for the balance of this particularly sensitive market; whereas accordingly to improve market management import licences should also be required for products of CN codes 1602 50 31 to 1602 50 80 and 1602 90 69;

Whereas it is necessary to monitor imports into the Community of young male animals, in particular calves; whereas issuing of import licences for these animals should be made conditional on indication of their country of provenance;

Whereas Article 13 of Regulation (EEC) No 805/68 requires, from 1 July 1995, presentation of an export licence with advance fixing of the refund in the case of any export operation for which an export refund is claimed; whereas specific rules of application for this arrangement should be determined for the sector, covering in particular submission of applications and the information to be given on applications and licences; whereas the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for application of the system of import and export licences and advance fixing certificates for agricultural products⁽³⁾, as last amended by Regulation (EC) No 1199/95⁽⁴⁾, should accordingly be supplemented;

Whereas Article 13 (11) of Regulation (EEC) No 805/68 provides for the export volume obligations arising from the agreements concluded in the Uruguay Round of multilateral trade negotiations to be respected on the basis of export licences; whereas precise rules should therefore be laid down on lodging of applications and issuing of licences;

Whereas, further, notification of decisions on export licence applications should be made only after a reflection period enabling the Commission to assess the quantities applied for and the relevant expenditure and if appropriate take particular action on the applications in question; whereas in the interests of applicants they should be able to withdraw applications if an acceptance percentage applying to these has been set;

Whereas in the case of applications for quantities not exceeding 22 tonnes immediate issuing of the licence, if the operator so requests, should be permitted; whereas to prevent circumvention of the standard provisions the period of validity of such licences should be restricted;

Whereas to permit very precise management of quantities exported the tolerance rules set in Regulation (EEC) No 3719/88 should not apply;

Whereas it is necessary to incorporate in the present Regulation the special export provisions of Commission Regulation (EEC) No 2973/79⁽⁵⁾, as last amended by Regulation (EEC) No 3434/87⁽⁶⁾;

Whereas to be able to run these import and export licence arrangements properly the Commission needs precise information on licence applications made and the use of those issued; whereas administrative efficiency dictates that communications from Member States to the Commission be made in a single prescribed form;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 45, 1. 3. 1995, p. 2.

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 119, 30. 5. 1995, p. 4.

⁽⁵⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁶⁾ OJ No L 327, 18. 11. 1987, p. 7.

HAS ADOPTED THIS REGULATION:

TITLE I

Scope

Article 1

This Regulation sets rules of application for import and export licences in the beef and veal sector.

TITLE II

Import licences

Article 2

1. All importation into the Community of the products listed at (a) in Article 1 (1) of Regulation (EEC) No 805/68 or of CN codes 1602 50 31 to 1602 50 80 and 1602 90 69 shall be subject to presentation of an import licence.
2. For products of CN codes 0102 90 05 to 0102 90 29 the licence application and the licence must show in box 7 the country of provenance. The licence shall carry with it an obligation to import from that country.

Article 3

Licences shall be valid 90 days from their date of issue as defined in Article 21 (1) of Regulation (EEC) No 3719/88.

Article 4

The security against import licences shall be

- ECU 3 per head for live animals,
- ECU 2 per 100 kilograms net weight for other products.

Article 5

Without prejudice to more specific provisions, licence applications shall be made for products of:

- a single combined nomenclature subheading,
- or
- one of the groups of combined nomenclature subheadings listed in Annex I.

The information shown on the application shall be carried over to the licence.

Article 6

Before the fifth day of each month Member States shall notify to the Commission, by telex or fax, the quantities of products for which licences were issued in the previous month.

Notification shall be made in the form indicated in Annex II, using the codes indicated.

TITLE III

Export licences

Article 7

All exportation of products listed at (a) in Article 1 (1) of Regulation (EEC) No 805/68 or of CN codes 0102 10, 1602 50 31 to 1602 50 80 or 1602 90 69 shall, for an export refund to be claimed, require the issuing of an export licence with advance fixing of the refund.

Article 8

1. Licences shall, Article 21 (2) of Regulation (EEC) No 3719/88 applying, be valid from their actual date of issue until the end of the fifth month following.
2. The validity of licences for products of CN code 0102 10 issued under the procedure indicated in Article 44 of Regulation (EEC) No 3719/88 shall however expire at the end of the 12th month following the actual date of issue, Article 21 (2) of Regulation (EEC) No 3719/88 applying.
3. By way of derogation from Article 44 (5) of Regulation (EEC) No 3719/88 the 21-day time limit is replaced by 90 days.
4. Licence applications and licences shall show in box 15 the product description, in box 16 the 11-figure code of the agricultural product export refund nomenclature and in box 7 the country of destination.
5. The product categories indicated in the second paragraph of Article 13a of Regulation (EEC) No 3719/88 are listed in Annex III.

Article 9

The security against licences shall be:

- (a) ECU 50 per head for live animals;
- (b) ECU 17 per 100 kilograms net weight for other products.

Article 10

1. Export licences as indicated in Article 7 shall be issued on the fifth working day following that on which the application was lodged provided that no specific

action as indicated in paragraph 2 has been taken by the Commission in the meantime. This time lag shall not, however, apply to exportation covered by Article 14a of Regulation (EEC) No 3719/88.

2. If licence applications relate to quantities and/or expenditure that exceed or risk exceeding the normal disposable quantities given the limits indicated in Article 13 (11) of Regulation (EEC) No 805/68 and/or the expenditure assignable thereto during the period in question the Commission may:

- set an acceptance percentage for the quantities applied for,
- reject applications for which licences have not yet been granted,
- suspend lodging of licence applications for a maximum period of five working days, extendable by the procedure specified in Article 27 of Regulation (EEC) No 805/68. Licence applications made during the suspension period shall be invalid.

Action may be differentiated by category.

3. If the quantities applied for are refused or reduced the security shall be immediately released for all quantities for which the application has not been accepted.

4. By way of derogation from paragraph 1, if an acceptance percentage of less than 90 % is set licences shall be issued no later than the 11th working day following publication of that percentage in the *Official Journal of the European Communities*. Applicants may within 10 working days following publication:

- either withdraw the application, in which case the security shall be released immediately, or
- request immediate issue of the licence, in which case the competent authority shall immediately issue it but at the earliest on the fifth working day following that on which the application was lodged.

5. By way of derogation from paragraph 1 licence applications for a quantity not exceeding 22 tonnes of products of CN code 0201 or 0202 shall not, at the applicant's request, be subject to the five-day time lag. In this case the validity of the licence issued shall, Article 8 notwithstanding, be restricted to five working days from the actual day of issue, Article 21 (2) of Regulation (EEC) No 3719/88 applying, and applications and licences shall carry the following entry in box 20:

- Certificado válido durante cinco días hábiles y no utilizable para la aplicación del artículo 5 del Reglamento (CEE) n° 565/80.
- Licens, der er gyldig i fem arbejdsdage, og som ikke kan benyttes til at anvende artikel 5 i forordning (EØF) nr. 565/80.
- Fünf Werkstage gültige und für die Anwendung von Artikel 5 der Verordnung (EWG) Nr. 565/80 nicht verwendbare Lizenz.

— Πιστοποιητικό που ισχύει για πέντε εργάσιμες ημέρες και δεν χρησιμοποιείται για την εφαρμογή του άρθρου 5 του κανονισμού (ΕΟΚ) αριθ. 565/80.

— Licence valid for five working days and not useable for application of Article 5 of Regulation (EEC) No 565/80.

— Certificat valable 5 jours ouvrables et non utilisable pour l'application de l'article 5 du règlement (CEE) n° 565/80.

— Titolo valido cinque giorni lavorativi e non utilizzabile ai fini dell'applicazione dell'articolo 5 del regolamento (CEE) n. 565/80.

— Certificaat met een geldigheidsduur van vijf werkdagen en niet te gebruiken voor de toepassing van artikel 5 van Verordening (EEG) nr. 565/80.

— Certificado de exportação válido durante cinco dias úteis, não utilizável para a aplicação do artigo 5º do Regulamento (CEE) n° 565/80.

— Todistus on voimassa viisi arkipäivää eikä sitä voi käyttää sovellettaessa asetuksen (ETY) N:o 565/80 5 artiklaa.

— Licensen är giltig fem arbetsdagar men gäller inte vid tillämpning av artikel 5 i förordning (EEG) nr 565/80.

The Commission may if necessary suspend application of this paragraph.

Article 11

1. Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, quantities exported may not exceed those indicated on the licence. The entry '0' shall be made in box 19 of the licence.

2. Article 20 (3) (b) second indent of Regulation (EEC) No 3665/87 shall not apply to special export refunds granted on boned meat pursuant to Regulation (EEC) No 1964/82⁽¹⁾ if the products are or have been placed under the procedure specified in Article 5 of Council Regulation (EEC) No 565/80⁽²⁾.

Article 12

1. This Article shall apply to exports made pursuant to Regulation (EEC) No 2973/79.

2. Licence applications for the products indicated in Article 1 of Regulation (EEC) No 2973/79 may be lodged only in Member States meeting the health conditions required by the importing country.

⁽¹⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽²⁾ OJ No L 62, 7. 3. 1980, p. 5.

3. Licence applications and licences shall carry the entry 'USA' in box 7. Licences shall carry an obligation to export from the Member State of issue to that destination.
4. Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, the quantities exported may not exceed those shown on the licence. Licences shall carry the entry '0' in box 19.
5. Licences shall carry one of the following entries in box 22:
- Vacuno fresco, refrigerado o congelado. — Acuerdo entre la CE y los EE UU.
Válido solamente en (Estado miembro de expedición).
La cantidad exportada no debe superar kilos (cantidad en cifras y letras).
 - Fersk, kølet eller frosset oksekød — Aftale mellem EF og USA.
Kun gyldig i (udstedende medlemsstat).
Mængden, der skal udføres, må ikke overstige (mængde i tal og bogstaver) kg.
 - Frisches, gekühltes oder gefrorenes Rindfleisch — Abkommen zwischen der EG und den USA.
Nur gültig in (Mitgliedstaat der Lizenzerteilung).
Ausfuhrmenge darf nicht über kg (Menge in Ziffern und Buchstabe) liegen.
 - Νωπό, διατηρημένο με απλή ψύξη ή κατεψυγμένο βόειο κρέας — Συμφωνία μεταξύ της ΕΚ και των ΗΠΑ.
Ισχύει μόνο σε (κράτος μέλος έκδοσης).
Η ποσότητα προς εξαγωγή δεν πρέπει να υπερβαίνει χιλιόγραμμα (η ποσότητα αναφέρεται αριθμητικώς και ολογράφως).
 - Fresh, chilled or frozen beef — Agreement between EC and USA.
Valid only in (Member State of issue).
Quantity to be exported may not exceed kg (in figures and letters).
 - Viande fraîche, réfrigérée ou congelée — Accord entre la CE et les USA.
Uniquement valable en (État membre de délivrance).
La quantité à exporter ne peut excéder kg (quantité en chiffres et en lettres).
 - Carni bovine fresche, refrigerate o congelate — Accordo tra CE e USA.
Valido soltanto in (Stato membro emittente).
La quantità da esportare non può essere superiore a kg (in cifre e in lettere).
 - Vers, gekoeld of bevroren rundvlees — Overeenkomst tussen de EG en de Verenigde Staten van Amerika.
Alleen geldig in (Lid-Staat die het certificaat afgeeft).
- Uitgevoerde hoeveelheid mag niet meer dan kg zijn (hoeveelheid in cijfers en letters).
- Carne de bovino fresca, refrigerada ou congelada — Acordo entre a CE e os EUA.
Válido apenas em (Estado-membro de emissão).
A quantidade a exportar não pode ser superior a kg (quantidade em algarismos e por extenso).
 - Tuoretta, jäähdytettyä tai jäädytettyä lihaa — Euroopan yhteisön ja Yhdysvaltojen välinen sopimus.
Voimassa ainoastaan (jäsenvaltio, jossa todistus on annettu).
Vietävä määrä ei saa ylittää kilogrammaa (määrä numeroin ja kirjaimin).
 - Färskt, kylt eller fryst nötkött — Avtal mellan EG och USA.
Enbart giltigt i (utfärdande medlemsstat).
Den utförda kvantiteten får inte överstiga kg.
6. Licence applications may be lodged only in the first 10 days of each quarter.
7. On the third working day following the closing date for lodging of applications Member States shall send the Commission a list of applicants and of product quantities applied for.
8. The Commission shall decide to what extent licence applications can be accepted. If the quantities for which licences have been applied for exceed those available it shall set a single acceptance percentage applying to quantities requested. If the overall quantity covered by all applications is less than that available it shall determine the balance to be carried over to the quantity available for the following quarter.
9. Licences shall be issued on the 21st day of each quarter.
10. Article 8 (1) notwithstanding, licences shall be valid 90 days from the actual day of issue, Article 21 (2) of Regulation (EEC) No 3719/88 applying, but not beyond 31 December of the year of issue.
11. Should the quantities applied for be reduced pursuant to paragraph 8 the security shall be immediately released for all quantities not granted.
12. Over and above the requirements specified in Article 30 (1) (b) of Regulation (EEC) No 3719/88, release of security against export licences shall be conditional on presentation of proof of arrival at destination, Article 33 (4) of that Regulation applying.

Article 13

1. Member States shall notify to the Commission:
- on Monday and Thursday of each week by 12.00 at the latest of:
 - (a) 1.1. licence applications with advance fixing of the refund as indicated in Article 10 (1) or the fact that no applications have been made;

- 1.2. licence applications pursuant to Article 44 of Regulation (EEC) No 3719/88 or the fact that no applications have been made lodged up to the last working day preceding that day;
- (b) 1.1. the quantities for which licences have been issued pursuant to Article 10 (5) or the fact that none have been issued;
- 1.2. the quantities for which licences have been issued in response to applications pursuant to Article 44 of Regulation (EEC) No 3719/88, with date of lodgment of application and country of destination up to the last working day preceding that day;
- (c) the quantities for which export licence applications have been withdrawn pursuant to Article 10 (4),
- before the 15th of each month for the previous month;
- (d) licence applications covered by Article 14a of Regulation (EEC) No 3719/88;
- (e) the unused balances of the quantities for which licences have been issued.
2. Notifications pursuant to paragraph 1 must specify:
- the quantity by weight for each of the categories indicated in Article 8 (5),

— the quantity breakdown by destination for each category.

The notification indicated in paragraph 1 (e) must specify the refund amount involved for each category.

3. All notifications indicated in paragraph 1, including nil notifications, shall be made in the form shown in Annex IV.

TITLE IV

Final provisions

Article 14

Regulation (EEC) No 2377/80 is hereby repealed. It shall however remain applicable to licences issued under its provisions before 1 July 1995.

Article 15

This Regulation shall enter into force on 1 July 1995.

It shall be applicable to export licences with advance fixing of the refund applied for from 1 July 1995 onwards.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***List indicated in Article 5**

- 0102 90 05
 - 0102 90 21 and 0102 90 29
 - 0102 90 41 to 0102 90 79
 - 0201 10 00 and 0201 20 20
 - 0201 20 30
 - 0201 20 50
 - 0201 20 90
 - 0201 30 and 0206 10 95
 - 0202 10 and 0202 20 10
 - 0202 20 30
 - 0202 20 50
 - 0202 20 90
 - 0202 30 10
 - 0202 30 50
 - 0202 30 90 and 0206 29 91
 - 0210 20 10
 - 0210 20 90 and 0210 90 41
 - 0210 90 90
 - 1602 50 10 and 1602 90 61
 - 1602 50 31, 1602 50 39, 1602 50 80 and 1602 90 69
-

ANNEX II

IMPORT LICENCE NOTIFICATIONS

(codes shown must be used)

Member State :

Application of Article 6 of Regulation (EC) No 1445/95

Product quantities (in tonnes) for which import licences issued

From : To :

CN code	Code
(No of head)	
0102 90 05 ⁽¹⁾	200
0102 90 21 and 0102 90 29 ⁽¹⁾	300
0102 90 41 to 0102 90 79	310
0201 10 00 and 0201 20 20	311
0201 20 30	312
0201 20 50	313
0201 20 90	314
0201 30 and 0206 10 95	315
0202 10 and 0202 20 10	316
0202 20 30	317
0202 20 50	318
0202 20 90	319
0202 30 10, 0202 30 50, 0202 30 90 and 0206 29 91	320
0210 20 10	321
0210 20 90, 0210 90 41 and 0210 90 90	322
1602 50 10 and 1602 90 61	323
1602 50 31 to 1602 50 80 and 1602 90 69	324

⁽¹⁾ Broken down by provenance.

ANNEX III

List indicated in Article 8 (5)

Category	Product code
1	0102 10 10 120, 0102 10 30 120 and 0102 10 90 120
2	0102 10 10 130 and 0102 10 30 130
3	0102 90 41 100, 0101 90 71 000 and 0102 90 79 000
4	0102 90 51 000 to 0102 90 69 000
5	0201 10 00 110, 0201 20 30 110, 0201 20 50 130
6	0201 10 00 120, 0201 20 30 120, 0201 20 50 140 and 0201 20 90 700
7	0201 10 00 130 and 0201 20 20 110
8	0201 10 00 140 and 0201 20 20 120
9	0201 20 50 110
10	0201 20 50 120
11	0201 30 00 050
12	0201 30 00 100
13	0201 30 00 150
14	0201 30 00 190
15	0202 10 00 100, 0202 20 30 000, 0202 20 50 900 and 0202 20 90 100
16	0202 10 00 900 and 0202 20 10 000
17	0202 20 50 100
18	0202 30 90 100
19	0202 30 90 400
20	0202 30 90 500
21	0202 30 90 900
22	0206 10 95 000 and 0206 29 91 000
23	0210 20 90 100
24	0210 20 90 300 and 0210 20 90 500
25	1602 50 10 120
26	1602 50 10 140
27	1602 50 10 160
28	1602 50 10 170 and 1602 50 10 190
29	1602 50 10 240
30	1602 50 10 260
31	1602 50 10 280
32	1602 50 31 125 and 1602 50 39 125
33	1602 50 31 135 and 1602 50 39 135
34	1602 50 31 195 and 1602 50 39 195
35	1602 50 31 325 and 1602 50 39 325
36	1602 50 31 335 and 1602 50 39 335
37	1602 50 31 395 and 1602 50 39 395
38	1602 50 39 425 and 1602 50 39 525
39	1602 50 39 435 and 1602 50 39 535
40	1602 50 39 495, 1602 50 39 505, 1602 50 39 595 and 1602 50 39 615
41	1602 50 39 625
42	1602 50 39 705 and 1602 50 80 705
43	1602 50 39 805 and 1602 50 80 805
44	1602 50 39 905 and 1602 50 80 905
45	1602 50 80 135
46	1602 50 80 195
47	1602 50 80 335
48	1602 50 80 395
49	1602 50 80 435 and 1602 50 80 535
50	1602 50 80 495 and 1602 50 80 595
51	1602 50 80 505 and 1602 50 80 615
52	1602 50 80 515 and 1602 50 80 625

ANNEX IV

Application of Regulation (EC) No 1445/95

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI/D/2 — Beef/veal sector

Export licence notifications — beef/veal

Sender :

Date :

Member State :

Contact official :

Phone :

Fax :

Addressee : DG VI/D/2; Fax : (32 2) 296 60 27

*Part A — Monday/Thursday notifications**Period from to*

1. Article 13 (1) (a), point 1.1

Category	Quantity requested	Destination (*)

2. Article 13 (1) (a) point 1.2

Category	Quantity requested	Destination (*)

3. Article 13 (1) (b) point 1.1

Category	Quantity issued	Destination (*)

4. Article 13 (1) (b) point 1.2

Category	Quantity issued	Date application lodged	Destination (*)

5. Article 13 (1) (c)

Category	Quantity withdrawn	Destination (*)

(*) Use the destination codes in the Annex to Regulation (EC) No 3478/93 (OJ No L 317, 18. 12. 1993, p. 32). If no code corresponding to the destination is given spell it in full.

Part B — Monthly notifications

1. Article 13 (1) (d)

Category	Quantity requested	Destination (!)

2. Article 13 (1) (e)

Category	Unused quantity	Destination (!)	Refund amount

(!) Use the destination codes in the Annex to Regulation (EC) No 3478/93 (OJ No L 317, 18. 12. 1993, p. 32). If no code corresponding to the destination is given spell it in full.

COMMISSION REGULATION (EC) No 1446/95

of 26 June 1995

amending Regulations (EC) No 121/94 and (EC) No 1606/94 as regards the transitional adjustment of certain rules on imports into the Community of certain products in the cereals sector from the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria, and Romania, in order to implement the Agreement on Agriculture concluded during the Uruguay Round of negotiations

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas in order to take account of the existing import arrangements in the cereals sector and those resulting from the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of a partial exemption from the import levy on certain cereal products coming from the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria, and Romania;

Whereas Commission Regulation (EC) No 121/94⁽²⁾, as last amended by Regulation (EC) No 571/95⁽³⁾, lays down certain rules of application for import quotas under preferential conditions in the form of a reduction of the import levy; whereas, since these levies are being replaced by customs duties from 1 July 1995, it is necessary to make transitional adjustments to these arrangements;

Whereas Commission Regulation (EC) No 1606/94⁽⁴⁾, as last amended by Regulation (EC) No 1906/94⁽⁵⁾, lays down certain rules of application for import quotas under preferential conditions in the form of a reduction of the import levy; whereas, since these levies are being replaced by customs duties from 1 July 1995, it is also necessary to make transitional adjustments to these arrangements;

Whereas the rates of duties of the customs tariff within these quotas are those applicable on the day that the declaration of release for free circulation of the import is accepted;

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

For the 1995/96 marketing year, 'levy' and 'levies' shall be replaced by 'duty' and 'duties' respectively in Regulations (EC) No 121/94 and (EC) No 1606/94, each time that they appear.

Article 2

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

It shall apply from 1 July 1995 to 30 June 1996.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 21, 26. 1. 1994, p. 3.

⁽³⁾ OJ No L 58, 16. 3. 1995, p. 2.

⁽⁴⁾ OJ No L 168, 2. 7. 1994, p. 13.

⁽⁵⁾ OJ No L 194, 29. 7. 1994, p. 26.

COMMISSION REGULATION (EC) No 1447/95
of 26 June 1995
repealing Regulation (EEC) No 3944/87 and Regulation (EEC) No 209/88 in the
pigmeat sector

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Commission Regulation (EC) No 3290/94⁽²⁾, and in particular Articles 10 (4) and 13 (5) thereof,

Whereas Commission Regulation (EEC) No 3944/87 of 21 December 1987 fixing coefficients for calculating levies pigmeat products⁽³⁾, as amended by Regulation (EEC) No 2242/91⁽⁴⁾, fixed the coefficients to be used for calculating the import levy on pigmeat products;

Whereas Commission Regulation (EEC) No 209/88 of 26 January 1988 relative to the fixing of additional amounts for imports of pigmeat products from third countries⁽⁵⁾, as last amended by Regulation (EEC) No 3821/92⁽⁶⁾, laid down the detailed rules for the system of additional amounts applicable to imports whose free-at-frontier offer price is below the sluice-gate price;

Whereas the agreement on agriculture reached in the framework of the multilateral trade negotiations of the

Uruguay Round, brought to an end, with effect from 1 July 1995, the system of levy and additional amounts in the pigmeat sector; whereas it is appropriate therefore to repeal Regulations (EEC) No 3944/87 and (EEC) No 209/88;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3944/87 is hereby repealed.

Article 2

Regulation (EEC) No 209/88 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ No L 373, 31. 12. 1987, p. 25.
⁽⁴⁾ OJ No L 204, 27. 7. 1991, p. 21.
⁽⁵⁾ OJ No L 21, 27. 1. 1988, p. 5.
⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 24.

COMMISSION REGULATION (EC) No 1448/95
of 26 June 1995
amending Regulation (EEC) No 2123/89 establishing the list of representative
markets for pigmeat in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Commission Regulation (EC) No 3290/94⁽²⁾, and in particular Article 4 (6) thereof,

Whereas Commission Regulation (EEC) No 2123/89⁽³⁾, as last amended by Regulation (EC) No 3236/94⁽⁴⁾, established the list of representative markets for pigmeat in the Community;

Whereas in Ireland and in Sweden a change to the representative markets has taken place; whereas the list of representative markets for pigmeat in the Community listed in the Annex to Regulation (EEC) No 2123/89 should consequently be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2123/89 is amended as follows:

1. point 7 is replaced by the following:

'7. The following group of markets: Cavan, Rooskey, Waterford, Tralee and Mitchelstown.'

2. point 15 is replaced by the following:

'15. The following group of markets: Helsinborg, Vara, Trelleborg, Skövde, Skara, Kalmar, Umeå, Kävlinge.'

Article 2

This Regulation shall enter into force on 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

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

⁽³⁾ OJ No L 203, 15. 7. 1989, p. 23.

⁽⁴⁾ OJ No L 338, 28. 12. 1994, p. 18.

COMMISSION REGULATION (EC) No 1449/95
of 26 June 1995

fixing the weighting coefficients to be used in calculating the Community
market price for pig carcasses and repealing Regulation (EC) No 3221/94

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

Having regard to Regulation (EEC) No 2759/75 of the
Council of 29 October 1975 on the common organization
of the market in pigmeat ⁽¹⁾, as last amended by Regula-
tion (EC) No 3290/94 ⁽²⁾, and in particular Article 4 (6)
thereof,

Whereas the Community market price for pig carcasses, as
referred to in Article 4 (2) of Regulation (EEC) No
2759/75, must be established by weighting the prices
recorded in each Member State by coefficients expressing
the relative size of the pig population of each Member
State ; whereas these coefficients should be determined on
the basis of the number of pigs counted at the beginning
of December each year in accordance with Council Direc-
tive 93/23/EEC of 1 June 1993 concerning surveys of pig
production to be made by the Member States ⁽³⁾;

Whereas, in view of the results of the census of December
1994 the weighting coefficients fixed by Commission
Regulation (EC) No 3221/94 ⁽⁴⁾ should be adjusted ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The weighting coefficients referred to in Article 4 (2) of
Regulation (EEC) No 2759/75 shall be as specified in the
Annex hereto.

Article 2

Regulation (EC) No 3221/94 is hereby repealed.

Article 3

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

It shall apply from 1 July 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

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

⁽³⁾ OJ No L 149, 21. 6. 1993, p. 1.

⁽⁴⁾ OJ No L 337, 24. 12. 1994, p. 63.

*ANNEX***Weighting coefficients to be used in calculating the Community market price for pig carcasses**

Belgium	5,9
Denmark	9,3
Germany	21,2
Greece	1,0
Spain	15,7
France	11,5
Ireland	1,3
Italy	6,9
Luxembourg	0,1
Netherlands	11,9
Austria	3,2
Portugal	2,1
Finland	1,1
Sweden	2,0
United Kingdom	6,8

COMMISSION REGULATION (EC) No 1450/95
of 26 June 1995
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients 3 020 tonnes of vegetable oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of

loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annexes, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The supply shall cover the mobilization of vegetable oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward processing arrangements.

For lots A and B, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A and B

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1994 and 1995
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾: OJ No C 114, 29. 4. 1991, p. 1 (under III.A (1) (a))
8. **Total quantity**: 1 305 tonnes net
9. **Number of lots**: 2 (see Annex II)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (2) (1), III.A (2) (3) and III.A (3))
 - five-litre metal canisters, without cardboard cross-pieces
 - language to be used for the markings: see Annex II
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment ⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 7 — 27. 8. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 11. 7. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 25. 7. 1995
 - (b) period for making the goods available at the port of shipment: 21. 8 — 10. 9. 1995
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 AGREC B; fax (32 2) 296 20 05/295 01 32/296 10 97)
25. **Refund payable on request by the successful tenderer**: —

LOTS C and D

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (tel. (396) 57 97; telex 626675 I WFP)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽¹⁰⁾: OJ No C 114, 29. 4. 1991, p. 1 (under IIIA.(1)(a))
8. **Total quantity**: 1 715 tonnes net
9. **Number of lots**: 2 (see Annex II)
10. **Packaging and marking** ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (2)(1), IIIA (2)(3) and IIIA (3))
 - five-litre metal canisters, without cardboard cross-pieces
 - language to be used for the markings: see Annex II
 - supplementary markings: 'Expiry date...' (lot D)
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 7 — 27. 8. 1995
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 11. 7. 1995
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 25. 7. 1995
 - (b) period for making the goods available at the port of shipment: 21. 8 — 10. 9. 1995
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex 22037 / AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97)
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (1) The operation number should be mentioned in all correspondence.
 - (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
 - (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
 - (4) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (5) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
 - (6) Notwithstanding OJ No C 114, point IIIA (3) (c) is replaced by the following : 'the words "European Community"'.

The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.
The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The rows of cartons (each third tier) must be separated by a hardboard layer (minimum 2 300 × 610 × 3 mm).
The successful tenderer must seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.
 - (7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
 - (8) Shipment to take place in 20-foot containers, FLC/FCL. The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
 - (9) For Lots A and B, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
 - (10) A1 + D. : Radiation certificate (A1 : and certificate of origin) must be issued by official authorities and be legalized.
-

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº	País de destino	Lengua que se debe utilizar en la rotulación
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland	Mærkning på følgende sprog
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland	Kennzeichnung in folgender Sprache
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού	Γλώσσα που πρέπει να χρησιμοποιηθεί για τη σήμανση
Lot	Total quantity (in tons)	Partial quantities (in tons)	Operation No	Country of destination	Language to be used for the marking
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action nº	Pays de destination	Langue à utiliser pour le marquage
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione	Lingua da utilizzare per la marcatura
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming	Taal te gebruiken voor de opschriften
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação nº	País de destino	Língua a utilizar na rotulagem
Parti	Total kvantitet (ton)	Delkvantitet (ton)	Aktion nr	Bestämmelsesland	Mærkning på følgende språk
Erä	Kokonaismäärä (tonnia)	Osittaismäärä (tonnia)	Toimi N:o	Määrämaa	Merkinnässä käytettävä kieli
A	795	A1 : 450 A2 : 90 A3 : 255	1517/94 1544/94 1583/94	Nicaragua Haïti Haïti	Español Français Français
B	510	B1 : 225 B2 : 45 B3 : 150 B4 : 90	1584/94 1585/94 36/95 37/95	Afghanistan Uganda India India	English English English English
C	616		1574/94	Botswana	English
D	1 099		1575/94	Sudan	English

COMMISSION REGULATION (EC) No 1451/95
of 26 June 1995
establishing the standard import values for determining the entry price of
certain fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994, on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as amended by Regulation (EC) No 1363/95⁽²⁾, and in particular Article 4 (1) thereof,

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

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

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 26 June 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 35	052	49,3
	060	80,2
	066	41,7
	068	32,4
	204	50,9
	212	117,9
	624	75,0
	999	63,9
0707 00 25	052	50,0
	053	166,9
	060	39,2
	066	53,8
	068	60,4
	204	49,1
	624	207,3
	999	89,5
0709 90 77	052	55,4
	204	77,5
	624	196,3
	999	109,7
0805 30 30	388	69,3
	528	51,2
	600	54,7
	624	78,0
	999	63,3
0809 10 30	052	133,4
	064	133,6
	999	133,5
0809 20 41, 0809 20 49	052	202,1
	064	148,2
	068	124,8
	400	208,0
	624	282,4
	676	166,2
	999	188,6
0809 30 31, 0809 30 39	220	121,8
	624	106,8
	999	114,3
0809 40 20	624	262,7
	999	262,7

(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 1452/95
of 26 June 1995
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94 ⁽⁵⁾, as last amended by Regulation (EC) No 1401/95 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 to

the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 23 June 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 139, 22. 6. 1995, p. 9.

ANNEX

to the Commission Regulation of 26 June 1995 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	37,36 ⁽¹⁾
1701 11 90	37,36 ⁽¹⁾
1701 12 10	37,36 ⁽¹⁾
1701 12 90	37,36 ⁽¹⁾
1701 91 00	42,32
1701 99 10	42,32
1701 99 90	42,32 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 1453/95
of 26 June 1995
altering the basic amount of the import levies on syrups and certain other
products in the sugar sector

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1227/95 ⁽⁵⁾, as last amended by Regulation (EC) No 1394/95 ⁽⁶⁾;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 23 June 1995, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 121, 1. 6. 1995, p. 7.

⁽⁶⁾ OJ No L 135, 21. 6. 1995, p. 11.

ANNEX

to the Commission Regulation of 26 June 1995 altering the basic amount of the import
levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4232	—
1702 20 90	0,4232	—
1702 30 10	—	62,23
1702 40 10	—	62,23
1702 60 10	—	62,23
1702 60 90 10 ⁽²⁾	—	118,24
1702 60 90 90 ⁽³⁾	0,4232	—
1702 90 30	—	62,23
1702 90 60	0,4232	—
1702 90 71	0,4232	—
1702 90 80	—	118,24
1702 90 99	0,4232	—
2106 90 30	—	62,23
2106 90 59	0,4232	—

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

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

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

COMMISSION REGULATION (EC) No 1454/95
of 26 June 1995
altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1349/95 ⁽³⁾, as last amended by Regulation (EC) No 1396/95 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1349/95 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as last amended by Regulation (EC) No 150/95 ⁽⁶⁾, are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾, as last amended by Regulation (EC) No 1053/95 ⁽⁸⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 1349/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 131, 15. 6. 1995, p. 9.

⁽⁴⁾ OJ No L 139, 22. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 107, 12. 5. 1995, p. 4.

ANNEX

to the Commission Regulation of 26 June 1995 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽³⁾
	— ECU/100 kg —
1701 11 90 100	35,67 ⁽¹⁾
1701 11 90 910	35,67 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,67 ⁽¹⁾
1701 12 90 910	35,67 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3878
	— ECU/100 kg —
1701 99 10 100	38,78
1701 99 10 910	38,78
1701 99 10 950	38,78
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3878

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

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

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

COMMISSION REGULATION (EC) No 1455/95
of 26 June 1995
altering the export refunds on syrups and certain other sugar sector products
exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the refunds on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1228/95⁽³⁾, as amended by Regulation (EC) No 1258/95⁽⁴⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in amended Regulation (EC)

No 1228/95 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 1228/95 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 121, 1. 6. 1995, p. 10.

⁽⁴⁾ OJ No L 122, 2. 6. 1995, p. 23.

ANNEX

to the Commission Regulation of 26 June 1995 altering the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	38,78 ⁽²⁾ ⁽³⁾
1702 60 10 000	38,78 ⁽²⁾ ⁽³⁾
1702 60 90 200	73,68 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 800	0,3878 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	38,78 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3878 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3878 ⁽¹⁾ ⁽³⁾
1702 90 99 900	0,3878 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	38,78 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3878 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

⁽⁵⁾ Applicable only to products defined under Article 13 (3) of Regulation (EEC) No 394/70.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 1456/95**of 26 June 1995****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 10 (5) and 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 502/95⁽⁴⁾ and subsequent amending Regulations ;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 23 June 1995, as regards floating currencies, should be used to calculate the levies ;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 502/95 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 50, 7. 3. 1995, p. 15.

ANNEX

to the Commission Regulation of 26 June 1995 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	105,47 ⁽²⁾ ⁽⁹⁾
0712 90 19	105,47 ⁽²⁾ ⁽⁹⁾
1001 10 00	47,20 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	81,06
1001 90 99	81,06 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	122,71 ⁽⁶⁾
1003 00 10	102,11
1003 00 90	102,11 ⁽⁹⁾
1004 00 00	102,98
1005 10 90	105,47 ⁽²⁾ ⁽⁹⁾
1005 90 00	105,47 ⁽²⁾ ⁽⁹⁾
1007 00 90	111,24 ⁽⁴⁾
1008 10 00	60,58 ⁽⁹⁾
1008 20 00	65,17 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁹⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 11	159,07 ⁽⁹⁾
1101 00 15	159,07 ⁽⁹⁾
1101 00 90	159,07 ⁽⁹⁾
1102 10 00	217,38
1103 11 10	116,49
1103 11 90	186,66
1107 10 11	157,43
1107 10 19	120,95
1107 10 91	194,90 ⁽¹⁰⁾
1107 10 99	148,95 ⁽⁹⁾
1107 20 00	171,41 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,7245/tonne.

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

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 2,186/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,7245/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with amended Regulation (EC) No 121/94 or amended Regulation (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 6,569 per tonne for products originating in Turkey.

⁽¹¹⁾ The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 1457/95
of 26 June 1995
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 1554/93⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EC) No 1234/95⁽⁴⁾, as last amended by Regulation (EC) No 1409/95⁽⁵⁾;

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

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

- ECU 45,049 per 100 kilograms for the 1994/95 marketing year,
- ECU 54,460 per 100 kilograms for the 1995/96 marketing year.

2. However, the amount of the aid for 1995/96 shall be confirmed or replaced with effect from 27 June 1995 to take account of the guide price for cotton for that marketing year, the consequences of the stabilizer system and any adaptations to the arrangements.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 121, 1. 6. 1995, p. 21.

⁽⁵⁾ OJ No L 140, 23. 6. 1995, p. 12.

COMMISSION REGULATION (EC) No 1458/95
of 26 June 1995

altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the rates of the refunds applicable from 1 June 1995 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EC) No 1236/95 ⁽³⁾, as amended by Regulation (EC) No 1259/95 ⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EC) No 1236/95 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The rates of refund fixed by amended Regulation (EC) No 1236/95 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1995.

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

Done at Brussels, 26 June 1995.

For the Commission

Martin BANGEMANN

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 121, 1. 6. 1995, p. 27.

⁽⁴⁾ OJ No L 122, 2. 6. 1995, p. 25.

ANNEX

to the Commission Regulation of 26 June 1995 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	<i>— Rate of refund in ECU/100 kg —</i>
White sugar :	38,78
Raw sugar :	35,67
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$38,78^{(*)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	
Molasses :	—
Isoglucose ⁽²⁾ :	38,78 ⁽³⁾

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

(4) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COUNCIL DIRECTIVE 95/18/EC
of 19 June 1995
on the licensing of railway undertakings

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽³⁾,

Whereas the single market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured ;

Whereas the principle of the freedom to provide services should be applied to the railway sector, taking into account that sector's specific characteristics ;

Whereas Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways ⁽⁴⁾ provides for certain access rights in international rail transport for railway undertakings and international groupings of railway undertakings ;

Whereas, in order to ensure that access rights to railway infrastructure are applied throughout the Community on a uniform and non-discriminatory basis, it is appropriate to introduce a licence for railway undertakings providing the services referred to in Article 10 of Directive 91/440/EEC ;

Whereas it is appropriate to maintain the scope of Directive 91/440/EEC, including the exceptions made in it for regional, urban and suburban services and whereas it should be specified that transport activities in the form of shuttle services through the Channel Tunnel are also excluded from the scope of that Directive ;

Whereas a licence issued by a Member State should accordingly be recognized as valid throughout the Community ;

Whereas Community conditions for access to or transit via railway infrastructure will be regulated by other provisions of Community law ;

Whereas, having regard to the principle of subsidiarity and in order to ensure the requisite uniformity and transparency, it is appropriate that the Community lay down the broad principles of such a licensing system, leaving to Member States the responsibility for the granting and the administration of licences ;

Whereas, in order to ensure dependable and adequate services, it is necessary to ensure that railway undertakings meet at any time certain requirements in relation to good repute, financial fitness and professional competence ;

Whereas for the protection of customers and third parties concerned it is important to ensure that railway undertakings are sufficiently insured or have made equivalent arrangements in respect of liability risks ;

Whereas the suspension and revocation of licences and the granting of temporary licences should also be dealt with in this context ;

Whereas a railway undertaking will also be required to comply with national and Community rules on the provision of railway services, applied in a non-discriminatory manner, which are intended to ensure that it can carry on its activity in complete safety on specific stretches of track ;

Whereas, in order to ensure the efficient operation of international rail transport, it is necessary that railway undertakings respect the agreements in force in this field ;

Whereas, finally, the procedures for the granting, maintenance and amendment of operating licences to railway undertakings should reflect a general desire for transparency and non-discrimination,

HAS ADOPTED THIS DIRECTIVE :

SECTION I

Objective and Scope

Article 1

1. This Directive concerns the criteria applicable to the issue, renewal or amendment of licences by a Member State intended for railway undertakings which are or will

⁽¹⁾ OJ No C 24, 28. 1. 1994, p. 2 and OJ No C 225, 13. 8. 1994, p. 9.

⁽²⁾ Opinion delivered on 14 September 1994 (OJ No C 393, 31. 12. 1994, p. 56).

⁽³⁾ Opinion of the European Parliament of 3 May 1994 (OJ No C 205, 25. 7. 1994, p. 38), Council Common Position of 21 November 1994 (OJ No C 354 of 13. 12. 1994, p. 11) and Decision of the European Parliament of 14 March 1995 (OJ No C 89, 10. 4. 1995, p. 30).

⁽⁴⁾ OJ No L 237, 24. 8. 1991, p. 25.

be established in the Community when they provide the services referred to in Article 10 of Directive 91/440/EEC under the conditions laid down in that Article.

2. Railway undertakings the activities of which are limited to the operation of urban, suburban or regional services shall be excluded from the scope of this Directive.

Railway undertakings and international groupings the activity of which is limited to the provision of shuttle services transporting road vehicles through the Channel Tunnel shall also be excluded from the scope of this Directive.

3. A licence shall be valid throughout the territory of the Community.

Article 2

For the purposes of this Directive :

- (a) 'railway undertaking' shall mean any private or public undertaking the main business of which is to provide rail transport services for goods and/or passengers, with a requirement that the undertaking must ensure traction ;
- (b) 'licence' shall mean an authorization issued by a Member State to an undertaking, by which its capacity as a railway undertaking is recognized. That capacity may be limited to the provision of specific types of services ;
- (c) 'licensing authority' shall mean the body charged by a Member State with the issue of licences.
- (d) — 'urban and suburban services' shall mean transport services operated to meet the transport needs of an urban centre or conurbation, as well as the transport needs between such centre or conurbation and surrounding areas ;
— 'regional services' shall mean transport services operated to meet the transport needs of a region.

Article 3

Each Member State shall designate the body responsible for issuing licences and for carrying out the obligations imposed by this Directive.

SECTION II

Licences

Article 4

1. A railway undertaking shall be entitled to apply for a licence in the Member State in which it is established.
2. Member States shall not issue licences or extend their validity where the requirements of this Directive are not complied with.

3. A railway undertaking which fulfils the requirements imposed in this Directive shall be authorized to receive a licence.

4. No railway undertaking shall be permitted to provide the rail transport services covered by this Directive unless it has been granted the appropriate licence for the services to be provided.

However, such a licence shall not itself entitle the holder to access to the railway infrastructure.

Article 5

1. A railway undertaking must be able to demonstrate to the licensing authorities of the Member State concerned before the start of its activities that it will at any time be able to meet the requirements relating to good repute, financial fitness, professional competence and cover for its civil liability listed in Articles 6 to 9.
2. For the purposes of paragraph 1, each applicant shall provide all relevant information.

Article 6

Member States shall define the conditions under which the requirement of good repute is met to ensure that an applicant railway undertaking or the persons in charge of its management :

- has/have not been convicted of serious criminal offences, including offences of a commercial nature,
- has/have not been declared bankrupt,
- has/have not been convicted of serious offences against specific legislation applicable to transport,
- has/have not been convicted of serious or repeated failure to fulfil social- or labour-law obligations, including obligations under occupational safety and health legislation.

Article 7

1. The requirements relating to financial fitness shall be met when an applicant railway undertaking can demonstrate that it will be able to meet its actual and potential obligations, established under realistic assumptions, for a period of twelve months.
2. For the purposes of paragraph 1, each applicant shall give at least the particulars listed in section I of the Annex.

Article 8

1. The requirements relating to professional competence shall be met when :

- (a) an applicant railway undertaking has or will have a management organization which possesses the knowledge and/or experience necessary to exercise safe and reliable operational control and supervision of the type of operations specified in the licence,
- (b) its personnel responsible for safety, in particular drivers, are fully qualified for their field of activity and
- (c) its personnel, rolling stock and organization can ensure a high level of safety for the services to be provided.

2. For the purposes of paragraph 1, each applicant shall give at least the particulars listed in section II of the Annex.

3. Appropriate written proof of compliance with qualification requirements shall be produced.

Article 9

A railway undertaking shall be adequately insured or make equivalent arrangements for cover, in accordance with national and international law, of its liabilities in the event of accidents, in particular in respect of passengers, luggage, freight, mail and third parties.

SECTION III

Validity of the licence*Article 10*

1. A licence shall be valid as long as the railway undertaking fulfils the obligations laid down in this Directive. A licensing authority may, however, make provision for a regular review at least every five years.

2. Specific provisions governing the suspension or revocation of a licence may be incorporated in the licence itself.

Article 11

1. If there is serious doubt that a railway undertaking which it has licensed complies with the requirements of this Directive, and in particular Article 5 thereof, the licensing authority may, at any time, check whether that railway undertaking does in fact comply with those requirements.

Where a licensing authority is satisfied that a railway undertaking can no longer meet the requirements of the Directive, and in particular Article 5 thereof, it shall suspend or revoke the licence.

2. Where the licensing authority of a Member State is satisfied that there is serious doubt regarding compliance with the requirements laid down in this Directive on the part of a railway undertaking to which a licence has been issued by the licensing authority of another Member State, it shall inform the latter authority without delay.

3. Notwithstanding paragraph 1, where a licence is suspended or revoked on grounds of non-compliance with the requirement for financial fitness, the licensing authority may grant a temporary licence pending the re-organization of the railway undertaking, provided that safety is not jeopardized. A temporary licence shall not, however, be valid for more than six months after its date of issue.

4. When a railway undertaking has ceased operations for six months or has not started operations six months after the grant of a licence, the licensing authority may decide that the licence shall be submitted for approval or be suspended.

As regards the start of activities, the railway undertaking may ask for a longer period to be fixed, taking account of the specific nature of the services to be provided.

5. In the event of a change affecting the legal situation of an undertaking and, in particular, in the event of a merger or takeover, the licensing authority may decide that the licence shall be resubmitted for approval. The railway undertaking in question may continue operations, unless the licensing authority decides that safety is jeopardized ; in that event, the grounds for such a decision shall be given.

6. Where a railway undertaking intends significantly to change or extend its activities, its licence shall be resubmitted to the licensing authority for review.

7. A licensing authority shall not permit a railway undertaking against which bankruptcy or similar proceedings are commenced to retain its licence if that authority is convinced that there is no realistic prospect of satisfactory financial restructuring within a reasonable period of time.

8. When a licensing authority suspends, revokes or amends a licence, the Member State concerned shall immediately inform the Commission accordingly. The Commission shall inform the other Member States forthwith.

Article 12

In addition to the requirements of this Directive, a railway undertaking shall also comply with those provisions of national law which are compatible with Community law and are applied in a non-discriminatory manner, in particular:

- specific technical and operational requirements for rail services,
- safety requirements applying to staff, rolling stock and the internal organization of the undertaking,
- provisions on health, safety, social conditions and the rights of workers and consumers.

Article 13

Railway undertakings shall respect the agreements applicable to international rail transport in force in the Member States in which they operate.

SECTION IV

Transitional provision

Article 14

Railway undertakings operating rail services shall be granted a transitional period of twelve months as at the final date of transposition referred to in Article 16 (2) in order to comply with the provisions of this Directive. That transitional period shall not cover any provision which might affect the safety of railway operations.

SECTION V

Final provisions

Article 15

1. The procedures for the granting of licences shall be made public by the Member State concerned, which shall inform the Commission thereof.
2. The licensing authority shall take a decision on an application as soon as possible, but not more than three months after all relevant information, notably the particu-

lars referred to in the Annex, has been submitted, taking into account all the available information. The decision shall be communicated to the applicant railway undertaking. A refusal shall state the grounds therefore.

3. Member States shall take the measures necessary to ensure that the licensing authority's decisions are subject to judicial review.

Article 16

1. The Commission shall, two years after the application of this Directive, submit to the Council a report on such application accompanied, if necessary, by proposals concerning continued Community action, with particular regard to the possibility of enlarging the scope of the Directive.

2. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive within two years of the date of its entry into force. They shall forthwith inform the Commission thereof.

3. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such reference at the time of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 17

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

Article 18

This Directive is addressed to the Member States.

Done at Luxembourg, 19 June 1995.

For the Council

The President

B. PONS

*ANNEX***I. Particulars referred to in Article 7 (2)**

1. Financial fitness will be verified by means of an undertaking's annual accounts or, in the case of applicant undertakings unable to present annual accounts, a balance sheet. Detailed particulars must be provided, in particular on the following aspects :
 - (a) available funds, including the bank balance, pledged overdraft provisions and loans ;
 - (b) funds and assets available as security ;
 - (c) working capital ;
 - (d) relevant costs, including purchase costs of payments to account for vehicles, land, buildings, installations and rolling stock ;
 - (e) charges on an undertaking's assets.
2. In particular, an applicant is not financially fit if considerable arrears of taxes or social security are owed as a result of the undertaking's activity.
3. The authority may in particular require the submission of an audit report and suitable documents from a bank, public savings bank, accountant or auditor. These documents must include information concerning the matters referred to in paragraph 1.

II. Particulars referred to in Article 8 (2)

1. Particulars of the nature and maintenance of rolling stock, in particular as regards safety standards.
 2. Particulars of the qualifications of personnel responsible for safety and details of personnel training.
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COUNCIL DIRECTIVE 95/19/EC

of 19 June 1995

on the allocation of railway infrastructure capacity and the charging of infrastructure fees

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽³⁾,

Whereas greater integration of the Community transport sector is an essential element of the internal market and whereas the railways are a vital part of the Community transport sector ;

Whereas the principle of the freedom to provide services needs to be applied in the railway sector, taking account of the specific characteristics of that sector ;

Whereas Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways ⁽⁴⁾ provides for certain access rights in international rail transport for railway undertakings and international groupings of railway undertakings ;

Whereas it is important to ensure that, where railway undertakings and the international groupings which they constitute provide the services referred to in Article 10 of Directive 91/440/EEC, they benefit fully from the new access rights and whereas, to this end, it is appropriate to establish a system for the allocation of railway infrastructure and the charging of infrastructure fees which is non-discriminatory and uniform throughout the Community ;

Whereas the scope of Directive 91/440/EEC should be maintained, including the exceptions laid down therein for regional, urban and suburban services, and whereas it should be specified that transport operations in the form of shuttle services through the Channel Tunnel are also excluded from the scope of that Directive ;

Where, pursuant to the principle of subsidiarity, it is appropriate that the Community lay down the broad principles of such a system, leaving it to the Member States to put in place the detailed rules for the relevant practical implementation ;

Whereas the Member States should ensure sufficient flexibility as regards the allocation of infrastructure capacity to allow efficient and optional use of the infrastructure ;

Whereas, however, it is necessary to grant certain priority rights with regard to the allocation of infrastructure capacity, notably for public services and services provided on a specific railway infrastructure ;

Whereas it is also necessary to provide for the possibility of granting special rights in allocating infrastructure capacity if those rights are essential to ensure adequate transport services or to allow the financing of new infrastructure ;

Whereas the accounts of the infrastructure manager should be in balance so that infrastructure expenditure can be covered ;

Whereas, furthermore, it is necessary to define non-discriminatory rules as regards the charging of infrastructure fees in the same market ;

Whereas efficient use of infrastructure capacity requires that fees be fixed according to a common set of general criteria ;

Whereas, out of a general concern for transparency and non-discrimination, common rules should be adopted concerning the procedures for the allocation of infrastructure capacity and the charging of infrastructure fees ;

Whereas, in the interests of traffic safety, railway undertakings must, in order to have access to a particular infrastructure, hold a certificate of safety based on certain common criteria and on national provisions, issued by the body competent for the infrastructure used ; whereas they must also conclude with the infrastructure manager the requisite technical, administrative and financial agreements ;

Whereas it is necessary to guarantee possibilities for making an appeal before an independent body against decisions taken by the authorities and bodies competent as regards the allocation of infrastructure capacity and the charging of infrastructure fees ; whereas this possibility for making an appeal is required in particular to resolve any conflicts of interest in cases where an infrastructure manager is at the same time a transport services operator and is responsible for allocating train paths and/or collecting infrastructure fees,

HAS ADOPTED THIS DIRECTIVE :

SECTION I

Objective and scope

Article 1

1. The purpose of this Directive is to define the principles and procedures to be applied with regard to the allo-

⁽¹⁾ OJ No C 24, 28. 1. 1994, p. 2 and OJ No C 225, 13. 8. 1994, p. 11.

⁽²⁾ Opinion delivered on 14 September 1994 (OJ No C 393, 31. 12. 1994, p. 56).

⁽³⁾ Opinion of the European Parliament of 3 May 1994 (OJ No C 205, 25. 7. 1994, p. 38), Council Common Position of 21 November 1994 (OJ No C 354, 13. 12. 1994, p. 19) and Decision of the European Parliament of 14 March 1995 (OJ No C 89, 10. 4. 1995, p. 31).

⁽⁴⁾ OJ No L 237, 24. 8. 1991, p. 25.

cation of railway infrastructure capacity and the charging of infrastructure fees for railway undertakings which are or will be established in the Community and the international groupings which they form, where such undertakings and groupings carry out services referred to in Article 10 of Directive 91/440/EEC under the conditions laid down in that Article.

2. Railway undertakings the activities of which are limited to the operation of urban, suburban and regional services shall be excluded from the scope of this Directive.

Railway undertakings and international groupings the business of which is limited to providing shuttle services for road vehicles through the Channel Tunnel are also excluded from the scope of this Directive.

3. Railway infrastructure capacity shall be granted in the form of the allocation of train paths in accordance with Community and national law.

Article 2

For the purpose of this Directive :

- (a) 'railway undertaking' means any public or private undertaking the main business of which is to provide rail transport services for goods and/or passengers, with a requirement that the undertaking must ensure traction ;
- (b) 'international grouping' means any association of at least two railway undertakings established in different Member States for the purpose of providing international transport services between Member States ;
- (c) 'infrastructure manager' means any public body or undertaking responsible in particular for establishing and maintaining railway infrastructure, as well as for operating the control and safety systems ;
- (d) 'train path' means the infrastructure capacity needed to run a train between two places at a given time ;
- (e) 'allocation' means the allocation of railway infrastructure capacity by an allocation body ;
- (f) 'allocation body' means the authority and/or infrastructure manager designated by the Member States for the allocation of infrastructure capacity.

SECTION II

Allocation of railway infrastructure capacity

Article 3

Each Member State shall designate the allocation body in accordance with the requirements of this Directive. In particular, the allocation body, which shall be informed of all train paths available, shall ensure that :

- railway infrastructure capacity is allocated on a fair and non-discriminatory basis and that,
- subject to Articles 4 and 5, the allocation procedure allows optimum effective use the infrastructure.

Article 4

1. Member States may take the necessary measures to ensure that priority is given to the following rail services in the allocation of railway infrastructure capacity :

- (a) services provided in the interest of the public, as defined in Council Regulation (EEC) No 1191/69 of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway⁽¹⁾ ;
- (b) services wholly or partly operated on infrastructure constructed or developed for certain specific services (specialized high-speed or freight lines), without prejudice to Articles 85, 86 and 90 of the Treaty.

This provision shall apply without discrimination to all services within the scope of Article 1 having comparable characteristics and providing similar services.

2. With regard to services provided under paragraph 1 (a), Member States may compensate the infrastructure manager for any financial losses incurred due to the imposition of a certain infrastructure capacity allocation in the interests of public service.

Article 5

Member States may grant special rights as regards infrastructure capacity allocation on a non-discriminatory basis to railway undertakings operating certain types of services

⁽¹⁾ OJ No L 156, 28. 6. 1969, p. 1. Regulation as last amended by Regulation (EEC) No 1893/91 (OJ No L 169, 29. 6. 1991, p. 1).

or in certain areas if such rights are indispensable to ensure adequate public services or efficient use of infrastructure capacity or to allow the financing of new infrastructures, without prejudice to Articles 85, 86 and 90 of the Treaty.

SECTION III

Charging of infrastructure fees

Article 6

1. The accounts of an infrastructure manager shall, under normal business conditions over a reasonable time period, at least balance income from infrastructure fees plus State contributions on the one hand and infrastructure expenditure on the other.

2. The infrastructure manager may finance infrastructure development including provision or renewal of capital assets, and may make a return on capital employed.

Article 7

There shall be no discrimination in the charging for services of an equivalent nature in the same market.

After consulting the infrastructure manager, Member States shall lay down the rules for determining the infrastructure fees. These rules shall provide the infrastructure manager with the facility to market the available infrastructure capacity efficiently.

Article 8

1. The fees charged by the infrastructure manager shall be fixed according to the nature of the service, the time of the service, the market situation and the type and degree of wear and tear of the infrastructure.

2. As regards the procedures for the payment of fees, Member States may provide for the possibility that a global agreement be concluded with the infrastructure manager as regards public services, in accordance with Regulation (EEC) No 1191/69.

Article 9

1. The fees shall be paid to the infrastructure manager(s).

2. Member States may require the infrastructure manager to provide all the information on the fees necessary to satisfy them that they are charged on a non-discriminatory basis.

3. The infrastructure manager shall inform railway undertakings using its infrastructure to provide services referred to in Article 10 of Directive 91/440/EEC in good

time of any major changes in the quality or capacity of the infrastructure concerned.

SECTION IV

General provisions

Article 10

1. Member States shall lay down the procedures for the allocation of railway infrastructure capacity referred to in Article 1 (3). They shall publish their procedural rules and inform the Commission thereof.

2. An application for infrastructure capacity shall be submitted to the allocation body of the Member State on the territory of which the departure point of the service concerned is situated.

3. The allocation body to which an application has been submitted shall immediately inform the other allocation bodies concerned of this request. The latter shall take a decision as soon as possible but no later than one month after all relevant information has been submitted; each allocation body shall have the right to refuse an application. They shall immediately inform the allocation body to which the request has been submitted.

The allocation body to which an application has been submitted shall, together with the other allocation bodies concerned, take a decision on the application as soon as possible, but no later than two months after all relevant information has been submitted.

An application which has been refused on the grounds of insufficient capacity shall be reconsidered at the next time-table adjustment for the routes concerned if the applicant undertaking so requests. The dates for such adjustments and other administrative arrangements shall be available to interested parties.

The decision shall be communicated to the applicant undertaking. A refusal shall indicate the reason therefore.

4. An applicant undertaking may directly contact the other allocation bodies concerned with this request on condition that the allocation body to which the application has been submitted is informed.

5. The railway undertakings to which railway infrastructure capacity is allocated shall conclude the necessary administrative, technical and financial agreements with the infrastructure managers.

Article 11

1. The Member States shall provide that in addition a safety certificate in which the railway undertakings' safety requirements are set out be submitted in order to ensure safe service on the routes concerned.

2. In order to obtain the safety certificate, the railway undertaking must comply with the regulations under national law, compatible with Community law and

applied in a non-discriminatory manner, laying down the technical and operational requirements specific to rail services and the safety requirements applying to staff, rolling stock and the undertaking's internal organization.

In particular, it must provide proof that the staff whom it employs to operate and accompany the trains providing services referred to in Article 10 of Directive 91/440/EEC has the necessary training to comply with the traffic rules applied by the infrastructure manager and to meet the safety requirements imposed on it in the interests of train movement.

The railway undertaking must also prove that the rolling stock comprising these trains has been approved by the public authority or by the infrastructure manager and checked in accordance with the operating rules applicable to the infrastructure used. The safety certificate shall be issued by the authority designated for the purpose by the Member State in which the infrastructure used is situated.

Article 12

Member States may provide for the possibility that applications for infrastructure access are accompanied by a deposit or similar security.

If an applicant does not make use of an allocated train path, an amount may be deducted from the deposit which represents the cost incurred in processing the application and any subsequent loss of earnings due to the non-use of the infrastructure capacity concerned. In the other cases, the deposit/security shall be returned in its entirety.

SECTION V

Final provisions

Article 13

1. Member States shall take the measures necessary to ensure that decisions on the allocation of infrastructure capacity or the charging of fees shall be open to appeal before an independent body when so requested in writing by a railway undertaking. This body shall take its decision

within two months of the submission of all relevant information.

2. Member States shall take the measures necessary to ensure that decisions taken in accordance with paragraph 1 are subject to judicial review.

Article 14

1. The Commission shall, two years after the application of this Directive, submit to the Council a report, accompanied — if necessary — by proposals regarding continued Community action, with particular regard to the possibility of enlarging the scope of the Directive.

2. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive not later than two years following the date of the entry into force of this Directive. They shall forthwith inform the Commission thereof.

3. When Member States adopt the provisions referred to in paragraph 2, they shall contain a reference to this Directive or be accompanied by such reference at the time of their official publication. The methods of making such reference shall be laid down by the Member States.

Article 15

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

Article 16

This Directive is addressed to the Member States.

Done at Luxembourg, 19 June 1995.

For the Council

The President

B. PONS
