

COUNCIL OF THE EUROPEAN UNION

# COMPILATION OF TEXTS

## XIX

ASSOCIATION  
OF THE OVERSEAS COUNTRIES AND TERRITORIES  
FRENCH OVERSEAS DEPARTMENTS

1 January 1995 to 31 December 1995





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## **XIX**

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OF THE OVERSEAS COUNTRIES AND TERRITORIES  
FRENCH OVERSEAS DEPARTMENTS**

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Part 1 : OCTs

I. Basic texts





## COUNCIL RECOMMENDATION

of 20 March 1995

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1993

(95/111/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community<sup>(1)</sup>,

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid<sup>(2)</sup>, signed on 20 November 1979, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 17 March 1981 applicable to the Fifth European Development Fund<sup>(3)</sup>, and in particular Articles 66 to 70 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1979) (Fifth EDF) as at 31 December 1993 and the Court of Auditors' report relating to the financial year 1993 together with the Commission's replies<sup>(4)</sup>,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1979) (Fifth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1979) (Fifth EDF) during the financial year 1993 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1993.

Done at Brussels, 20 March 1995.

*For the Council*

*The President*

E. ALPHANDÉRY

<sup>(1)</sup> OJ No L 361, 31. 12. 1980, p. 1.

<sup>(2)</sup> OJ No L 347, 22. 12. 1980, p. 210.

<sup>(3)</sup> OJ No L 101, 11. 4. 1981, p. 12.

<sup>(4)</sup> OJ No C 327, 24. 11. 1994, pp. 264-300 and 421-435.

**COUNCIL RECOMMENDATION**

of 20 March 1995

**concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1993**

(95/112/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community<sup>(1)</sup>,

Having regard to the Internal Agreement on the financing and administration of Community aid<sup>(2)</sup>, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC<sup>(3)</sup>, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund<sup>(4)</sup>, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at 31 December 1993 and the Court of Auditors' report relating to the financial year 1993 together with the Commission's replies<sup>(5)</sup>,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 1993 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1993.

Done at Brussels, 20 March 1995.

*For the Council*

*The President*

E. ALPHANDÉRY

<sup>(1)</sup> OJ No L 175, 1. 7. 1986, p. 1.

<sup>(2)</sup> OJ No L 86, 31. 3. 1986, p. 210.

<sup>(3)</sup> OJ No L 178, 2. 7. 1986, p. 13.

<sup>(4)</sup> OJ No L 325, 20. 11. 1986, p. 42.

<sup>(5)</sup> OJ No C 327, 24. 11. 1994, pp. 264-300 and 421-435.

## COUNCIL RECOMMENDATION

of 20 March 1995

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1993

(95/113/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 206 thereof,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(1)</sup>,

Having regard to the Internal Agreement on the financing and administration of Community aid<sup>(2)</sup>, signed in Brussels on 16 July 1990, and in particular Article 33 (3) thereof,

Having regard to the Financial Regulation of 29 July 1991 applicable to the Seventh European Development Fund<sup>(3)</sup>, and in particular Articles 69 to 77 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (Seventh EDF) as at 31 December 1993 and the Court of Auditors' report relating to the financial year 1993 together with the Commission's replies<sup>(4)</sup>,

Whereas, pursuant to Article 33 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (Seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1989) (Seventh EDF) during the financial year 1993 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1993.

Done at Brussels, 20 March 1995.

*For the Council*

*The President*

E. ALPHANDÉRY

<sup>(1)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(2)</sup> OJ No L 229, 17. 8. 1991, p. 288.

<sup>(3)</sup> OJ No L 266, 21. 9. 1991, p. 1.

<sup>(4)</sup> OJ No C 327, 24. 11. 1994, pp. 264-300 and 421-435.

**COUNCIL DECISION**

of 23.1.95

reducing the transfers to be paid  
to the overseas countries and territories  
under the system for stabilizing export earnings  
set up by Decision 91/482/EEC on the association of  
the overseas countries and territories with the European Economic Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community, <sup>(1)</sup> and in particular Article 121(4) thereof,

Having regard to the proposal from the Commission,

---

<sup>(1)</sup> OJ No L 263, 19.9.1991, p. 1.

Whereas, pursuant to Articles 118, 120 and 121 of the Decision referred to above, ECU 1 200 000 has been made available to cover all commitments to the overseas countries and territories (OCT) arising from the system for stabilizing export earnings for the year of application 1993;

Whereas, under the system, transfer rights for the 1993 year of application have been established for one OCT, for which the transfer basis calculated in accordance with Article 124 of the said Decision, and reduced in accordance with Article 121(2) of the same Decision, totals ECU 1 922 423;

Whereas the amount referred to above exceeds the ECU 1 200 000 available for the 1993 year of application;

Whereas the total transfer basis will therefore have to be reduced by 37,5788%,

HAS DECIDED AS FOLLOWS:

Article 1

The transfer rights to compensate for losses of export earnings in the 1993 year of application, which amount to ECU 1 922 423, are hereby reduced by 37,5788%, giving rise to a final payment of ECU 1 200 000, which breaks down as follows:

<u>OCT</u>	<u>Product</u>	<u>Transfer</u>
Falkland Islands	Wool	ECU 1 200 000

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Council  
The President

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**COUNCIL DECISION**  
of 27. 2. 1995

reducing the transfers to be paid to the overseas countries  
and territories under the system for stabilizing  
export earnings set up by Decision 91/482/EEC on the association  
of the overseas countries and territories with the European Economic Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community <sup>(1)</sup>, and in particular Article 121(4) thereof,

Having regard to the proposal from the Commission,

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<sup>(1)</sup> OJ No L 263, 19.9.1991, p. 1. Decision as last amended by Decision 94/724/EC (OJ No L 288, 9.11.1994, p. 51).

Whereas, pursuant to Articles 118, 120 and 121 of the Decision referred to above, ECU 900 000 has been made available to cover all commitments to the overseas countries and territories arising from the system for stabilizing export earnings for the year of application 1994 (OCT);

Whereas under the system transfer rights for the 1994 year of application have been established for one overseas territory, for which the transfer basis calculated in accordance with Article 124 of the said Decision, and reduced in accordance with Article 121(2) of the same Decision, totals ECU 1 180 501;

Whereas the amount referred to above exceeds the ECU 900 000 available for the 1994 year of application;

Whereas the total transfer basis will therefore have to be reduced by 23.7612%,

HAS DECIDED AS FOLLOWS:

Article 1

The transfer rights to compensate for losses of export earnings in the 1994 year of application, which amount to ECU 1 180 501, are hereby reduced by 23.7612%, giving rise to a final payment of ECU 900 000, which breaks down as follows:

<u>OCT</u>	<u>Product</u>	<u>Transfer</u>
Falkland Islands	Wool	ECU 900 000



Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Council  
The President

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**Part 1 : OCTs**

**II. Implementing texts**

**A. Trade**

a) Agricultural products



COMMISSION REGULATION (EC) No 1420/95  
of 23 June 1995

amending Regulation (EEC) No 865/90 laying down detailed rules for the application of the special arrangements for imports of grain sorghum and millet originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round of negotiations

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<sup>(1)</sup>, and in particular Article 3 (i) 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 the multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import levy on certain cereal products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 865/90<sup>(2)</sup> lays down detailed rules for the application of the preferential conditions reducing the import levy for quotas of sorghum and millet; whereas, since the levies are being replaced by customs duties and the advance fixing of the import charge is being suspended from 1 July 1995, it is necessary to make transitional adjustments to these provisions;

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

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

Done at Brussels, 23 June 1995.

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*

Regulation (EEC) No 865/90 is hereby amended as follows for the marketing year 1995/96:

1. 'levy' is replaced by 'duty' each time that it appears;
2. the last sentence of Article 2 (b) and the last sentence of Article 4 (b) are deleted;
3. Article 3 (b) is replaced by the following:

{(b) the letters "ACP" or "OCT" as the case may be in Section 8.

The licence shall oblige to import from the countries specified. The import duty shall not be increased or adjusted.'

*Article 2*

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

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

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 90, 5. 4. 1990, p. 16.



Part 1 : OCTs

II. Implementing texts

A. Trade

b) Beef and veal





**COMMISSION REGULATION (EC) No 1636/95**  
of 5 July 1995

**temporarily adapting the special import arrangements in the beef sector provided for in Council Regulation (EEC) No 715/90 with the view to the implementation of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (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<sup>(1)</sup>, and in particular Article 3 (1) thereof,

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boneless meat fixed in Article 4 of Regulation (EEC) No 715/90.

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products originating in the ACP States or in the overseas countries and territories<sup>(2)</sup>, as last amended by Regulation (EC) No 2484/94<sup>(3)</sup> and in particular Article 27 thereof,

2. For the purpose of this Regulation, 100 kilograms of boneless beef shall be equal to :

- 130 kilograms of bone-in beef,
- 260 kilograms of live bovine animals,
- 100 kilograms of products falling under tariff headings CN 0206, 0210 and 1602.

Whereas, as a result of the implementation of the Uruguay Round Agreement on Agriculture, variable levies are replaced by fixed duties as from 1 July 1995 ; whereas, as a consequence, it is necessary to temporarily adapt a certain number of provisions currently laid down in Commission Regulation (EEC) No 970/90 of 18 April 1990 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories<sup>(4)</sup>, as last amended by Regulation (EC) No 3808/92<sup>(5)</sup> ; whereas it appears useful to incorporate into one Commission Regulation all provisions relating to the import arrangements for ACP beef in particular those on applications and issuing of import licences ;

*Article 2*

1. The specific rate of customs duty fixed in the Common Customs Tariff is reduced by 90 % for products referred to in Annex I and being imported under the present Regulation.

2. Notwithstanding Article 8 (4) of Commission Regulation (EEC) No 3719/88<sup>(6)</sup> the reduction referred to in paragraph 1 shall not apply on quantities exceeding those indicated in the import licence.

Whereas Regulation (EEC) No 970/90 should be repealed ;

*Article 3*

Whereas the measures provided for in the Regulation are in accordance with the opinion of the Management Committee for beef and veal,

1. Applications for import licences and the licences themselves for products to be imported free of *ad valorem* customs duty pursuant to Article 2 of Regulation (EEC) No 715/90 and qualifying, as appropriate, for either a reduction of the specific rate of customs duties fixed in the Common Customs Tariff in accordance with Article 3 of the said Regulation or exemption from duties in accordance with Article 24 of the said Regulation shall contain :

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(3)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(4)</sup> OJ No L 99, 19. 4. 1990, p. 8.

<sup>(5)</sup> OJ No L 384, 30. 12. 1992, p. 35.

<sup>(6)</sup> OJ No L 331, 2. 12. 1988, p. 1.

(a) in the heading 'notes' and in Section 24 respectively :

- Producto ACP — Reglamentos (CEE) n° 715/90 y (CE) n° 1636/95,
- AVS-produkt — forordning (EØF) nr. 715/90 og (EF) nr. 1636/95,
- AKP Erzeugnis — Verordnungen (EWG) Nr. 715/90 und (EG) Nr. 1636/95,
- Προϊόν ΑΚΕ — Κανονισμοί (ΕΟΚ) αριθ. 715/90 και (ΕΚ) αριθ. 1636/95,
- ACP product — Regulations (EEC) No 715/90 and (EC) No 1636/95,
- Produit ACP — règlements (CEE) n° 715/90 et (CE) n° 1636/95,
- Prodotto ACP — regolamenti (CEE) n. 715/90 e (CE) n. 1636/95,
- ACS-produkt — Verordningen (EEG) nr. 715/90 en (EG) nr. 1636/95,
- Produto ACP Reglamentos (CEE) n° 715/90 e (CE) n° 1636/95,
- AKT-tuote — asetus (ETY) N:o 715/90 ja (EY) N:o 1636/95,
- AVS-produkt — förordning (EEG) nr 715/90 och (EG) nr 1636/95.

(b) In Section 8, the name of the State, country or territory in which the product is to originate.

2. The licence shall carry with it an obligation to import from the State, country of territory in question.
3. Applications for licences may be lodged only during the first 10 days of each month. However, as to the month of July 1995 applications may be lodged during the first 10 days following the entry into force of the present Regulation.
4. Member States shall notify valid applications to the Commission not later than the second working day following the end of the period for the submission of applications.

Those notifications shall include the quantities applied for in respect of each third country concerned and broken down on CN codes or group of CN codes, as the case may be.

5. Where no valid applications have been lodged Member States shall so notify the Commission within the deadline referred to in paragraph 4.

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

Done at Brussels, 5 July 1995.

#### *Article 4*

1. The Commission shall decide in respect of each third country concerned to what extent applications can be accepted. If the quantities of products originating in a third country in respect of which licences are requested exceed the quantity available for that country, the Commission shall reduce the quantities requested by a fixed percentage.

If the total quantity requested by applications relating to a third country is lower than that available for that country, the Commission shall determine the amount of the balance remaining.

2. Subject to the Commission's decision to accept applications licences shall be issued on the 21st day of each month.

#### *Article 5*

Importation under the arrangements for import duty reduction provided for in this Regulation may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the fourth ACP-EEC Convention signed at Lomé on 15 December 1989.

#### *Article 6*

1. Before the fifth day of each month, the Member States shall notify the Commission of the quantity of products for which ACP import licences were issued during the previous calendar month.
2. The notifications provided for in this Article shall be made in accordance with Annex II.

#### *Article 7*

The provisions of Regulation (EEC) No 3719/88 shall apply, subject to the provisions of this Regulation.

#### *Article 8*

Regulation (EEC) No 970/90 is hereby repealed.

#### *Article 9*

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 until 30 June 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX I

## Products referred to in Article 4 (1)

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer
0102 90 05
0102 90 21
0102 90 29
0102 90 41
0102 90 49
0102 90 51
0102 90 59
0102 90 61
0102 90 69
0102 90 71
0102 90 79
0201 10 00
0201 20 20
0201 20 30
0201 20 30
0201 20 50
0201 20 90
0201 30 00
0202 10 00
0202 20 10
0202 20 30
0202 20 50
0202 20 90
0202 30 10
0202 30 50
0202 30 90
0206 10 95
0206 29 91
0210 20 10
0210 20 90
0210 90 41
0210 90 90
1602 50 10
1602 90 61

*NB:* Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) nº 2658/87 modificado (DO nº L 256 de 7. 9. 1987, p. 1).

*NB:* KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87 (EFT nr. L 256 af 7. 9. 1987, s. 1).

*NB:* Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt (ABl. Nr. L 256 vom 7. 9. 1987, S. 1).

*NB:* Οι κωδικοί της συνδυασμένης ονοματολογίας συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87 (ΕΕ αριθ. L 256 της 7. 9. 1987, σ. 1).

*NB:* The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

*NB:* Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) nº 2658/87 modifié (JO nº L 256 du 7. 9. 1987, p. 1).

*NB:* I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato (GU n. L 256 del 7. 9. 1987, pag. 1).

*NB:* GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87 (PB nr. L 256 van 7. 9. 1987, blz. 1).

*NB:* Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) nº 2658/87 alterado (JO nº L 256 de 7. 9. 1987, p. 1).

*HUOM:* Tuotekoodit ja niihin liittyvät alaviitteet määritellään komission asetuksessa (ETY) N:o 2658/87, sellaisena kuin se on muutettuna (EYVL N:o L 256, 7.9.1987, s. 1).

*Anm:* KN-numren och fotnoterna definieras i kommissionens ändrade förordning (EEG) nr 2658/87 (EGT nr L 256, 7.9.1987, s. 1).

## ANNEX II

## Licences comprising ACP products

(referred to in Regulation (EC) No 1636/95)

(in tonnes)

CN code	From						
	Madagascar	Botswana	Swaziland	Kenya	Zimbabwe	Namibia	
	Code	370	391	393	346	382	389
— 0102 90 05							
— 0102 90 21, 0102 90 29							
— 0102 90 41 to 0102 90 79							
— 0201 10 00, 0201 20 20							
— 0201 20 30							
— 0201 20 50							
— 0201 20 90							
— 0201 30, 0206 10 95							
— 0202 10, 0202 20 10							
— 0202 20 30							
— 0202 20 50							
— 0202 20 90							
— 0202 30 10							
— 0202 30 50							
— 0202 30 90, 0206 29 91							
— 0210 20 10							
— 0210 20 90, 0210 90 41							
— 0210 90 90							
— 1602 50 10, 1602 90 61							

Part 1 : OCTs

II. Implementing texts

A. Trade

c) Pigmeat



COMMISSION REGULATION (EC) No 1592/95  
of 30 June 1995

amending Regulation (EEC) No 904/90 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

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 agreements concluded during the Uruguay Round of multilateral trade negotiations<sup>(1)</sup>, and in particular Article 3 (1) thereof,

Whereas, in order to take account of existing import arrangements in the pigmeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain pigmeat products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 904/90 of 10 April 1990<sup>(2)</sup>, as last amended by Regulation (EEC) No 1740/90<sup>(3)</sup> lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for pigmeat quotas; whereas, since the levies

are being replaced by customs duties from 1 July 1995, it is necessary to make transitional adjustments to these rules;

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*

In Regulation (EEC) No 904/90 the word 'levy' is replaced by the words 'customs duty' each time that it appears.

*Article 2*

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 to 30 June 1996.

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

Done at Brussels, 30 June 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 93, 10. 4. 1990, p. 23.

<sup>(3)</sup> OJ No L 161, 27. 6. 1990, p. 30.





Part 1 : OCTs

II. Implementing texts

A. Trade

d) Cereals



**COMMISSION REGULATION (EC) No 1515/95**  
of 29 June 1995

**amending Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT) in order to implement the agreement on agriculture concluded during the Uruguay Round negotiations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

For the 1995/96 marketing year Regulation (EEC) No 2245/90 is hereby amended as follows:

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

'2. The licence shall contain one of the following entries in box 24:

— **Producto ACP/PTU:**

- exención de derechos de importación
- apartado 2 del artículo 1 y apartados 1 y 3 del artículo 14 del Reglamento (CEE) n° 715/90,

— **AVS/OLT-produkt:**

- fritagelse for importtold
- forordning (EØF) nr. 715/90: artikel 1, stk. 2, og artikel 14, stk. 1 og 3,

— **Erzeugnis AKP/ÜLG:**

- Befreiung vom Einfuhrzoll
- Verordnung (EWG) Nr. 715/90 Artikel 1 Absatz 2 und Artikel 14 Absätze 1 und 3,

— **προϊόν ΑΚΕ/ΥΧΕ:**

- απαλλαγή από εισαγωγικό δασμό
- άρθρο 1 παράγραφος 2 και άρθρο 14 παράγραφοι 1 και 3 του κανονισμού (ΕΟΚ) αριθ. 715/90,

— **ACP/OCT product:**

- exemption from import duty
- Regulation (EEC) No 715/90, Article 1 (2) and Article 14 (1) and (3),

— **produit ACP/PTOM:**

- exemption de droit à l'importation
- règlement (CEE) n° 715/90, article 1<sup>er</sup> paragraphe 2 et article 14 paragraphes 1 et 3,

— **prodotto ACP/PTOM:**

- esenzione dal dazio all'importazione
- regolamento (CEE) n. 715/90, articolo 1, paragrafo 2 e articolo 14, paragrafi 1 e 3,

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<sup>(1)</sup>, 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 necessary to adjust the preferential concessions in the form of exemption from the import levy on certain products covered by CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 2245/90 of 31 July 1990 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific States or in overseas countries and territories<sup>(2)</sup> lays down detailed rules for the application of those arrangements as they concern preferential conditions in the form of exemption from the import levy for products covered by CN codes 0714 10 91 and 0714 90 11; whereas, since the levies are being replaced by customs duties and the advance fixing of the import charge is being suspended from 1 July 1995; it is necessary to make transitional adjustments to those provisions;

Whereas the rates of duties of the Common Customs Tariff shall be those applicable on the day of declaration of release for free circulation of the imports;

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

<sup>(1)</sup> OJ No L 349, 22. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 203, 1. 8. 1990, p. 47.

## — Produkt ACS/LGO :

- vrijstelling van invoerrecht
- Verordening (EEG) nr. 715/90 : artikel 1, lid 2, en artikel 14, leden 1 en 3,

## — produto ACP/PTU :

- isenção do direito de importação
- Regulamento (CEE) n.º 715/90, n.º 2 do artigo 1.º e n.ºs 1 e 3 do artigo 14.º,

## — AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote:

- vapautus tuontitullista
- asetuksen (ETY) N:o 715/90 1 artiklan 2 kohta ja 14 artiklan 1 ja 3 kohta,

## — AVS/ULT-produkt:

- Befriad från importtull
- Förordning (EEG) nr 715/90 artiklarna 1.2, 14.1 och 14.3.

## 2. Article 4 (3) is hereby replaced by the following :

'3. The licence shall contain one of the following entries in box 24 ;

## — Producto ACP/PTU :

- exención de derechos de importación
- apartado 1 del artículo 24 del Reglamento (CEE) n.º 715/90
- exclusivamente válido para el despacho a libre práctica en los departamentos de Ultramar,

## — AVS/OLT-produkt :

- fritagelse for importtold
- forordning (EØF) nr. 715/90 : artikel 24, stk. 1
- gælder udelukkende for overgang til fri omsætning i de oversøiske departementer,

## — Erzeugnis AKP/ÜLG :

- Befreiung vom Einfuhrzoll
- Verordnung (EWG) Nr. 715/90 Artikel 24 Absatz 1
- Gilt ausschließlich für die Abfertigung zum freien Verkehr in den französischen überseeischen Departements,

## — προϊόν ΑΚΕ/ΥΧΕ :

- απαλλαγή από εισαγωγικό δασμό
- άρθρο 24 παράγραφος 1, του κανονισμού (ΕΟΚ) αριθ. 715/90
- ισχύει αποκλειστικά για τη θέση σε ελεύθερη κυκλοφορία στα υπερπόντια διαμερίσματα,

## — ACP/OCT product :

- exemption from import duty
- Regulation (EEC) No 715/90, Article 24 (1)
- valid exclusively for release for free circulation in the overseas departments,

## — produit ACP/PTOM :

- exemption de droit à l'importation
- règlement (CEE) n.º 715/90, article 24 paragraphe 1
- exclusivement valable pour une mise en libre pratique dans les départements d'outre-mer,

## — prodotto ACP/PTOM :

- esenzione dal dazio all'importazione
- regolamento (CEE) n. 715/90, articolo 24, paragrafo 1
- valido esclusivamente per l'immissione in libera pratica nei DOM,

## — Produkt ACS/LGO :

- vrijstelling van invoerrecht
- Verordening (EEG) nr. 715/90, artikel 24, lid 1
- geldt uitsluitend voor het in het vrije verkeer brengen in de Franse overzeese departementen,

## — produto ACP/PTU :

- isenção do direito de importação
- Regulamento (CEE) n.º 715/90, n.º 1 do artigo 24.º
- válido exclusivamente para uma introdução em livre prática nos departamentos ultramarinos,

## — AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote:

- vapautus tuontitullista
- asetuksen (ETY) N:o 715/90 24 artiklan 1 kohta
- voimassa ainoastaan merentakaisilla alueilla vapaaseen liikkeeseen laskemiseksi,

## — AVS/ULT-produkt:

- Befriad från importtull
- Förordning (EEG) nr 715/90 artikel 24.1
- Uteslutande avsedd för övergång till fri omsättning i de utomeuropeiska länderna och territorierna.

*Article 2*

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

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

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

Done at Brussels, 29 June 1995.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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## COMMISSION REGULATION (EC) No 2023/95

of 21 August 1995

adapting by way of a temporary measure the special arrangements for importing cereal substitute products and processed cereal and rice products as provided for in Regulation (EEC) No 2245/90 with a view to the implementation of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations

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<sup>(1)</sup>, and in particular Article 3 (1) thereof,

Whereas Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)<sup>(2)</sup>, as last amended by Regulation (EC) No 2484/94<sup>(3)</sup>, provides for exemption from customs duties and from the fixed component of the levy and for a reduction in or exemption from the variable component of the levy on imports into the Community of certain cereal substitute products and certain processed cereal and rice products originating in the ACP States or the OCT;

Whereas Commission Regulation (EEC) No 2245/90 of 31 July 1990 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT)<sup>(4)</sup>, as amended by Regulation (EC) No 1515/95<sup>(5)</sup>, lays down detailed rules for the application of those arrangements;

Whereas Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(6)</sup> provides that products originating in the OCT are to be imported into the Community free of customs duties and charges having an equivalent effect;

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral

trade negotiations<sup>(7)</sup>, the Community has undertaken to convert variable levies into tariffs and to replace them by customs duties as from 1 July 1995; whereas such replacement is likely to render the special arrangements inoperative and whereas, pending the conclusion of new arrangements with the countries concerned, Regulation (EEC) No 2245/90 must be adapted by way of a temporary measure while the essentials of such arrangements are maintained;

Whereas, in this connection, the exemption from the fixed component of the levy granted to third countries must be applied to customs duties applicable as from 1 July; whereas, in order not to damage the interests of the exporting countries, the concession covering the variable component of the levy must also be replaced by a flat-rate reduction in the whole import duty or part thereof;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2245/90 is hereby amended as follows:

1. Article 1 is replaced by the following:

*Article 1*

1. For the purposes of Article 14 (1) of Regulation (EEC) No 715/90, the customs duties on imports of products listed in Annex A to Council Regulation (EEC) No 1766/92<sup>(8)</sup> and Article 1 (1) (c) of Council Regulation (EEC) No 1418/76<sup>(9)</sup> and originating in the ACP States shall be as set out in the Annex hereto.

2. Without prejudice to paragraph 1, the reduced customs duties on imports of the products designated hereunder and originating in the ACP States shall be reduced by:

— ECU 2,19 per 1 000 kg in the case of products covered by CN codes 0714 10 99 and 0714 90 19, with the exception of arrowroot,

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(3)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(4)</sup> OJ No L 203, 1. 8. 1990, p. 47.

<sup>(5)</sup> OJ No L 147, 30. 6. 1995, p. 46.

<sup>(6)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(7)</sup> OJ No L 336, 23. 12. 1994, p. 22.

- ECU 4,38 per 1 000 kg in the case of products covered by CN codes 0714 10 10 and 1106 20, with the exception of arrowroot flour and meal,
- 50 % in the case of products covered by CN codes 1108 14 00 and 1108 19 90, with the exception of arrowroot starch.

3. Notwithstanding paragraph 1, the customs duties on imports of the following products originating in the ACP States shall not be levied thereon :

- products covered by CN code 0714 10 91,
- products covered by CN code 0714 90 11 and arrowroot covered by CN code ex 0714 90 19,
- arrowroot flour and meal covered by CN code ex 1106 20,
- arrowroot starch covered by CN code ex 1108 19 90.

*Article 1a*

The detailed rules for the application of the import arrangements shall be as set out in Articles 2 to 8 as regards :

- products covered by CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and imported into the Community (Title I),
- products covered by CN code 0714 90 11 originating in the ACP States or the OCT and imported into the French overseas territories (Title II).

(\*) OJ No L 181, 1. 7. 1992, p. 21

(\*\*) OJ No L 166, 25. 6. 1976, p. 1.

2. In Articles 2 (2) and 4 (3), the words 'import duty' are replaced by 'Common Customs Tariff customs duty' each time they appear.

*Article 2*

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 to 30 June 1996.

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

Done at Brussels, 21 August 1995.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

## ANNEX

CN code	Description	Applicable
1	2	3
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets,	
0714 10	– Manioc (cassava)	
0714 10 10	– – Pellets of flour and meal	ECU 13,5/100 kg/net
	– – Other :	
0714 10 91	– – – Of a kind used for human consumption in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 13,5/100 kg/net
0714 10 99	– – – Other	ECU 13,5/100 kg/net
0714 90	– Other :	
	– – Arrowroot, salep and similar roots and tubers with high starch content :	
0714 90 11	– – – Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 13,5/100 kg/net
0714 90 19	– – – Other	ECU 13,5/100 kg/net
1102	Cereal flours other than that of wheat or meslin (°):	
1102 20	– Maize (con) flour	
1102 20 10	– – Of a fat content not exceeding 1,5 % by weight	ECU 247,4/tonne
1102 20 90	– – Other	ECU 140,2/tonne
1102 30 00	– Rice flour	ECU 198,6/tonne
1102 90	– Other :	
1102 90 10	– – Barley flour	ECU 243,7/tonne
1102 90 30	– – Oat flour	ECU 234,3/tonne
1102 90 90	– – Other	ECU 140,2/tonne
1103	Cereal groats, meal and pellets (°):	
	– Groats and meal :	
1103 12 00	– – Of oats	ECU 234,3/tonne
1103 13	– – Of maize (corn):	
1103 13 10	– – – Of a fat content not exceeding 1,5 % by weight	ECU 247,4/tonne
1103 13 90	– – – Other	ECU 140,2/tonne
1103 14 00	– – Of rice	ECU 198,5/tonne
1103 19	– – Of other cereals :	
1103 19 10	– – – Of rye	ECU 243,7/tonne
1103 19 30	– – – Of barley	ECU 243,7/tonne
1103 19 90	– – – Other	ECU 140,2/tonne
	– Pellets :	
1103 21 00	– – Of wheat	ECU 250,3/tonne
1103 29	– – Of other cereals :	
1103 29 10	– – – Of rye	ECU 243,7/tonne
1103 29 20	– – – Of barley	ECU 243,7/tonne
1103 29 30	– – – Of oats	ECU 234,3/tonne
1103 29 40	– – – Of maize	ECU 247,4/tonne
1103 29 50	– – – Of rice	ECU 198,5/tonne
1103 29 90	– – – Other	ECU 140,2/tonne



CN code	Description	Applicable
1	2	3
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006: germ of cereals, whole, rolled, flaked or ground (!):	
	– Rolled or flaked grains:	
1104 11	– – Of barley:	
1104 11 10	– – – Rolled	ECU 138,3/tonne
1104 11 90	– – – Flaked	ECU 270,9/tonne
1104 12	– – Of oats:	
1104 12 10	– – – Rolled	ECU 132,7/tonne
1104 12 90	– – – Flaked	ECU 260,6/tonne
1104 19	– – Of other cereals:	
1104 19 10	– – – Of wheat	ECU 250,3/tonne
1104 19 30	– – – Of rye	ECU 243,7/tonne
1104 19 50	– – – Of maize	ECU 247,4/tonne
	– – – Other:	
1104 19 91	– – – – Flaked rice	ECU 336,7/tonne
1104 19 99	– – – – Other	ECU 247,4/tonne
	– Other worked grains (for example, hulled, pearled, sliced or kibbled):	
1104 21	– – Of barley:	
1104 21 10	– – – Hulled (shelled or husked)	ECU 217,3/tonne
1104 21 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 217,3/tonne
1104 21 50	– – – Pearled	ECU 339,6/tonne
1104 21 90	– – – Not otherwise worked than kibbled	ECU 138,3/tonne
1104 21 99	– – – Other	ECU 138,3/tonne
1104 22	– – Of oats:	
1104 22 10	– – – Hulled (shelled or husked)	ECU 234,2/tonne
	– – – – Clipped oats	
	– – – – Other	
1104 22 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 234,2/tonne
1104 22 50	– – – Pearled	ECU 208,3/tonne
1104 22 90	– – – Not otherwise worked than kibbled	ECU 132,7/tonne
1104 22 99	– – – Other	
	– – – – Blunted	ECU 132,7/tonne
	– – – – Other	ECU 132,7/tonne
1104 23	– – Of maize:	
1104 23 10	– – – Hulled (shelled or husked), whether or not sliced or kibbled	ECU 220,1/tonne
1104 23 30	– – – Pearled	ECU 220,1/tonne
1104 23 90	– – – Not otherwise worked than kibbled	ECU 140,2/tonne
1104 23 99	– – – Other	ECU 140,2/tonne
1104 29	– – Of other cereals:	
	– – – Hulled (shelled or husked) whether or not sliced or kibbled:	
1104 29 11	– – – – Of wheat	ECU 185,3/tonne
1104 29 15	– – – – Of rye	ECU 185,3/tonne
1104 29 19	– – – – Other	ECU 185,3/tonne
	– – – – Pearled:	
1104 29 31	– – – – Of wheat	ECU 222,9/tonne
1104 29 35	– – – – Of rye	ECU 222,9/tonne
1104 29 39	– – – – Other	ECU 222,9/tonne

CN Code	Description	Applicable
1	2	3
	--- Not otherwise worked than kibbled	
1104 29 51	---- Of wheat	ECU 142,1/tonne
1104 29 55	---- Of rye	ECU 138,3/tonne
1104 29 59	---- Other	ECU 140,2/tonne
	--- Other :	
1104 29 81	---- Of wheat	ECU 142,1/tonne
1104 29 85	---- Of rye	ECU 138,3/tonne
1104 29 89	---- Other	ECU 140,2/tonne
1104 30	- Germ of cereals, whole, rolled, flaked or ground :	
1104 30 10	-- Of wheat	ECU 103,6/tonne
1104 30 90	-- Other	ECU 102,7/tonne
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714 ; flour, meal and powder of the products of Chapter 8 :	
1106 20	- Flour and meal of sago, roots or tubers of heading No 0714 :	
1106 20 10	-- Denatured (*)	ECU 135,5/tonne
1106 20 90	-- Other	ECU 219,6/tonne
1108	Starches ; inulin :	
	- Starches :	
1108 11 00	-- Wheat starch	ECU 304,2/tonne
1108 12 00	-- Maize (corn) starch	ECU 219,6/tonne
1108 13 00	-- Potato starch	ECU 219,6/tonne
1108 14 00	-- Manioc (cassava) starch	ECU 219,6/tonne
1108 19	-- Other starches :	
1108 19 10	--- Rice starch	ECU 280,5/tonne
1108 19 90	--- Other	ECU 219,6/tonne
1109 00 00	Wheat gluten, whether or not dried	ECU 533/tonne
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :	
1702 30	- Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose :	
	-- Other :	
	--- Other :	
1702 30 51	---- In the form of white crystalline powder, whether or not agglomerated	ECU 27,6/100 kg/net mass
1702 30 59	---- Other	ECU 21,2/100 kg/net mass
1702 30 91	---- In the form of white crystalline powder, whether or not agglomerated	ECU 27,6/100 kg/net mass
1702 30 99	---- Other	ECU 21,2/100 kg/net mass
1702 40	- Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose :	
1702 40 90	-- Other	ECU 21,2/100 kg/net mass
1702 90	- Other, including invert sugar :	
1702 90 50	-- Maltodextrine and maltodextrine syrup	ECU 21,2/100 kg/net mass
	-- Caramel :	
	--- Other :	
1702 90 75	---- In the form of powder, whether or not agglomerated	ECU 29/100 kg/net
1702 90 79	---- Other	ECU 20,1/100 kg/net

CN Code	Description	Applicable
1	2	3
2106	Food preparations not elsewhere specified or included :	
2106 90	- Other :	
	- - Flavoured or coloured sugar syrups :	
	- - - Other :	
2106 90 55	- - - - Glucose syrup and maltodextrine	ECU 21,2/100 kg/net
2302	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants :	
2302 10	- Of maize (corn) :	
2302 10 10	- - With a starch content not exceeding 35 % by weight	ECU 56,7/tonne
2302 10 90	- - Other	ECU 123,5/tonne
2302 20	- Of rice :	
2302 20 10	- - With a starch content not exceeding 35 % by weight	ECU 56,7/tonne
2302 20 90	- - Other	ECU 123,5/tonne
2302 30	- Of wheat :	
2302 30 10	- - Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 56,7/tonne (!)
2302 30 90	- - Other	ECU 123,5/tonne (!)
2302 40	- Of other cereals :	
2302 40 10	- - Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 56,7/tonne (!)
2302 40 90	- - Other	ECU 123,5/tonne (!)
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets :	
2303 10	- Residues of starch manufacture and similar residues :	
2303 10 11	- - Residues from the manufacture of starch from maize (excluding concentrated stepping liquors), of a protein content, calculated on the dry product : - - - exceeding 40 % by weight	ECU 251/tonne
2309	Preparations of a kind used in animal feeding :	
ex 2309 10	- Dog or cat food, put up for retail sale :	
	- - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :	
	- - - Containing starch, glucose, syrup, maltodextrine or maltodextrine syrup :	
	- - - - Containing no starch or containing 10 % or less by weight of starch :	

CN Code	Description	Applicable
1	2	3
2309 10 11	— — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 22,9/tonne
2309 10 13	— — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 720,4/tonne
2309 10 31	— — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 69,9/tonne
2309 10 33	— — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 767,4/tonne
2309 10 51	— — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 138,6/tonne
2309 10 53	— — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 1 060,8/tonne
ex 2309 90	— — Other :	
	— — — Other :	
	— — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products :	
	— — — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine-syrup :	
	— — — — — Containing no starch or containing 10 % or less by weight of starch :	
2309 90 31	— — — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 22,9/tonne
2309 90 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 720,4/tonne
2309 90 41	— — — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 69,9/tonne
2309 90 43	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 767,4/tonne
2309 90 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 138,6/tonne
2309 90 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 837 /tonne

(1) For the purpose of distinguishing between products covered by CN codes 1102, 1103 and 1104 and those covered by CN codes 2302 10 and 2302 40, products covered by CN codes 1102, 1103 and 1104 are those having both of the following :

- a starch content (determined by the modified Ewres polarimetric method) exceeding 45 % by weight referred to dry matter,
- an ash content by weight, referred to dry matter (after deduction of any added mineral matter), not exceeding 1,6 % for rice, 2,5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whether or not in the form of flour, is covered in all cases by CN codes 1101 00 00 and 1102.

(2) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

Part 1 : OCTs

II. Implementing texts

A. Trade

e) Poultrymeat



**COMMISSION REGULATION (EC) No 144/95**  
of 27 January 1995

**on import licences for poultrymeat products originating in the African, Caribbean, and Pacific states or in the overseas countries and territories**

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

Having regard Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories <sup>(1)</sup>, as last amended by Regulation (EC) No 2484/94 <sup>(2)</sup>, and in particular Article 27 thereof,

Whereas Article 4 (5) of Commission Regulation (EEC) No 903/90 <sup>(3)</sup>, as amended by Regulation (EEC) No 1741/90 <sup>(4)</sup>, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas licence applications have been lodged from 1 to 10 January 1995;

Whereas Article 4 (5) of Regulation (EEC) No 903/90 stipulates that if the total quantity for which applications have been submitted is less than that available, the Commission is to determine the quantity remaining, which is to be added to that available for the following quarter; whereas the quantity available for the second six

months of 1995 of the products referred to in Article 6 of Regulation (EEC) No 715/90 should therefore be determined,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences lodged in accordance with Regulation (EEC) No 903/90 for the period 1 January to 30 June 1995 shall be accepted in full.

*Article 2*

Licence applications may be lodged in accordance with Article 4 of Regulation (EEC) No 903/90 during the first 10 days of July 1995 for:

- 154,8 tonnes of products falling within CN code 0207,
- 250 tonnes of products falling within CN codes 1602 31 and 1602 39.

*Article 3*

This Regulation shall enter into force on 28 January 1995.

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

Done at Brussels, 27 January 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(3)</sup> OJ No L 93, 10. 4. 1990, p. 20.

<sup>(4)</sup> OJ No L 161, 27. 6. 1990, p. 32.

## COMMISSION REGULATION (EC) No 1505/95

of 29 June 1995

amending Regulation (EEC) No 903/90 laying down detailed rules for the application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT), in order to implement the Agricultural Agreement concluded during the Uruguay Round of negotiations

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 agreements concluded during the Uruguay Round of multilateral trade negotiations<sup>(1)</sup>, and in particular Article 3 (1) thereof,

Whereas, in order to take account of existing import arrangements in the poultrymeat sector and those resulting from the Agricultural Agreement concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are needed to adjust the preferential concessions in the form of exemption from the import duty for certain poultrymeat products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 903/90<sup>(2)</sup>, as last amended by Regulation (EEC) No 1741/90<sup>(3)</sup>, lays down detailed rules for the application of preferential conditions in the form of a reduction in the import levy for poultrymeat quotas; whereas, since the levies are

being replaced by customs duties from 1 July 1995, it is necessary to make transitional adjustments to these rules;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 903/90 is hereby amended as follows:

The word 'levy' is replaced by the words 'customs duty laid down in the Common Customs Tariff' each time that it appears.

*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, 29 June 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 93, 10. 4. 1990, p. 20.

<sup>(3)</sup> OJ No L 161, 27. 6. 1990, p. 32.



## COMMISSION REGULATION (EC) No 1804/95

of 25 July 1995

on import licences for poultrymeat products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

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

Having regard Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) <sup>(1)</sup>, as last amended by Regulation (EC) No 2484/94 <sup>(2)</sup>, and in particular Article 27 thereof,

Whereas Article 4 (5) of Commission Regulation (EEC) No 903/90 <sup>(3)</sup>, as last amended by Regulation (EC) No 1505/95 <sup>(4)</sup>, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas licence applications have been lodged from 1 to 10 July 1995 without exceeding the quotas;

Whereas Council Regulation (EEC) No 444/92 <sup>(5)</sup> extends until 29 February 2000 the application of Regulation (EEC) No 715/90,

HAS ADOPTED THIS REGULATION :

*Article 1*

Applications for import licences lodged in accordance with Regulation (EEC) No 903/90 for the period 1 July to 31 December 1995 shall be accepted in full.

*Article 2*

This Regulation shall enter into force on 26 July 1995.

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

Done at Brussels, 25 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(3)</sup> OJ No L 93, 10. 4. 1990, p. 20.

<sup>(4)</sup> OJ No L 147, 30. 6. 1995, p. 21.

<sup>(5)</sup> OJ No L 52, 27. 2. 1992, p. 7.



Part 1 : OCTs

II. Implementing texts

A. Trade

f) Milk products



**COMMISSION REGULATION (EC) No 85/95**

of 19 January 1995

**on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)**

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) <sup>(1)</sup>, as last amended Regulation (EC) No 2484/94 <sup>(2)</sup>, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 <sup>(3)</sup>, as last amended by Regulation (EC) No 3337/94 <sup>(4)</sup>, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas Article 4 (4) of Regulation (EEC) No 1150/90 provides that if the total quantity for which applications have been submitted is less than that available the Commission is to calculate the quantity remaining, which is to be added to that available for the following half year;

whereas under these circumstances the quantity available for the second half of 1995 of the products referred to in Article 7 of Regulation (EEC) No 715/90 should be determined,

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Licence applications lodged pursuant to Article 4 of Regulation (EEC) No 1150/90 from 1 to 10 January 1995 are hereby accepted.

2. Further licence applications may be lodged during the first 10 days of July 1995 for the following quantities :

- 250 tonnes of products falling within CN code 0402,
- 475 tonnes of products falling within CN code 0406.

*Article 2*

This Regulation shall enter into force on 20 January 1995.

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

Done at Brussels, 19 January 1995.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(3)</sup> OJ No L 114, 5. 5. 1990, p. 21.

<sup>(4)</sup> OJ No L 350, 31. 12. 1994, p. 66.

## COMMISSION REGULATION (EC) No 1677/95

of 10 July 1995

amending Regulation (EEC) No 1150/90 as regards the transitional adjustment of certain provisions relating to imports into the Community of certain provisions relating to imports into the Community of certain milk products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) in order to implement the Agreement on Agriculture concluded during the Uruguay Round of negotiations

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<sup>(1)</sup>, and in particular Article 3 (1) thereof,

Whereas in order to take account of the existing import arrangements in the milk products 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 reduction in the import levy on certain milk products from the ACP States and the OCT;

Whereas Commission Regulation (EEC) No 1150/90 of 4 May 1990 laying down detailed rules for the application of the special arrangements for imports of milk and milk products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)<sup>(2)</sup>, as amended by Regulation (EC) No 3337/94<sup>(3)</sup>, lays down detailed rules for the application of the preferential conditions reducing the import levy for quotas of milk and cheese; whereas, since the levies are being replaced by customs duties from 1 July 1995, it is necessary to make transitional adjustments to those provisions;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1150/90 is hereby amended as follows for the 1995/96 marketing year:

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 114, 5. 5. 1990, p. 21.

<sup>(3)</sup> OJ No L 350, 31. 12. 1994, p. 66.

1. Article 3 (d) is replaced by the following:

(d) the heading "notes" and Section 24 of licence applications and licences shall show respectively one of the following:

- Derecho de aduana reducida en un 50 %, Producto ACP/PTOM  
Reglamento (CEE) n° 715/90,
- Told netsat med 50 %, AVS/OLT-varer forordning (EØF) nr. 715/90,
- Zoll, ermäßigt um 50 %, AKP/ÜLG-Erzeugnis  
Verordnung (EWG) Nr. 715/90,
- Δασμός μειωμένος κατά 50 %, προϊόν ΑΚΕ/ΥΧΕ  
Κανονισμός (ΕΟΚ) αριθ. 715/90,
- Customs duty reduced by 50 %, ACP/OCT-Product  
Regulation (EEC) No 715/90,
- Droit de douane réduit de 50 %, produit ACP/PTOM  
règlement (CEE) n° 715/90,
- Dazio doganale ridotto del 50 %, prodotto ACP/PTOM  
regolamento (CEE) n. 715/90,
- Douanerecht verminderd met 50 %, ACS/LGO-produkt  
Verordening (EEG) nr. 715/90,
- Direito aduaneiro reduzido de 50 %; produto ACP/PTOM  
Regulamento (CEE) n° 715/90,
- Tullia alennettu viidelläkymmenellä prosentilla, AKT/MMA-tuote  
Asetus (ETY) N:o 715/90,
- Nedsättning med 50 % av tullsatsen, produkt AVS/ULT  
Förordning (EEG) nr 715/90.

*Article 2*

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 to 30 June 1996.

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

Done at Brussels, 10 July 1995.

*For the Commission*  
FRANZ FISCHLER  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1779/95**  
of 24 July 1995

**on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)**

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) <sup>(1)</sup>, as last amended Regulation (EC) No 2484/94 <sup>(2)</sup>, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 <sup>(3)</sup>, as last amended by Regulation (EC) No 1677/95 <sup>(4)</sup>, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas applications for licences have been made for a total quantity not greater than that available; whereas, therefore, all applications submitted should be accepted,

HAS ADOPTED THIS REGULATION :

*Article 1*

Licence applications lodged pursuant to Article 4 of Regulation (EEC) No 1150/90 from 1 to 10 July 1995 and notified to the Commission are hereby accepted.

*Article 2*

This Regulation shall enter into force on 25 July 1995.

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

Done at Brussels, 24 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 265, 15. 10. 1994, p. 3.

<sup>(3)</sup> OJ No L 114, 5. 5. 1990, p. 21.

<sup>(4)</sup> OJ No L 159, 11. 7. 1995, p. 5.



Part 1 : OCTs

II. Implementing texts

A. Trade

g) Rum



## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2718/95  
of 20 November 1995**

**amending Regulation (EC) No 1827/94 opening and providing for the administration of a Community tariff quota for rum, taffia and arrack originating in the overseas countries and territories (OCT) associated with the European Community (1994 to 1995)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Community<sup>(1)</sup>, and in particular Annex V thereto,

Having regard to the proposal from the Commission,

Whereas Annex V to Decision 91/482/EEC stipulates that rum, taffia and arrack are imported into the Community free of customs duties within the limits of a Community tariff quota ;

Whereas, until 31 December 1995, the Community sets annually the quantities which may be imported free of customs duties ; whereas, under the terms of the said Annex, the volume of the quota for 1994 and 1995 is equal to that of the previous year increased by 1 740 hectolitres of pure alcohol ;

Whereas, by its Regulation (EC) No 1827/94<sup>(2)</sup>, the Council opened a Community tariff quota for the period 1 July 1994 to 30 June 1995 for rum, taffia and arrack ;

Whereas the volume of the annual tariff quota for the period 1 July 1994 to 30 June 1995 is 16 740 hectolitres of pure alcohol ; whereas half of this volume is to be increased by 870 hectolitres of pure alcohol for the period from 1 July 1995 to 31 December 1995 ;

Whereas, as far as the arrangements applicable from 1996 are concerned, the Council has decided on the basis of a report from the Commission to eliminate the tariff quota for OCT rum from 1 January 1996 ; whereas the volume of the abovementioned quota should consequently be increased and the quota period extended to the second six-month period of 1995,

HAS ADOPTED THIS REGULATION :

*Article 1*

Regulation (EC) No 1827/94 is hereby amended as follows :

(a) in Article 1 (1), for '30 June 1995' read '31 December 1995' ;

(b) the table in Article 1 shall be replaced by the following :

'Order number	CN code	Description	Quota volume (hl of pure alcohol)	Quota duty
09.1621	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, taffia and arrack	25 980	free'

<sup>(1)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(2)</sup> OJ No L 191, 27. 7. 1994, p. 1.

*Article 2*

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, 20 November 1995.

*For the Council*

*The President*

J. SOLANA

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Part 2 : FODs

A. Agricultural products



## COMMISSION REGULATION (EC) No 510/95

of 7 March 1995

on the exceptional allocation of a quantity additional to the tariff quota for imports of bananas during the first quarter of 1995 as a result of tropical storm Debbie

(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 404/93 of 13 February 1993 on the common organization of the market in bananas <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Articles 16 (3), 20 and 30 thereof,

Whereas Commission Regulation (EEC) No 1442/93 <sup>(3)</sup>, as last amended by Regulation (EC) No 478/95 <sup>(4)</sup>, lays down the detailed rules for applying the arrangements for importing bananas into the Community;

Whereas on 10 September 1994 tropical storm Debbie caused severe damage to the banana plantations in the Community regions of Martinique and Guadeloupe and in the ACP States of Saint Lucia and Dominica; whereas the effects of these exceptional circumstances on production in the regions affected will be felt until July 1995 and will greatly affect imports and supplies to the Community markets during the first quarter of 1995; whereas this is likely to cause an appreciable increase in market prices in certain regions of the Community;

Whereas Article 16 (3) of Regulation (EEC) No 404/93 stipulates that where necessary, in particular to take account of the effects of exceptional circumstances affecting production or import conditions, the forecast supply balance may be adjusted and, in such a case, the tariff quota is adapted;

Whereas the adaptation of the tariff quota must permit adequate supplies to the Community market during the first quarter of 1995 and provide compensation to operators who include or directly represent banana producers who suffered damage and who, in addition, in the absence of appropriate measures, risk losing their traditional outlets on the Community market on a long-term basis;

Whereas the measures to be taken should have a specific transitional nature, within the meaning of Article 30 of Regulation (EEC) No 404/93; whereas, prior to the entry

into force of the new common market organization on 1 July 1993, existing national market organizations, in order to cope with urgent cases or exceptional circumstances such as tropical storm Debbie, included provisions ensuring supplies to the market from other suppliers while safeguarding the interests of operators who are victims of such exceptional events;

Whereas also, under the Uruguay Round of multilateral trade negotiations, the Community negotiated an agreement which provides for the implementation of a provision for the reallocation of supplies which is intended to overcome such exceptional circumstances and which will safeguard the interests of operators in the supplier countries which have suffered such damage; whereas this agreement applies from 1 January 1995;

Whereas, the Community producer regions and the ACP States which suffer such exceptional circumstances should be able to benefit from comparable measures; whereas the measures should include the granting of the right to import in compensation third-country bananas and non-traditional ACP bananas for the benefit of the operators who directly suffered damage as a result of the impossibility of supplying the Community market with bananas originating in affected producer regions; whereas, in addition, provision should be made for the quantities marketed on the Community market pursuant to this measure to be taken into consideration, in due course, for determining the reference quantities for the operators concerned for the tariff quotas for future years; whereas these measures should be to the benefit of the operators who have directly suffered actual damage, without the possibility of compensation, and as a function of the extent of the damage;

Whereas the competent authorities in the Member States where the operators concerned are established are the only authorities capable of determining those who should benefit from the measure in view of their experience and their knowledge of the actual characteristics of the trade in question and to assess the damage on the basis of the supporting documentation provided by the operators;

Whereas, in view of their objectives, the provisions of this Regulation must enter into force immediately;

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

<sup>(1)</sup> OJ No L 47, 25. 2. 1993, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 142, 12. 6. 1993, p. 6.

<sup>(4)</sup> OJ No L 49, 4. 3. 1995, p. 13.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The tariff quota of 2 200 000 tonnes (net weight) fixed for 1995 is hereby increased to 2 245 000 tonnes (net weight).
2. The additional quantity of 45 500 tonnes (net weight) shall be allocated to the operators determined in accordance with Article 2 below as follows :
  - (a) 28 000 tonnes for operators supplying the Community with bananas produced in Martinique ;
  - (b) 3 600 tonnes for operators supplying the Community with bananas produced in Guadeloupe ;
  - (c) 13 900 tonnes for operators supplying the Community with bananas produced in the two Windward Islands (Saint Lucia and Dominica).

*Article 2*

1. The quantities referred to in Article 1 (2) shall be allocated to the operators who :
  - include or directly represent banana producers affected by tropical storm Debbie,
  - and who, during the first quarter of 1995, are unable to supply, on their own account, the Community market with bananas originating in the regions or countries referred to in Article 1 (2) on account of the damage caused by tropical storm Debbie.
2. The competent authorities in the Member States concerned shall determine the beneficiary operators who meet the requirements of paragraph 1 and shall make an allocation to each of them pursuant to this Regulation on the basis of :
  - the quantities allocated to the producer regions or countries referred to in Article 1 (2), and of

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

Done at Brussels, 7 March 1995.

— the damage sustained as a result of tropical storm Debbie.

3. The competent authorities shall assess the damage sustained on the basis of all supporting documents and information collected from the operators concerned.

*Article 3*

1. The Member States concerned shall inform the Commission by 15 March 1995 at the latest of the quantities of bananas for which a proposal for an allocation pursuant to this Regulation has been made.
2. If the overall quantity for which proposals for allocations in connection with tropical storm Debbie are made exceeds the quantity additional to the tariff quota fixed in Article 1 (1), the Commission shall fix a uniform percentage reduction to be applied to all allocations.
3. Tropical storm Debbie import licences shall be issued not later than 22 March 1995 and shall be valid until 9 May 1995.

The words "Tropical storm Debbie licence" shall be entered in box 20 of the licence.

*Article 4*

The quantities of bananas released for free circulation issued in accordance with this Regulation on the basis of tropical storm Debbie import licences shall be taken into consideration for the purpose of determining the reference quantity of each operator concerned, as regards 1995, for the application of Articles 3 to 6 of Regulation (EEC) No 1442/93.

*Article 5*

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

*For the Commission*

Franz FISCHLER

*Member of the Commission*



## COMMISSION REGULATION (EC) No 1163/95

of 23 May 1995

on the exceptional allocation of a quantity additional to the tariff quota for imports of bananas during the second quarter of 1995 as a result of tropical storm Debbie

(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 404/93 of 13 February 1993 on the common organization of the market in bananas <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Articles 16 (3), 20 and 30 thereof,

Whereas Commission Regulation (EEC) No 1442/93 <sup>(3)</sup>, as last amended by Regulation (EC) No 478/95 <sup>(4)</sup>, lays down the detailed rules for applying the arrangements for importing bananas into the Community;

Whereas on 10 September 1994 tropical storm Debbie caused severe damage to the banana plantations in the Community regions of Martinique and Guadeloupe and in the ACP States of Saint Lucia and Dominica; whereas the effects of these exceptional circumstances on production in the regions affected will be felt until July 1995 and will greatly affect imports and supplies to the Community markets during the second quarter of 1995; whereas this is likely to cause an appreciable increase in market prices in certain regions of the Community;

Whereas Article 16 (3) of Regulation (EEC) No 404/93 stipulates that where necessary, in particular to take account of the effects of exceptional circumstances affecting production or import conditions, the forecast supply balance may be adjusted and, in such a case, the tariff quota is adapted;

Whereas the adaptation of the tariff quota must permit adequate supplies to the Community market during the second quarter of 1995 and provide compensation to operators who include or directly represent banana producers who suffered damage and who, in addition, in the absence of appropriate measures, risk losing their traditional outlets on the Community market on a long-term basis;

Whereas the measures to be taken should have a specific transitional nature, within the meaning of Article 30 of Regulation (EEC) No 404/93; whereas, prior to the entry

into force of the new common market organization on 1 July 1993, existing national market organizations, in order to cope with urgent cases or exceptional circumstances such as tropical storm Debbie, included provisions ensuring supplies to the market from other suppliers while safeguarding the interests of operators who are victims of such exceptional events;

Whereas also, under the Uruguay Round of multilateral trade negotiations, the Community negotiated an agreement which provides for the implementation of a provision for the reallocation of supplies which is intended to overcome such exceptional circumstances and which will safeguard the interests of operators in the supplier countries which have suffered such damage; whereas this agreement applies from 1 January 1995;

Whereas, the Community producer regions and the ACP States which suffer such exceptional circumstances should be able to benefit from comparable measures; whereas the measures should include the granting of the right to import in compensation third-country bananas and non-traditional ACP bananas for the benefit of the operators who directly suffered damage as a result of the impossibility of supplying the Community market with bananas originating in affected producer regions; whereas, in addition, provision should be made for the quantities marketed on the Community market pursuant to this measure to be taken into consideration, in due course, for determining the reference quantities for the operators concerned for the tariff quotas for future years; whereas these measures should be to the benefit of the operators who have directly suffered actual damage, without the possibility of compensation, and as a function of the extent of the damage;

Whereas the competent authorities in the Member States where the operators concerned are established are the only authorities capable of determining those who should benefit from the measure in view of their experience and their knowledge of the actual characteristics of the trade in question and to assess the damage on the basis of the supporting documentation provided by the operators;

Whereas, in view of their objectives, the provisions of this Regulation must enter into force immediately;

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

<sup>(1)</sup> OJ No L 47, 25. 2. 1993, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 142, 12. 6. 1993, p. 6.

<sup>(4)</sup> OJ No L 49, 4. 3. 1995, p. 13.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. The tariff quota of 2 245 500 tonnes (net weight) fixed for 1995 is hereby increased to 2 264 965 tonnes (net weight).
2. The additional quantity of 19 465 tonnes (net weight) shall be allocated to the operators determined in accordance with Article 2 below as follows :
  - (a) 12 000 tonnes for operators supplying the Community with bananas produced in Martinique ;
  - (b) 2 500 tonnes for operators supplying the Community with bananas produced in Guadeloupe ;
  - (c) 4 965 tonnes for operators supplying the Community with bananas produced in the two Windward Islands (Saint Lucia and Dominica).

*Article 2*

1. The quantities referred to in Article 1 (2) shall be allocated to the operators who :
  - include or directly represent banana producers affected by tropical storm Debbie,
  - and who, during the second quarter of 1995, are unable to supply, on their own account, the Community market with bananas originating in the regions or countries referred to in Article 1 (2) on account of the damage caused by tropical storm Debbie.
2. The competent authorities in the Member States concerned shall determine the beneficiary operators who meet the requirements of paragraph 1 and shall make an allocation to each of them pursuant to this Regulation on the basis of :
  - the quantities allocated to the producer regions or countries referred to in Article 1 (2), and of

— the damage sustained as a result of tropical storm Debbie.

3. The competent authorities shall assess the damage sustained on the basis of all supporting documents and information collected from the operators concerned.

*Article 3*

1. The Member States concerned shall inform the Commission by 30 May 1995 at the latest of the quantities of bananas for which a proposal for an allocation pursuant to this Regulation has been made.
2. If the overall quantity for which proposals for allocations in connection with tropical storm Debbie are made exceeds the quantity additional to the tariff quota fixed in Article 1 (1), the Commission shall fix a uniform percentage reduction to be applied to all allocations.
3. Tropical storm Debbie import licences shall be issued not later than 9 June 1995 and shall be valid until 31 July 1995.

The words 'Tropical storm Debbie licence' shall be entered in box 20 of the licence.

*Article 4*

The quantities of bananas released for free circulation issued in accordance with this Regulation on the basis of tropical storm Debbie import licences shall be taken into consideration for the purpose of determining the reference quantity of each operator concerned, as regards 1995, for the application of Articles 3 to 6 of Regulation (EEC) No 1442/93.

*Article 5*

This Regulation shall enter into force on the day of 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, 23 May 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

**COMMISSION REGULATION (EC) No 1319/95**  
of 9 June 1995

**amending Regulation (EEC) No 338/92 laying down detailed rules for the application of Council Regulation (EEC) No 3763/91 with regard to the Community quota for the import of 8 000 tonnes of wheat bran falling within CN code 2302 30 originating in the ACP States into the French department of Réunion**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

*Article 1*

Article 1 of Regulation (EEC) No 338/92 is hereby replaced by the following :

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Article 3 (5) thereof,

*'Article 1*

This Regulation lays down detailed rules for the application of the annual Community quota for imports into the French department of Réunion exempt from the import duty of 8 000 tonnes of wheat bran covered by CN code 2302 30 originating in the ACP States pursuant to Article 3 (4) of Regulation (EEC) No 3763/91.'

Whereas the implementation of the Uruguay Round Agreement on Agriculture calls for major changes in the import arrangements ; whereas the detailed rules for the application of Commission Regulation (EEC) No 338/92<sup>(3)</sup> must therefore be adapted accordingly ;

*Article 2*

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

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

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, 9 June 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 36, 13. 2. 1992, p. 16.

**COMMISSION REGULATION (EC) No 2270/95**  
of 27 September 1995

**amending Regulations (EEC) No 388/92 and (EEC) No 1727/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and the Azores and Madeira respectively and establishing the respective forecast supply balances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira<sup>(3)</sup>, as last amended by Regulation (EC) No 3290/94, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 388/92<sup>(4)</sup>, as last amended by Regulation (EC) No 1563/95<sup>(5)</sup>, lays down the detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD); whereas, in order to prevent the amount of the aid becoming excessive in relation to the appropriate amount during the change-over from one marketing year to the next, Article 6 of that Regulation provides for automatic adjustments in the amount of the aid based on the date on which the products are charged against the certificate; whereas, as a result of an error, the adjustment resulting from the change in marketing year corresponding to the aid granted for the supply of maize and grain sorghum was laid down for supplies charged from 1 November onwards, whereas the change in intervention prices for those products occurs on 1 October; whereas, therefore, Regulation (EEC) No 388/92 should be amended;

Whereas Commission Regulation (EEC) No 1727/92<sup>(6)</sup>, as last amended by Regulation (EC) No 1590/95<sup>(7)</sup>, lays down the detailed rules for implementation of the specific arrangements for the supply of cereal products to the Azores and Madeira; whereas, in order to prevent the amount of the aid becoming excessive in relation to the appropriate amount during the change-over from one marketing year to the next, Article 6 of that Regulation provides for automatic adjustments in the amount of the aid based on the date on which the products are charged against the certificate; whereas, as a result of an error, the adjustment resulting from the change in marketing year

corresponding to the aid granted for the supply of maize and grain sorghum was laid down for supplies charged from 1 November onwards, whereas the change in intervention prices for those products occurs on 1 October; whereas, therefore, Regulation (EEC) No 1727/92 should be amended;

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*

Article 6 (e) of Regulation (EEC) No 388/92 is hereby replaced by the following:

- '(e) in the case of maize and grain sorghum, where the term of validity of the aid certificate extends beyond the end of September, for all supplies charged against the certificate from 1 October, as follows: the aid shall be reduced by an amount equal to the difference between the intervention price, not including monthly increases, for the former and the new marketing years and by an amount equal to the monthly increase for the former marketing year, multiplied by the number of months from November inclusive to the month in which the aid application is submitted.'

*Article 2*

Article 6 (e) of Regulation (EEC) No 1727/92 is hereby replaced by the following:

- '(e) in the case of maize and grain sorghum, where the term of validity of the aid certificate extends beyond the end of September, for all supplies charged against the certificate from 1 October, as follows: the aid shall be reduced by an amount equal to the difference between the intervention price, not including monthly increases, for the former and the new marketing years and by an amount equal to the monthly increase for the former marketing year, multiplied by the number of months from November inclusive to the month in which the aid application is submitted.'

*Article 3*

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

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(4)</sup> OJ No L 43, 19. 2. 1992, p. 16.

<sup>(5)</sup> OJ No L 150, 1. 7. 1995, p. 18.

<sup>(6)</sup> OJ No L 179, 1. 7. 1992, p. 101.

<sup>(7)</sup> OJ No L 150, 1. 7. 1995, p. 89.

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

Done at Brussels, 27 September 1995.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 2598/95**

of 30 October 1995

**amending Regulation (EEC) No 3763/91 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas, in accordance with Title V of Council Decision 89/687/EEC of 22 December 1989 establishing a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom) <sup>(3)</sup> and Article 23 of Regulation (EEC) No 3763/91 <sup>(4)</sup>, the Commission has produced a progress report for 1992-93 on the measures undertaken to implement the Poseidom programme and the measures laid down in the said Regulation;

Whereas, on the basis of both the assessment in the Commission report, particularly as regards the difficulties observed in 1992 and 1993, and the applications submitted by the French authorities under the current partnership procedure, some adjustments to Regulation (EEC) No 3763/91 are necessary;

Whereas the arrangements should be revised in such a way as to achieve the technical and drafting alignments as a result of the subsequent adoption and implementation of the Poseican programme for the Canary Islands and the Poseima programme for the Azores and Madeira;

Whereas, in the case of the specific supply arrangements, the period of applicability of the measures for meeting the needs of the department of French Guiana as regards compound feedingstuffs should, given the delay in imple-

mentation, be extended until the plants manufacturing such products actually commence operations in that department;

Whereas the volume of rice production in French Guiana attracting aid for disposal and marketing in Guadeloupe and Martinique must be increased to take account of profitability requirements; whereas it must also be possible for a limited quantity of that production to be marketed in the rest of the Community;

Whereas the specific supply arrangements must be extended to certain other products to meet the needs of the processing industries located in the French overseas departments, hereinafter referred to as 'FOD', in order to supply local demand;

Whereas, in the case of the measures to encourage livestock production, the period in which the specific supply arrangements relating to bovine animals for fattening and consumption in the FOD application should be extended so as to take account of the delay in their implementation; whereas the goal of increasing the currently very low local self-sufficiency rates in adult bovine animals and suckler cows justifies waiving the provisions of the common organization of the market under Poseidom, particularly the criteria regarding stocking density which were established to restrict intensive livestock rearing in the rest of the Community; whereas, for a transitional period, provision should be made to contribute funds to the regional programmes to support the production and marketing of local products in the livestock and milk products sectors in Martinique and Réunion, which have been drawn up and carried out in close collaboration with the most representative inter-branch organizations currently operating;

Whereas the poor conditions under which the local FOD market is supplied with fresh milk products, most of which are currently imported, should be remedied; whereas this aim can be achieved by replacing the consumption aid scheme, which has proved inadequate,

<sup>(1)</sup> OJ No C 290, 18. 10. 1994, p. 4.

<sup>(2)</sup> OJ No C 43, 20. 2. 1995, p. 134.

<sup>(3)</sup> OJ No L 399, 30. 12. 1989, p. 39.

<sup>(4)</sup> OJ No L 356, 24. 12. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 3714/92 (OJ No L 378, 23. 12. 1992, p. 23).

by an aid scheme to develop the production of cow's milk within the limits of local consumption requirements as assessed on a regular basis in a supply balance, and by waiving the additional levy scheme applicable to producers of cow's milk provided for in Regulation (EEC) No 3950/92<sup>(1)</sup>; whereas the adverse supply conditions which characterize those remote regions, differing fundamentally from the conditions in the rest of the Community, together with the need to stimulate the development of local production, justify this exception;

Whereas, as regards the measures to support local production, the aid scheme per hectare for fruit and vegetables has proved unsuitable, especially because of the insufficient amounts granted and the lack of any differentiation of the amounts according to the crops involved; whereas aid for marketing such products for the exclusive supply of the FOD market, granted for quality products covered by medium-term supply contracts concluded with distributors, restaurants and the like and local authorities, the amount of which would be fixed on the basis of the average value of the products involved, appears to be the most suitable approach in the FOD;

Whereas measures must also be taken, within the limit of set quantities, to support certain traditional products such as vanilla, geraniums or vetiver, to develop the processing of certain fruits and vegetables from products harvested locally and to stimulate the marketing of those products using existing mechanisms,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EEC) No 3763/91 is hereby amended as follows:

1. The heading of Title I shall be replaced by the following:

'Measures to promote supplies to the FOD, to encourage livestock farming there and to develop rice cultivation in French Guiana'.

2. Article 2 shall be amended as follows:

- (a) Paragraph 1 shall be replaced by the following:

'1. Each year, a forecast supply balance shall be established for the agricultural products necessary

for human consumption and processing referred to in this Article and in the Annex. This balance may be revised during the year on the basis of trends in the FOD's requirements.'

- (b) Paragraphs 3, 4, 5 and 6 shall be replaced by the following:

'3. Without prejudice to the application of paragraph 2 and Article 3 (1) to cereal products, duties shall not apply to imports into the FOD of the products listed in the Annex which are covered by the specific supply arrangements, if they originate in developing countries, within the limit of the quantities determined in the supply balance referred to in paragraph 1.

In the event of exceptional supply difficulties, however, exemption from duty may be extended to products originating in other third countries.

4. To ensure coverage of the requirements established in accordance with paragraph 1 in terms of quantity, price and quality, supplies to the FOD shall also be effected by mobilizing Community products held in public intervention storage or available on the Community market, on terms equivalent, for the end user, to the advantage resulting from exemption from import duties on imports of products from third countries.

The terms of supply shall be fixed with reference to the costs of the various sources of supply and the prices applied to exports to third countries.

5. Entitlement under the supply arrangements provided for in this Article and in Article 3 (1) shall be subject to the conditions that the economic advantage derived either from exemption from the import duty or from Community aid in the case of supply from the rest of the Community is actually passed on to the end user.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92<sup>(1)</sup> or the corresponding Articles of the other Regulation on the common organization of the markets in question. They shall cover in particular:

- the establishment of the balances, and any amendments thereto,
- the amount of aid granted for supply from the rest of the Community,
- the application, where appropriate, of the second subparagraph of paragraphs 2 and 3.

<sup>(1)</sup> OJ No L 405, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EC) No 1883/94 (OJ No L 197, 30. 7. 1994, p. 25).

— the measures to ensure that the advantages are actually passed on to the end user and to ensure, insofar as is necessary, an import licensing system.

(<sup>1</sup>) OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EC) No 1866/94 (OJ No L 197, 30. 7. 1994, p. 1).'

3. Article 3 shall be amended as follows :

(a) The first subparagraph of paragraph 1 shall be replaced by the following :

'As from 1 July 1994 and until such time as the corresponding manufacturing plants in the department of French Guiana actually commence production, the products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 which are used there for animal feed shall be covered by the supply arrangements under the conditions laid down in this paragraph and in Article 2 (1), (3), (4), (5) and (6).'

(b) In the second subparagraph of paragraph 1, the reference to 'Article 14 (1) of Regulation (EEC) No 2727/75' shall be replaced by a reference to 'Article 11 of Regulation (EEC) No 1766/92'.

(c) The following fourth subparagraph shall be added to paragraph 1 :

'Verification that the plants mentioned in the first subparagraph have commenced production and abolition of the supply arrangements as provided for in this paragraph shall be effected in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.'

(d) Paragraph 3 shall be replaced by the following :

'3. Community aid shall be granted for the conclusion of annual contracts concerning the disposal and marketing in Guadeloupe, Martinique and the rest of the Community of rice harvested in French Guiana, within the limit of an annual volume of 12 000 tonnes of wholly milled rice equivalent. As regards disposal and marketing in the rest of the Community, aid shall be granted for a maximum of 4 000 tonnes.

The contracts shall be concluded between producers in French Guiana and natural or legal persons established in Guadeloupe, Martinique or the rest of the Community.

The amount of the aid shall be 10 % of the value of the marketed produce sold in Guadeloupe, Martinique or the rest of the Community, for merchandise delivered at the first port of unloading. That percentage shall be raised to 13 % if

the contractor for the producers is a producer group or association thereof.

The aid shall be paid to the purchaser who markets the products under the annual contracts.'

(e) In paragraph 4, the words 'Article 14 (1) of Regulation (EEC) No 2727/75' shall be replaced by the words 'Articles 10 and 11 of Regulation (EEC) No 1766/92'.

(f) In paragraph 5, the words 'Article 26 of Regulation (EEC) No 2727/75' shall be replaced by the words 'Article 23 of Regulation (EEC) No 1766/92'.

4. Article 5 shall be replaced by the following :

#### 'Article 5

1. The supplementary aid provided for in (a) and (b) below shall be granted in support of traditional activities connected with beef and veal production and measures to improve product quality, within the limits of the consumption needs of the FOD as assessed in the context of a periodic supply balance. The balance shall also take account of breeding animals supplied pursuant to Article 4 and animals covered by the supply arrangements provided for in Article 7.

(a) A supplement to the special premium for fattening male bovine animals provided for in Article 4b of Regulation (EEC) No 805/68 shall be paid to beef and veal producers. The amount of the supplement shall be ECU 48,30 per head.

(b) A supplement to the premium for maintaining suckler cows provided for in Article 4d of Regulation (EEC) No 805/68 shall be paid to beef and veal producers. The amount of the supplement shall be ECU 48,30 for each suckler cow held by the producer.

2. The provisions relating to :

(a) the regional ceiling laid down by Article 4b of Regulation (EEC) No 805/68 as regards the basic special premium ;

(b) the individual ceiling for animals kept on the holding laid down in Article 4d of the aforementioned Regulation, as regards the basic suckler cow premium ;

(c) the stocking density in the case of animals kept on the farm, laid down in Article 4g of that Regulation, as regards the basic special premium and the basic suckler cow premium,

shall not apply in the FOD in the case of the basic special premium, the basic suckler cow premium or the supplementary premiums referred to in paragraph 1 (a) and (b).



3. The basic and supplementary premiums referred to in paragraphs 1 and 2 shall be granted each year for a maximum of 10 000 male bovine animals and 35 000 suckler cows, respectively.

However, those ceilings and the balance referred to in paragraph 1 may be revised on the basis of trends in requirements, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 or Article 27 of Regulation (EEC) No 805/68.

Further conditions governing the grant of the supplementary premiums may be laid down using the same procedure.

4. The detailed rules to be adopted for implementing this Article :

(a) as regards the special premium for male bovine animals, shall provide for :

- the "freezing", within the regional ceiling set in Article 4b (3) of Regulation (EEC) No 805/68, of the number of animals in respect of which the special premium was granted in the FOD,
- the granting of basic and supplementary premiums within the limit of 90 animals per age group, per calendar year and per holding ;

(b) as regards the suckler cow premium, these detailed rules :

- shall include provisions to guarantee, to the extent necessary, the rights of producers to whom a premium has been granted under Article 4d (2) of Regulation (EEC) No 805/68,
- may provide for the establishment of a specific reserve for the FOD and special conditions for allocating or reallocating rights, taking into account the objectives pursued in the livestock farming sector ; the size of the reserve shall be determined on the basis of the ceiling set in paragraph 3 and the number of premiums granted for the year 1994.

The detailed implementing rules may include additional conditions for granting further premiums.

5. Before the end of the third year of actual application of this Article, the Commission shall submit an assessment of the implementation of the specific provisions relating to livestock farming.'

5. Article 6 shall be replaced by the following :

*'Article 6*

1. Aid shall be granted to increase the production of cow's milk, within the limits of local FOD human consumption of milk products determined in the

context of a periodic annual balance. The quantities of milk used for the manufacture of skimmed milk intended for animal feed shall not be eligible for aid.

The aid shall be granted to producers and producer groups for the quantities delivered to dairies. It shall be paid through the dairies.

The aid shall be ECU 8,45 per hundred kilograms of whole milk.

The balance may be revised during the year on the basis of trends in requirements, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Aid shall be paid each year within the limits of a maximum quantity of 20 000 tonnes of milk. That maximum quantity shall be reviewed by the Council, at the end of the third year of application of this measure, on a proposal from the Commission accompanied by an assessment report.

2. The additional levy scheme applicable to producers of cow's milk provided for in Council Regulation (EEC) No 3950/92 (\*) shall not apply in the FOD from 1 April 1994.

(\*) OJ No L 405, 31. 12. 1992, p. 1.'

6. Article 7 shall be replaced by the following :

*'Article 7*

During the period 1991/1992 to 1996/1997 :

1. the import duties referred to in Article 9 of Regulation (EEC) No 805/68 and applying in the beef and veal sector shall not be applied to imports of bovine animals from third countries entering the FOD for fattening purposes and intended for consumption there ;
2. aid shall be granted for the supply in the FOD, on equivalent terms, of animals as referred to in point 1 originating in the rest of the Community.

The number of animals concerned by the measures referred to in the first paragraph shall be based on the supply balance referred to in Article 5 and determined degressively to take account of the development of local production. The number of animals in question and the amount of the aid referred to in point 2 above shall be determined in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.'

7. In Article 8, the following paragraphs shall be added :

'Products mentioned in the first paragraph which are covered by the specific supply arrangements and products processed therefrom shall not be eligible for refunds on exportation from the FOD.

Detailed rules for the application of this Article shall be adopted as necessary, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 or the corresponding Articles of the Regulations on the common organization of the markets in question.'

8. The following Article shall be added :

*Article 9a*

1. In the five-year period 1996 to 2000 aid shall be granted annually to implement in both Martinique and Réunion a comprehensive programme to support the production and marketing of local produce in the livestock and milk products sectors.

The programme may include measures to encourage improved quality and hygiene, the marketing and promotion of quality products, the establishment of intermediate stages, rationalization of production and marketing structures and the provision of technical assistance. The programme may not include the granting of aid in addition to the premiums paid under Articles 5, 6 and 7.

The programme shall be prepared and carried out by the competent authorities designated by the Member State, working in close collaboration with the most representative inter-branch organizations existing on 1 July 1994 in the sectors concerned.

2. The competent authorities shall submit the draft annual programme each year to the Commission before 1 July and for the first year before 15 December 1995. It shall be approved in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

Six months before the end of the five-year period, the Commission shall send the European Parliament and Council an assessment of the way in which the measure provided for in this Article has been implemented, accompanied by appropriate proposals, where necessary.

9. Article 13 shall be replaced by the following :

*Article 13*

1. Aid shall be granted in respect of the fruits, vegetables, flowers and live plants listed in Chapters 6, 7 and 8 of the combined nomenclature, the peppers and fruits of the genus *Capsicum* and of the genus *Pimenta* falling within CN code 0904 and the spices falling within CN code 0910 intended to supply the FOD market exclusively. The aid shall not be granted for bananas other than plantains falling within CN code 0803 00 11.

The aid shall be granted for products which conform to common standards fixed by Community legislation or which conform to specifications written into the supply contracts.

The grant of the aid shall be subject to the conclusion of supply contracts lasting one or more years between the individual producers or producer groups or associations recognized under Regulations (EEC) No 1035/72 (\*) or (EEC) No 1360/78 and distributors, restaurants and the like or local authorities.

The aid shall be paid out within the limits of annual quantities established for each product category.

The amount of the aid shall be fixed on a flat-rate basis for each of the product categories to be determined, based on the average value of the products so covered.

The amount shall be increased by 5 % in the case of contracts concluded by recognized producer organizations or groups, or associations thereof.

The aid shall be paid to the producers, producer groups or associations.

2. Aid amounting to ECU 6,04 per kilogram shall be paid out for the production of green vanilla falling within CN code ex 0905 and used to produce dried (black) vanilla or vanilla extracts.

The aid shall be paid out up to an annual maximum quantity of 75 tonnes.

3. Aid amounting to ECU 44,68 per kilogram shall be paid out for the production of essential geranium and vetiver oils, falling within CN codes 3301 21 to 3301 90 90.

The aid shall be paid up to an annual maximum of 30 tonnes in the case of geranium oil and 5 tonnes in the case of vetiver oil.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72. The same procedure shall be used to fix the product categories and the amounts of aid referred to in paragraph 1, and the maximum quantities referred to in paragraph 3.

(\*) OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EC) No 2753/94 (OJ No L 292, 12. 11. 1994, p. 3).'

10. Article 14 shall be replaced by the following :

*Article 14*

1. Aid shall be granted for the production of processed fruits and vegetables obtained from products harvested in the FOD.

The production aid shall be paid to processors who have paid producers for their raw materials a price not less than the minimum price under contracts between producers or recognized producer groups or associations thereof and processors or their legally constituted organizations or associations. The Member State shall fix the minimum price for the raw materials on the basis of the production costs involved.

2. The amount of aid shall be fixed on a flat-rate basis for each of the product categories to be determined, by reference to the prices of the local raw materials used and the import prices for the same raw materials.
3. The aid shall be paid out within the limits of maximum annual quantities established for each product category.
4. The list of processed products for which aid is granted and detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 22 of Regulation (EEC) No 426/86 (\*). The same procedure shall be used to fix the product categories and the amounts of aid referred to in paragraph 2, and the maximum quantities referred to in paragraph 3.

(\*) OJ No L 49, 27. 2. 1986, p. 1. Regulation as last amended by Regulation (EC) No 1490/94 (OJ No L 161, 29. 6. 1994, p. 13).'

11. The following paragraph shall be added to Article 15 :

'5. The aid provided for in this Article shall also be paid, on the terms laid down in paragraphs 1 to 4, in respect of :

- products processed from fruit or vegetables harvested in the FOD,
- essential geranium and vetiver oils falling within CN codes 3301 21 to 3301 90 90,
- dried (black) vanilla falling within CN code ex 0905 and vanilla extracts falling within CN code 3301 90 90,

for which annual disposal and marketing contracts have been concluded.

However, in respect of melons falling within CN code ex 0807 10 90, aid may be granted in a depart-

ment for a quantity exceeding 3 000 tonnes provided that the total volume eligible for aid for all the FOD is not exceeded.'

12. Article 18 shall be replaced by the following :

*Article 18*

1. Aid shall be granted for the direct processing of sugar cane produced in the FOD into sugar syrup or agricultural rum as defined in Article 1 (4) (a) (2) of Regulation (EEC) No 1576/89 (\*).

The aid shall be paid to the manufacturer of sugar syrup or to the distiller on condition that he pays the sugar cane producer a minimum price, to be determined.

2. The aid shall be paid :

- in the case of sugar syrup, up to the limit of an annual maximum quantity of 250 tonnes,
- in the case of agricultural rum, up to the limit of an overall quantity corresponding to the average quantity of agricultural rum sold during the three marketing years 1987/1988, 1988/1989 and 1989/1990.

(\*) OJ No L 160, 12. 6. 1989, p. 1. Regulation as last amended by Regulation (EEC) No 3280/92 (OJ No L 327, 13. 11. 1992, p. 3).'

13. The following Article shall be added :

*Article 22a*

The technical adjustments to this Regulation to take account of the amendments to the rules adopted by the Council shall be effected in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 or in the corresponding Articles of the other Regulations on the common organization of the markets in the sectors concerned or in Article 29 of Regulation (EEC) No 4253/88, whichever is appropriate.'

14. The Annex appearing in the Annex to this Regulation shall be added.

*Article 2*

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

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

Done at Luxembourg, 30 October 1995.

*For the Council*

*The President*

J. SOLANA

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ANNEX

ANNEX

**Products covered by the supply arrangements referred to in Article 2 and 3**

Cereals and cereal products intended for human consumption and animal feed.

Hops.

Seed potatoes.

Vegetable oils for use in the processing industry.

Fruit pulps, purées and concentrated juices for processing, other than those qualifying for the aid provided for in Article 14.

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Part 2 : FODs

B. Cereals



**COMMISSION REGULATION (EC) No 167/95**  
**of 31 January 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 3198/94 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 February 1995.

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

Done at Brussels, 31 January 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 337, 24. 12. 1994, p. 21.

## ANNEX

to the Commission Regulation of 31 January 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Gusdeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	42,00	42,00	42,00	45,00
Barley (1003 00 90)	66,00	66,00	66,00	69,00
Maize (1005 90 00)	80,00	80,00	80,00	83,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00



## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 386/95**  
**of 24 February 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EC) No 167/95<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 March 1995.

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

Done at Brussels, 24 February 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 24, 1. 2. 1995, p. 27.

## ANNEX

to the Commission Regulation of 24 February 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Reunion
Common wheat (1001 90 99)	45,00	45,00	45,00	48,00
Barley (1003 00 90)	67,00	67,00	67,00	70,00
Maize (1005 90 00)	82,00	82,00	82,00	85,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

**COMMISSION REGULATION (EC) No 718/95**  
**of 31 March 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 386/95 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex ;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 April 1995.

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

Done at Brussels, 31 March 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.  
<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.  
<sup>(4)</sup> OJ No L 43, 25. 2. 1995, p. 1.

## ANNEX

to the Commission Regulation of 31 March 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	62,00	62,00	62,00	65,00
Barley (1003 00 90)	73,00	73,00	73,00	76,00
Maize (1005 90 00)	78,00	78,00	78,00	81,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

**COMMISSION REGULATION (EC) No 953/95**  
**of 28 April 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 718/95 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 May 1995.

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

Done at Brussels, 28 April 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 73, 1. 4. 1995, p. 25.

## ANNEX

to the Commission Regulation of 28 April 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	72,00	72,00	72,00	75,00
Barley (1003 00 90)	76,00	76,00	76,00	79,00
Maize (1005 90 00)	83,00	83,00	83,00	86,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

**COMMISSION REGULATION (EC) No 1139/95**  
of 19 May 1995  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 953/95 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 June 1995.

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

Done at Brussels, 19 May 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 97, 29. 4. 1995, p. 16.

## ANNEX

to the Commission Regulation of 19 May 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	71,00	71,00	71,00	74,00
Barley (1003 00 90)	76,00	76,00	76,00	79,00
Maize (1005 90 00)	81,00	81,00	81,00	84,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00



**COMMISSION REGULATION (EC) No 1563/95**  
of 30 June 1995

**amending Regulations (EEC) No 388/92 and (EEC) No 1727/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and to the Azores and Madeira respectively and establishing the relevant forecast supply balances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as last amended by Regulation (EC) No 3290/94, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(4)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94, and in particular Article 10 (4) thereof,

Whereas the implementation of the Uruguay Round Agreement on Agriculture calls for substantial changes to the import arrangements; whereas Commission Regulation (EEC) No 388/92<sup>(5)</sup>, as last amended by Regulation (EC) No 3101/94<sup>(6)</sup>, together with Commission Regulation (EEC) No 1727/92<sup>(7)</sup>, as last amended by Regulation (EEC) No 2426/94<sup>(8)</sup>, should therefore be adapted accordingly;

Whereas the forecast supply balance of cereal products to the Azores and Madeira, established by Regulation (EEC) No 1727/92, allows the quantities laid down for certain products to be interchanged; whereas, in order to meet requirements in the Azores, it has proved necessary to make changes to that forecast supply balance; whereas, in response to a request from the Portuguese authorities and

for the sake of simplification, the time-limits for the submission of applications for licences and certificates should also be brought into line;

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*

Regulation (EEC) No 388/92 is amended as follows :

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

'1. [does not concern the English version] ;

2. Article 6 is replaced by the following :

*'Article 6*

The aid for supply shall be adjusted :

(a) in the case of all cereal products listed in the Annex with the exception of maize, grain sorghum, malt and common wheat meal, for the period August to May of the same marketing year, by the monthly increase applicable to the intervention price fixed for that marketing year for the cereal in question, multiplied by the number of months elapsing between the month in which the aid certificate is applied for and the month in which each quantity is charged against the certificate. The first adjustment shall take place on the first day of the calendar month following the day the certificate application is submitted;

(b) in the case of maize and grain sorghum, for the period November of one marketing year to August of the following marketing year, by the monthly increase applicable to the intervention price fixed for the former marketing year for the cereal in question, multiplied by the number of months elapsing between the month in which the aid certificate is applied for and the month in which each quantity is charged against the certificate. The first adjustment shall be made on the first day of the calendar month following the day the certificate application is submitted;

(<sup>1</sup>) OJ No L 356, 24. 12. 1991, p. 1.  
 (<sup>2</sup>) OJ No L 349, 31. 12. 1994, p. 105.  
 (<sup>3</sup>) OJ No L 173, 27. 6. 1992, p. 1.  
 (<sup>4</sup>) OJ No L 181, 1. 7. 1992, p. 21.  
 (<sup>5</sup>) OJ No L 43, 19. 2. 1992, p. 16.  
 (<sup>6</sup>) OJ No L 328, 20. 12. 1994, p. 16.  
 (<sup>7</sup>) OJ No L 179, 1. 7. 1992, p. 101.  
 (<sup>8</sup>) OJ No L 259, 7. 10. 1994, p. 4.

- (c) in the case of malt and durum wheat meal, for the period August to May of the same marketing year, by the monthly increase applicable to the intervention price fixed for that marketing year, multiplied on the one hand by the number of months elapsing between the month in which the aid certificate is applied for and the month in which each quantity is charged against the certificate and, on the other hand, by the processing coefficients 1,3 and 1,5 for malt and durum wheat meal respectively. The first adjustment shall take place on the first day of the calendar month following the day the certificate application is submitted;
- (d) in the case of all products with the exception of maize and grain sorghum, where the term of validity of the aid certificate extends beyond the end of the marketing year and for all supplies charged against the certificate during the new marketing year, as follows: the aid shall be reduced by an amount equal to the difference between the intervention prices, not including monthly increases, for the former and the new marketing years and by an amount equal to the monthly increase for the new marketing year, multiplied by the number of months from August inclusive to the month in which the certificate application is submitted;
- (e) in the case of maize and grain sorghum, where the term of validity of the aid certificate extends beyond the end of September, for all supplies charged against the certificate from 1 November, as follows: the aid shall be reduced by an amount equal to the difference between the intervention prices, not including monthly increases, for the former and the new marketing years and by an amount equal to the monthly increase for the current marketing year, multiplied by the number of months from November inclusive to the month in which the aid application is submitted.

However, the adjustments provided for in (d) and (e) shall not apply where the operator provides proof to the satisfaction of the competent authorities in the region of destination that:

- supplies of products other than maize and grain sorghum presented for charging against the aid certificate were dispatched before 1 July and,
- in the case of maize and grain sorghum, supplies of products presented for charging against the aid certificate were dispatched before 1 October.

Such proof shall be constituted by the bill of lading or other transport document providing sufficient guarantees and duly established at the time of dispatch.

## Article 2

Regulation (EEC) No 1727/92 is amended as follows:

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

'1. [does not concern the English version]';

2. Article 4 (1) is replaced by the following:

'1. Applications for licences and certificates shall be submitted to the competent authority during the first five working days of each month. Licence or certificate applications shall be admissible only if:

- (a) they do not exceed the maximum quantity available when they are lodged;
- (b) prior to expiry of the time-limit laid down for submission of licence and certificate applications, proof has been provided that the party concerned has lodged a security of ECU 23 per tonne.';

3. Article 6 is replaced by the following:

### Article 6

The aid for supply shall be adjusted:

- (a) in the case of all cereal products listed in the Annex with the exception of maize, grain sorghum, malt and common wheat meal, for the period August to May of the same marketing year, by the monthly increase applicable to the intervention price fixed for that marketing year for the cereal in question, multiplied by the number of months elapsing between the month in which the aid certificate is applied for and the month in which each quantity is charged against the certificate. The first adjustment shall take place on the first day of the calendar month following the day the certificate application is submitted;
- (b) in the case of maize and grain sorghum, for the period November of one marketing year to August of the following marketing year, by the monthly increase applicable to the intervention price fixed for the former marketing year for the cereal in question, multiplied by the number of months elapsing between the month in which the aid certificate is applied for and the month in which each quantity is charged against the certificate. The first adjustment shall be made on the first day of the calendar month following the day the certificate application is submitted;
- (c) in the case of malt and durum wheat meal, for the period August to May of the same marketing year, by the monthly increase applicable to the intervention price fixed for that marketing year, multiplied on the one hand by the number of months elapsing between the month in which the aid certifi-

cate is applied for and the month in which each quantity is charged against the certificate and, on the other hand, by the processing coefficients 1,3 and 1,5 for malt and durum wheat meal respectively. The first adjustment shall take place on the first day of the calendar month following the day the certificate application is submitted ;

- (d) in the case of all products with the exception of maize and grain sorghum, where the term of validity of the aid certificate extends beyond the end of the marketing year and for all supplies charged against the certificate during the new marketing year, as follows : the aid shall be reduced by an amount equal to the difference between the intervention prices, not including monthly increases, for the former and the new marketing years and by an amount equal to the monthly increase for the new marketing year, multiplied by the number of months from August inclusive to the month in which the certificate application is submitted ;
- (e) in the case of maize and grain sorghum, where the term of validity of the aid certificate extends beyond the end of September, for all supplies charged against the certificate from 1 November, as follows : the aid shall be reduced by an amount equal to the difference between the intervention prices, not including monthly increases, for the former and the new marketing years and by an amount equal to the monthly increase for the

current marketing year, multiplied by the number of months from November inclusive to the month in which the aid application is submitted.

However, the adjustments provided for in (d) and (e) shall not apply where the operator provides proof to the satisfaction of the competent authorities in the region of destination that :

- supplies of products other than maize and grain sorghum presented for charging against the aid certificate were dispatched before 1 July and,
- in the case of maize and grain sorghum, supplies of products presented for charging against the aid certificate were dispatched before 1 October.

Such proof shall be constituted by the bill of lading or other transport document providing sufficient guarantees and duly established at the time of dispatch.'

4. The Annex is replaced by the Annex hereto.

#### *Article 3*

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

However, points 1 and 2 of Article 1 and points 1 and 3 of Article 2 shall apply from 1 July 1995.

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

Done at Brussels, 30 June 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX

## ANNEX

## Supply balance for cereals for the Azores and Madeira for the 1994/1995 marketing year

*(tonnes)*

Product	Azores	Madeira
Breadmaking common wheat	34 000	23 000
Feed wheat	500	2 000
Barley	36 000	7 000
Durum wheat	500	7 000
Maize	78 000	35 000
Malt	1 000	2 200
Total	150 000	76 200'

## COMMISSION REGULATION (EC) No 1641/95

of 5 July 1995

## amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, as amended by Regulation (EEC) No 3714/92 <sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC) No 1139/95 <sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 6 July 1995.

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

Done at Brussels, 5 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 114, 20. 5. 1995, p. 9.

## ANNEX

to the Commission Regulation of 5 July 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	26,00	26,00	26,00	29,00
Barley (1003 00 90)	49,00	49,00	49,00	52,00
Maize (1005 90 00)	61,00	61,00	61,00	64,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

**COMMISSION REGULATION (EC) No 1881/95**  
**of 28 July 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EC) No 1641/95<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 August 1995.

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

Done at Brussels, 28 July 1995.

*For the Commission*  
 Hans VAN DEN BROEK  
*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 155, 6. 7. 1995, p. 37.

## ANNEX

to the Commission Regulation of 28 July 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	6,00	6,00	6,00	9,00
Barley (1003 00 90)	46,00	46,00	46,00	49,00
Maize (1005 90 00)	81,00	81,00	81,00	84,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00



**COMMISSION REGULATION (EC) No 2296/95**  
**of 29 September 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91  
 of 16 December 1991 introducing specific measures in  
 respect of certain agricultural products for the benefit of  
 the French overseas departments <sup>(1)</sup>, as last amended by  
 Regulation (EC) No 1802/95 <sup>(2)</sup>, and in particular Article 2  
 (6) thereof,

Whereas the amounts of aid for the supply of cereals  
 products to the French overseas departments (FOD) has  
 been settled by Commission Regulation (EEC)  
 No 391/92 <sup>(3)</sup>, as last amended by Regulation (EC)  
 No 2083/95 <sup>(4)</sup>; whereas, as a consequence of the changes  
 of the rates and prices for cereals products in the Euro-  
 pean part of the Community and on the world market,

the aid for supply to the FOD should be set at the  
 amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is  
 replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 October 1995.

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

Done at Brussels, 29 September 1995.

*For the Commission*  
 Franz FISCHLER  
 Member of the Commission

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<sup>(1)</sup> O] No L 356, 24. 12. 1991, p. 1.  
<sup>(2)</sup> O] No L 174, 26. 7. 1995, p. 27.  
<sup>(3)</sup> O] No L 43, 19. 2. 1992, p. 23.  
<sup>(4)</sup> O] No L 206, 1. 9. 1995, p. 5.

## ANNEX

to the Commission Regulation of 29 September 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Gudeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	6,00	6,00	6,00	9,00
Barley (1003 00 90)	21,00	21,00	21,00	24,00
Maize (1005 90 00)	56,00	56,00	56,00	59,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

**COMMISSION REGULATION (EC) No 2510/95**  
**of 27 October 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2417/95<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EC) No 2296/95<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 November 1995.

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

Done at Brussels, 27 October 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 248, 14. 10. 1995, p. 39.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 233, 30. 9. 1995, p. 26.

## ANNEX

to the Commission Regulation of 27 October 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	6,00	6,00	6,00	9,00
Barley (1003 00 90)	9,00	9,00	9,00	12,00
Maize (1005 90 00)	52,00	52,00	52,00	55,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 2757/95**

of 30 November 1995

**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2598/95<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EC) No 2510/95<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 December 1995.

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

Done at Brussels, 30 November 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 267, 9. 11. 1995, p. 1.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 258, 28. 10. 1995, p. 11.

## ANNEX

to the Commission Regulation of 30 November 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	6,00	6,00	6,00	9,00
Barley (1003 00 90)	9,00	9,00	9,00	12,00
Maize (1005 90 00)	52,00	52,00	52,00	55,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

**COMMISSION REGULATION (EC) No 2885/95**  
of 14 December 1995

**amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance**

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

HAS ADOPTED THIS REGULATION :

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Council Regulation (EC) No 2598/95<sup>(2)</sup>, and in particular Article 2 (6) thereof,

*Article 1*

The Annex to Regulation (EEC) No 388/92 is hereby replaced by the Annex to the present Regulation.

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the FOD for 1995 was established by Commission Regulation (EEC) No 388/92<sup>(3)</sup>, as last amended by Regulation (EC) No 2270/95; whereas this forecast supply balance for the first half of 1996 should be drawn up; whereas, subsequently, Regulation (EEC) No 388/92 should be amended;

*Article 2*

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

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

This Regulation shall be applicable as from 1 January 1996.

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

Done at Brussels, 14 December 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 267, 9. 11. 1995, p. 1.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 16.

## ANNEX

## CEREALS SUPPLY BALANCE FOR THE FOD

First half of 1996

*(in tonnes)*

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	45 000	0	—	8 000	—	100
Martinique	2 000	0	—	12 500	770	400
French Guiana	1 000	0	500	1 000	—	—
Réunion	18 000	0	15 000	60 000	—	1 500
<b>Total</b>	<b>66 000</b>	<b>0</b>	<b>15 500</b>	<b>81 500</b>	<b>770</b>	<b>2 000</b>

165 770



**COMMISSION REGULATION (EC) No 2999/95**  
**of 22 December 1995**  
**amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply**  
**of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2598/95<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92<sup>(3)</sup>, as last amended by Regulation (EC) No 2757/95<sup>(4)</sup>; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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*

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 1996.

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

Done at Brussels, 22 December 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 267, 9. 11. 1995, p. 1.

<sup>(3)</sup> OJ No L 43, 19. 2. 1992, p. 23.

<sup>(4)</sup> OJ No L 288, 1. 12. 1995, p. 1.

## ANNEX

to the Commission Regulation of 22 December 1995 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

*(Ecu/tonnes)*

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	0,00	0,00	0,00	0,00
Barley (1003 00 90)	6,00	6,00	6,00	9,00
Maize (1005 90 00)	36,00	36,00	36,00	39,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

Part 2 : FODs

C. Beef and veal



**COMMISSION REGULATION (EC) No 798/95**  
of 7 April 1995

**amending Regulations (EEC) No 1912/92, (EEC) No 1913/92, (EEC) No 2254/92, (EEC) No 2255/92, (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed implementing rules for the specific measures for supplying the Canary Islands, the Azores, Madeira and the French overseas departments with products from the beef and veal sector as regards the amount of the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products<sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 1974/93<sup>(2)</sup>, and in particular Articles 4 (4) and 5 (2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures for the Azores and Madeira concerning certain agricultural products<sup>(3)</sup>, as last amended by Regulation (EEC) No 1974/93, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(4)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(5)</sup>, and in particular Articles 4 (5) and 9 thereof,

Whereas the aids for the products included in the forecast supply balance and originating in the Community market are fixed by Commission Regulations (EEC) No 1912/92<sup>(6)</sup> and (EEC) No 1913/92<sup>(7)</sup>, as last amended by Regulation (EC) No 233/95<sup>(8)</sup>, by Regulations (EEC) No 2254/92<sup>(9)</sup>, (EEC) No 2255/92<sup>(10)</sup>, and (EEC) No 2312/92<sup>(11)</sup>, as last amended by Regulation (EC) No 3023/94<sup>(12)</sup> and by Regulation (EEC) No 1148/93<sup>(13)</sup>, as last amended by Regulation (EC) No 2491/94<sup>(14)</sup>;

Whereas the application of the criteria for fixing the Community aid to the current market situation in the

sector in question and, in particular, to the rates or prices for those products in the continental part of the Community and on the world market results in the fixing of the aid for supplies to the Canary Islands and to Madeira of products from the beef and veal sector at the amounts included in the Annex hereto;

Whereas, in accordance with the second subparagraph of Article 2 (1) of Council Regulation (EEC) No 3813/92<sup>(15)</sup>, as last amended by Regulation (EC) No 150/95<sup>(16)</sup>, the agricultural conversion rate applicable on 1 February 1995 is that determined for that date in accordance with the rules in force on 31 January 1995, divided by 1,207509; whereas, to ensure that this does not result in a reduction in the value of the Community contribution in national currency compared to the situation before 1 February, the aid amounts entering into force after 1 February 1995 must be fixed at a level that takes account of the reduction in the conversion rate resulting from the above division; whereas, however, when calculating the aid amounts fixed by Regulation (EC) No 233/95, the adjustments to the agrimonetary arrangements had not yet been taken into account; whereas these amounts must accordingly be replaced by the amounts listed in Annexes I and II to this Regulation, with effect from the date of entry into force of Regulation (EC) No 233/95;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Annexes II and IIa to Regulation (EEC) No 1912/92 are hereby replaced by Annex I to this Regulation.

2. Annex II to Regulation (EEC) No 1913/92 is hereby replaced by Annex II to this Regulation.

3. Annex II to Regulations (EEC) No 2254/92, (EEC) No 2255/92 and (EEC) No 2312/92 is hereby replaced by Annex III to this Regulation.

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(2)</sup> OJ No L 180, 23. 7. 1993, p. 26.

<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(4)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(5)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(6)</sup> OJ No L 192, 11. 7. 1992, p. 31.

<sup>(7)</sup> OJ No L 192, 11. 7. 1992, p. 35.

<sup>(8)</sup> OJ No L 27, 4. 2. 1995, p. 12.

<sup>(9)</sup> OJ No L 219, 4. 8. 1992, p. 34.

<sup>(10)</sup> OJ No L 219, 4. 8. 1992, p. 37.

<sup>(11)</sup> OJ No L 222, 7. 8. 1992, p. 32.

<sup>(12)</sup> OJ No L 321, 14. 12. 1994, p. 6.

<sup>(13)</sup> OJ No L 116, 12. 5. 1993, p. 15.

<sup>(14)</sup> OJ No L 265, 15. 10. 1994, p. 21.

<sup>(15)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(16)</sup> OJ No L 22, 31. 1. 1995, p. 1.

4. The amount of the aid given in Annex III to Regulation (EEC) No 1912/92 is hereby replaced by the amount indicated in Annex IV to this Regulation.

5. Annex III to Regulation (EEC) No 1913/92 is hereby replaced by Annex V to this Regulation.

6. The amount of the aid given in Annex III to Regulation (EEC) No 2312/92 is hereby replaced by the amount indicated in Annex VI to this Regulation.

7. The amount of the aid given in the Annex to Regulation (EEC) No 1148/93 is hereby replaced by the amount indicated in Annex VII to this Regulation.

*Article 2*

Regulation (EC) No 233/95 is hereby repealed.

*Article 3*

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

However, paragraphs 1 and 2 of Article 1 and Article 2 shall apply with effect from 7 February 1995.

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

Done at Brussels, 7 April 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## ANNEX I

## ANNEX II

Aid on products listed in Annex I and coming from the Community market

(ECU/100 kg net weight)

Product code	Aid
0201 10 00 110 (*)	83,9
0201 10 00 120	63,4
0201 10 00 130 (*)	113,5
0201 10 00 140	86,3
0201 20 20 110 (*)	113,5
0201 20 20 120	86,3
0201 20 30 110 (*)	83,9
0201 20 30 120	63,4
0201 20 50 110 (*)	143,1
0201 20 50 120	109,3
0201 20 50 130 (*)	83,9
0201 20 50 140	63,4
0201 20 90 700	63,4
0201 30 00 100 (*)	204,7
0201 30 00 150 (*)	123,2
0201 30 00 190 (*)	82,7
<hr/>	
0202 10 00 100	58,6
0202 10 00 900	79,1
0202 20 10 000	79,1
0202 20 30 000	58,6
0202 20 50 100	99,6
0202 20 50 900	58,6
0202 20 90 100	58,6
0202 30 90 400 (*)	112,3
0202 30 90 500 (*)	75,5
<hr/>	
1602 50 10 190	52,5
1602 50 10 240	20,5
1602 50 10 260	15,7
1602 50 10 280	8,5
1602 50 31 195	39,2
1602 50 31 395	39,2
1602 50 39 195	39,2
1602 50 39 395	39,2
1602 50 39 495	39,2
1602 50 39 505	39,2
1602 50 39 595	39,2
1602 50 39 615	39,2
1602 50 39 625	17,5
1602 50 39 705	20,5
1602 50 39 805	15,7
1602 50 39 905	8,5
1602 50 80 195	39,2
1602 50 80 395	39,2
1602 50 80 495	39,2
1602 50 80 505	39,2
1602 50 80 515	17,5
1602 50 80 595	39,2
1602 50 80 615	39,2
1602 50 80 625	17,5
1602 50 80 705	20,5
1602 50 80 805	15,7
1602 50 80 905	8,5

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 440/95 (OJ No L 45, 1. 3. 1995, p. 37).

## ANNEX IIA

Aid granted on certain processed products listed in Annex I and coming from the Community market

*(ECU/100 kg net weight)*

Product code	Aid
1602 50 10 120	111,7 (*)
1602 50 10 140	99,0 (*)
1602 50 10 160	79,7 (*)
1602 50 10 170	52,5 (*)
1602 50 31 125	126,2 (*)
1602 50 31 135	79,7 (*)
1602 50 31 325	112,3 (*)
1602 50 31 335	71,2 (*)
1602 50 39 125	126,2 (*)
1602 50 39 135	79,7 (*)
1602 50 39 325	112,3 (*)
1602 50 39 335	71,2 (*)

*NB:* The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 440/95 (OJ No L 45, 1. 3. 1995, p. 37).



## ANNEX II

## ANNEX II

## Aid on products listed in Annex I and coming from the Community market

*(ECU/100 kg net weight)*

Product code	Aid
0201 10 00 110 (*)	83,9
0201 10 00 120	63,4
0201 10 00 130 (*)	113,5
0201 10 00 140	86,3
0201 20 20 110 (*)	113,5
0201 20 20 120	86,3
0201 20 30 110 (*)	83,9
0201 20 30 120	63,4
0201 20 50 110 (*)	143,1
0201 20 50 120	109,3
0201 20 50 130 (*)	83,9
0201 20 50 140	63,4
0201 20 90 700	63,4
0201 30 00 100 (*)	204,7
0201 30 00 150 (*)	123,2
0201 30 00 190 (*)	82,7
<hr/>	
0202 10 00 100	63,4
0202 10 00 900	86,3
0202 20 10 000	86,3
0202 20 30 000	63,4
0202 20 50 100	109,3
0202 20 50 900	63,4
0202 20 90 100	63,4
0202 30 90 400 (*)	123,2
0202 30 90 500 (*)	82,7

*NB* - The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 440/95 (OJ No L 45, 1. 3. 1995, p. 37).<sup>1</sup>

## ANNEX III

## ANNEX II

Amounts of aid that can be granted to male bovine animals for fattening coming from the Community market

(ECU/head)

CN code	Amount of aid
ex 0102 90 05	90,6
ex 0102 90 29	181,1
ex 0102 90 49	241,5
0102 90 79	362,3*

## ANNEX IV

## ANNEX III

Amount of aid that can be granted in the Canary Islands for pure-bred breeding bovines originating in the Community

(ECU/head)

CN code	Description	Aid
0102 10 00	Pure-bred breeding bovines (*)	905,6

(\*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

## ANNEX V

## ANNEX III

## PART 1

Azores : Supply of pure-bred breeding bovines originating in the Community for the period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	1 150	603,8

(\*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

## PART 2

Madeira : Supply of pure-bred breeding bovines originating in the Community for the period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	200	784,9

(\*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

## ANNEX VI

## ANNEX III

## PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period  
1 July 1994 to 30 June 1995

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	180	1 207,5

## PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the  
period 1 July 1994 to 30 June 1995

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	350	1 207,5

## PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period  
1 July 1994 to 30 June 1995

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	40	1 207,5

## PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the  
period 1 July 1994 to 30 June 1995

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	50	1 207,5

(\*) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.<sup>1</sup>

## ANNEX VII

## ANNEX

## PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	16	1 207,5

## PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1994 to 30 June 1995

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	10	1 207,5

(\*) Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 20. 8. 1990, p. 55).

## COMMISSION REGULATION (EC) No 1669/95

of 7 July 1995

amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with live bovine animals and breeding horses

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94<sup>(2)</sup>, and in particular Articles 4 (5) thereof,

Whereas for the purposes of Article 4 of Regulation (EEC) No 3763/91, the number should be determined for bovine animals and pure-bred breeding horses originating in the Community and eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FOD);

Whereas the quantities of the forecast supply balance for those products are fixed by Commission Regulation (EEC) No 2312/92<sup>(3)</sup> and (EEC) No 1148/93<sup>(4)</sup>, as last amended by Regulation (EC) No 798/95<sup>(5)</sup>, whereas the Annexes to those Regulations should therefore be amended;

Whereas, pursuant to Regulation (EEC) No 3763/91, the supply arrangements are applicable from 1 July; whereas the provisions of this Regulation should therefore apply immediately;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex III to Regulation (EEC) No 2312/92 is hereby replaced by Annex I to this Regulation.

*Article 2*

The Annex to Regulation (EEC) No 1148/93 is hereby replaced by Annex II to this Regulation.

*Article 3*

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

It shall apply from 1 July 1995.

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

Done at Brussels, 7 July 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 222, 7. 8. 1992, p. 32.

<sup>(4)</sup> OJ No L 116, 12. 5. 1993, p. 15.

<sup>(5)</sup> OJ No L 80, 8. 4. 1995, p. 21.

## ANNEX I

## ANNEX III

## PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	180	1 207,5

## PART 2

Supply to Guyana of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	350	1 207,5

## PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	40	1 207,5

## PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

CN code	Description	Number of animals to be supplied	Aid (ECU/head)
0102 10 00	Pure-bred breeding bovines (*)	50	1 207,5

(\*) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.\*

*ANNEX II**ANNEX***PART 1**

**Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996**

*(ECU/head)*

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (1)	16	1 207,5

**PART 2**

**Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996**

*(ECU/head)*

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (1)	10	1 207,5

(1) Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 18. 8. 1990, p. 55).

**COMMISSION REGULATION (EC) No 2912/95**  
of 15 December 1995

**laying down certain detailed rules for the application of the premium schemes provided for in Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal as regards the specific measures applicable in the French overseas departments, the Azores and Madeira, and repealing Regulation (EEC) No 231/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(1)</sup>, as last amended by Regulation (EC) No 2598/95<sup>(2)</sup>, and in particular Article 9 thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Commission Regulation (EC) No 2537/95<sup>(4)</sup>, and in particular Articles 14 (4) and 24 (6) thereof,

Whereas Regulation (EEC) No 1600/92 provides for specific measures to promote livestock farming in the archipelagoes of the Azores and Madeira; whereas these measures include, in the beef and veal sector, a supplement to the special premium for male bovine animals and to the premium for maintaining suckler cows as provided for in Articles 4b and 4d respectively of Council Regulation (EEC) No 805/68<sup>(5)</sup>, as last amended by Commission Regulation (EC) No 2417/95<sup>(6)</sup>; whereas provision should be made for these supplements to be granted under the rules applicable to those premium schemes;

Whereas the measures to promote beef and veal production in the Azores seek to bolster traditional economic activities vital to the Azores archipelago; whereas one such traditional activity in the beef and veal sector consists of the production of animals for fattening in other regions of the Community; whereas provision should therefore be made in order that the supplement to the special premium may also be paid to the Azores livestock producer prior to shipment of the animals;

Whereas Regulation (EEC) No 3763/91 provides for specific measures to promote livestock farming in the French overseas departments; whereas these measures include, in the beef and veal sector, derogations from the premium schemes provided for in Regulation (EEC) No 805/68, and a supplement to the special premium for male bovine animals and to the premium for maintaining suckler cows; whereas provisions should be made therefore for the basic premium and the supplement to be granted in the French overseas departments under the rules applicable to those premium schemes, and, where necessary, for the derogations provided for in Regulation (EEC) No 3763/91;

Whereas Article 5 (4) of Regulation (EEC) No 3763/91 provides for the freezing, within the French regional limit, of the number of animals in respect of which the special premium has been granted in the overseas departments; whereas it is appropriate to take as the reference year 1994 which is the year in which producers still qualified for the French common ceiling and which precedes the establishment of the special quantity of 10 000 male bovine animals allocated to the overseas departments;

Whereas, in order to meet the requirements of the development of livestock farming in the French overseas departments, a specific reserve of rights to the suckler cow premium applicable in those territories should be established; whereas, in view of the specific nature of the territories, the task of laying down the conditions for allocating or reallocating rights under that reserve should be entrusted to the competent authorities, which must first notify them to the Commission; whereas, however, the legitimate interests of producers to whom individual rights to the premium have already been granted pursuant to Article 4d of Regulation (EEC) No 805/68 must be preserved;

Whereas a large proportion of the applications for premiums in the overseas departments had already been submitted on the date of application of this Regulation; whereas the annual nature of the administration of the premium schemes means that different arrangements cannot be adopted which would apply only at the end of the year; whereas consequently the derogations provided for in Regulation (EEC) No 3763/91, in particular the non-application of the stocking density requirements requirements in the territory, should be extended to all eligible applications submitted for 1995;

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 267, 9. 11. 1995, p. 1.

<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(4)</sup> OJ No L 260, 31. 10. 1995, p. 10.

<sup>(5)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(6)</sup> OJ No L 248, 14. 10. 1995, p. 39.



Whereas, in accordance with Article 24 (2) of Commission Regulation (EEC) No 3886/92<sup>(1)</sup>, as last amended by Regulation (EC) No 1850/95<sup>(2)</sup>, applications for the suckler cow premium may be submitted within an overall period of six months during a calendar year; whereas, in order to enable producers in the overseas territories to qualify under Regulation (EEC) No 3763/91, it is necessary to derogate from that provision;

Whereas, in order to attain the objectives set for the territories in question and to take account of the specific needs of the different regions concerned, the authorities of the Member States should be permitted to adopt additional administrative provisions for the grant of these aids;

Whereas, as a result of the changes in respect of the French overseas departments and in the interests of legal certainty, Regulation (EEC) No 231/93<sup>(3)</sup> should be repealed and the arrangements applicable to the Azores and Madeira incorporated in this Regulation;

Whereas, in order to enable Regulation (EEC) No 3763/91 to be applied forthwith, it is essential that this Regulation enter into force at the earliest opportunity;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

##### **Measures to promote cattle farming in the Azores and Madeira**

1. The supplement to the special premium for the fattening of male bovine animals, provided for in Articles 14 (2) and 24 (2) of Regulation (EEC) No 1600/92 for Madeira and the Azores respectively, shall be granted on the basis of the provisions applicable to applications under the scheme for the special premium for beef and veal producers provided for in Article 4b of Regulation (EEC) No 805/68.

2. The supplement referred to in paragraph 1 shall be granted also, within the quantitative limits determined under the special premium scheme, for male bovine animals born and raised over a minimum period of three months in the Azores and which are dispatched, before attaining the age of eight months, to another region of the Community, for fattening.

The supplement shall in such circumstances be granted when the animal leaves the Azores, upon application by the producer who has most recently undertaken the

raising of the animals concerned over a minimum period of two months. Each application shall include:

- the identification numbers of the animals,
- a declaration by the producer that the animal is over three months and under eight months of age, and
- a declaration by the consignor indicating the destination of the animal.

The competent authorities shall take the necessary measures, notably with regard to identification, to ensure that the supplement applicable to animals in the Azores is not paid again, as the case may be, in Madeira or the Canary Islands.

3. The supplement to the premium for maintaining suckler cows provided for in Articles 14 (3) and 24 (3) of Regulation (EEC) No 1600/92 for Madeira and the Azores respectively shall be granted on the basis of the provisions applicable to applications under the scheme for the premium for maintaining suckler cows provided for in Article 4d of Regulation (EEC) No 805/68.

4. The Portuguese authorities may adopt, as necessary, additional provisions for the grant of the supplements referred to in this Article. They shall inform the Commission of such action forthwith. They shall in addition notify the Commission each year, by 31 March at the latest, of the number of animals in respect of which the supplement has been applied for and granted, specifying the number of animals in respect of which the supplement referred to in paragraph 2 has been paid.

#### *Article 2*

##### **Measures to promote cattle farming in the French overseas departments**

1. The basic premium and the supplement to the special premium for the fattening of male bovine animals provided for in respect of the French overseas departments in Article 4b of Regulation (EEC) No 805/68 and Article 5 (1) (a) of Regulation (EEC) No 3763/91 respectively shall be granted on the basis of the provisions applicable to applications under the scheme for the special premium for beef and veal producers and of those laid down in Regulation (EEC) No 3763/91.

2. For the purpose of calculating the freezing of the number of animals within the regional ceiling referred to in Article 5 (4) of Regulation (EEC) No 3763/91, account shall be taken of the number of animals in respect of which the first tranche of the special premium was paid for 1994. The freezing of the number of animals shall apply from 1995.

3. The basic premium and the supplement to the premium for maintaining suckler cows provided for in respect of the French overseas departments in Article 4d of Regulation (EEC) No 805/68 and Article 5 (1) (b) of Regulation (EEC) No 3763/91 respectively shall be granted on the basis of the provisions applicable to applications under the scheme for the premium for maintaining suckler cows and of those laid down in Regulation (EEC) No 3763/91.

(<sup>1</sup>) OJ No L 391, 31. 12. 1992, p. 20.

(<sup>2</sup>) OJ No L 177, 28. 7. 1995, p. 45.

(<sup>3</sup>) OJ No L 27, 4. 2. 1993, p. 23.

4. A specific reserves of rights to the suckler cow premium shall be established for the French overseas departments, comprising a total number of rights determined in accordance with the second indent of Article 5 (4) (b) of Regulation (EEC) No 3763/91. The competent authorities shall lay down special conditions for allocating or reallocating these rights. They shall present the conditions to the Commission for consideration prior to implementation.

5. The French authorities shall adopt the provisions necessary to ensure, where necessary, compliance with the individual ceilings allocated already to producers pursuant to Article 4d of Regulation (EEC) No 805/68. They shall notify the Commission of the measures taken at the earliest opportunity.

6. The derogations provided for in Article 5 (2) of Regulation (EEC) No 3763/91 shall apply also to applications for the special premium and/or the suckler cow premium which, on the date of entry into force of this Regulation, have been submitted already in respect of 1995 and which meet the eligibility requirements for those premiums.

7. For 1995, notwithstanding Article 24 (2) of Regulation (EEC) No 3886/92, in the case of applications for the

suckler cow premium submitted in the overseas departments, France may determine a new period in excess of the total six-month period. In that event it shall adopt additional control measures to prevent the premium being granted twice for a single animal.

8. The French authorities may adopt, as necessary, additional provisions for the grant of the supplements referred to in this Article. They shall present these provisions to the Commission for consideration prior to implementation. They shall furthermore notify the Commission each year, by 31 March at the latest, of the number of animals in respect of which the supplement has been applied for and granted.

#### *Article 3*

Regulation (EEC) No 231/93 is hereby repealed.

#### *Article 4*

This Regulation shall enter into force on the day of 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, 15 December 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

**COMMISSION REGULATION (EC) No 2998/95**  
of 20 December 1995

**amending Regulations (EEC) No 1912/92, No 1913/92, No 2254/92, No 2255/92, No 2312/92 and No 1148/93 laying down detailed implementing rules for the specific measures for supplying the Canary Islands, the Azores, Madeira and the French overseas departments with beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2537/95<sup>(2)</sup>, and in particular Articles 4(4) and 5(2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures for the Azores and Madeira concerning certain agricultural products<sup>(3)</sup>, as last amended by Regulation (EC) No 2537/95, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments<sup>(4)</sup>, as last amended by Regulation (EC) No 2598/95<sup>(5)</sup>, and in particular Article 4(5) and Articles 7 and 9 thereof,

Whereas the aid for products covered by the forecast supply balance and coming from the Community market is fixed by Commission Regulations (EEC) No 1912/92<sup>(6)</sup>, (EEC) No 2254/92<sup>(7)</sup>, as last amended by Regulation (EC) No 789/95<sup>(8)</sup>, (EEC) No 1913/92<sup>(9)</sup>, (EEC) No 2255/92<sup>(10)</sup>, as last amended by Regulation (EC) No 1668/95<sup>(11)</sup>, (EEC) No 2312/92<sup>(12)</sup> and (EEC) No 1148/93<sup>(13)</sup>, as last amended by Regulation (EC) No 1669/95<sup>(14)</sup>;

Whereas the application of the criteria for fixing the Community aid to the current situation of the market in the product group and in particular to the rates or prices

for those products in the continental part of the Community and on the world market results in the aid for supplies of beef and veal to the Canary Islands, the Azores and the French overseas departments being fixed at the rates set out in the Annex;

Whereas the forecast supply balance for pure-bred breeding animals and male bovine animals for fattening for certain overseas departments should be adjusted on the basis of the justifications put forward by the competent authorities;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Annexes II and IIa to Regulation (EEC) No 1912/92 are hereby replaced by Annex I hereto.
3. Annexes II to Regulations (EEC) No 2254/92, No 2255/92 and No 2312/92 are hereby replaced by Annex III hereto.
4. The aid set out in Annex III to Regulation (EEC) No 1912/92 is hereby replaced by the amount set out in Annex IV hereto.
5. Annex III to Regulation (EEC) No 1913/92 is hereby replaced by Annex V hereto.
6. Annex III to Regulation (EEC) No 2312/92 is hereby replaced by Annex VI hereto.
7. The Annex to Regulation (EEC) No 1148/93 is hereby replaced by Annex VII hereto.

*Article 2*

Annex I to Regulation (EEC) No 2312/92 is hereby replaced by Annex VIII hereto.

*Article 3*

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

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(2)</sup> OJ No L 260, 31. 10. 1995, p. 10.

<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(4)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(5)</sup> OJ No L 267, 9. 11. 1995, p. 1.

<sup>(6)</sup> OJ No L 192, 11. 7. 1992, p. 31.

<sup>(7)</sup> OJ No L 219, 4. 8. 1992, p. 34.

<sup>(8)</sup> OJ No L 80, 8. 4. 1995, p. 21.

<sup>(9)</sup> OJ No L 192, 11. 7. 1992, p. 35.

<sup>(10)</sup> OJ No L 219, 4. 8. 1992, p. 37.

<sup>(11)</sup> OJ No L 158, 8. 7. 1995, p. 28.

<sup>(12)</sup> OJ No L 222, 7. 8. 1992, p. 32.

<sup>(13)</sup> OJ No L 116, 12. 5. 1993, p. 15.

<sup>(14)</sup> OJ No L 158, 8. 7. 1995, p. 31.

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

Done at Brussels, 20 December 1995.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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## ANNEX I

## ANNEX II

## Aid on products listed in Annex I and coming from the Community market

<i>(ECU/100 kg net weight)</i>	
Product code	Aid
0201 10 00 110 (*)	65,5
0201 10 00 120	49,5
0201 10 00 130 (*)	88,5
0201 10 00 140	67,5
0201 20 20 110 (*)	88,5
0201 20 20 120	67,5
0201 20 30 110 (*)	65,5
0201 20 30 120	49,5
0201 20 50 110 (*)	111,5
0201 20 50 120	85,0
0201 20 50 130 (*)	65,5
0201 20 50 140	49,5
0201 20 90 700	49,5
0201 30 00 100 (*)	159,5
0201 30 00 150 (*)	95,5
0201 30 00 190 (*)	64,0
<hr/>	
0202 10 00 100	49,5
0202 10 00 900	67,5
0202 20 10 000	67,5
0202 20 30 000	49,5
0202 20 50 100	85,0
0202 20 50 900	49,5
0202 20 90 100	49,5
0202 30 90 400 (*)	95,5
0202 30 90 500 (*)	64,0
<hr/>	
1602 50 10 190	45,0
1602 50 31 195	33,5
1602 50 31 395	33,5
1602 50 39 195	33,5
1602 50 39 395	33,5
1602 50 39 495	33,5
1602 50 39 505	33,5
1602 50 39 595	33,5
1602 50 39 615	33,5
1602 50 39 625	15,0
1602 50 39 705	17,5
1602 50 80 195	33,5
1602 50 80 395	33,5
1602 50 80 495	33,5
1602 50 80 505	33,5
1602 50 80 515	15,0
1602 50 80 595	33,5
1602 50 80 615	33,5
1602 50 80 625	15,0
1602 50 80 705	17,5

*NB:* The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 2838/95 (OJ No L 296, 9. 12. 1995, p. 1).

## ANNEX II A

Aid granted on certain processed products listed in Annex I and coming from the Community market

*(ECU/100 kg net weight)*

Product code	Aid
1602 50 10 120	95,5 (*)
1602 50 10 140	84,5 (*)
1602 50 10 160	68,0 (*)
1602 50 10 170	45,0 (*)
1602 50 31 125	107,5 (*)
1602 50 31 135	68,0 (*)
1602 50 31 325	96,5 (*)
1602 50 31 335	61,0 (*)
1602 50 39 125	107,5 (*)
1602 50 39 135	68,0 (*)
1602 50 39 325	96,5 (*)
1602 50 39 335	61,0 (*)

*NB*: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 2838/95 (OJ No L 296, 9. 12. 1995, p. 1).

## ANNEX II

## ANNEX II

Aid on products listed in Annex I and coming from the Community market

*(ECU/100 kg net weight)*

Product code	Aid
0201 10 00 110 (*)	65,5
0201 10 00 120	49,5
0201 10 00 130 (*)	88,5
0201 10 00 140	67,5
0201 20 20 110 (*)	88,5
0201 20 20 120	67,5
0201 20 30 110 (*)	65,5
0201 20 30 120	49,5
0201 20 50 110 (*)	111,5
0201 20 50 120	85,0
0201 20 50 130 (*)	65,5
0201 20 50 140	49,5
0201 20 90 700	49,5
0201 30 00 100 (*)	159,5
0201 30 00 150 (*)	95,5
0201 30 00 190 (*)	64,0
<hr/>	
0202 10 00 100	49,5
0202 10 00 900	67,5
0202 20 10 000	67,5
0202 20 30 000	49,5
0202 20 50 100	85,0
0202 20 50 900	49,5
0202 20 90 100	49,5
0202 30 90 400 (*)	95,5
0202 30 90 500 (*)	64,0

*NB*: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 3838/95 (OJ No L 296, 9. 12. 1995, p. 1).

## ANNEX III

## ANNEX II

Amounts of aid that can be granted to male bovine animals for fattening coming from the Community market

(ECU/head)

CN code	Amount of aid
ex 0102 90 05	46,5
ex 0102 90 29	93,0
ex 0102 90 49	124,0
0102 90 79	186,0'

## ANNEX IV

## ANNEX III

Amount of aid that can be granted in the Canary Islands for pure-bred breeding bovines originating in the Community

(ECU/head)

CN code	Description	Aid
0102 10 00	Pure-bred breeding bovines (*)	750

(\*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

## ANNEX V

## ANNEX III

## PART 1

Azores : Supply of pure-bred breeding bovines originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	1 150	600

(\*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

## PART 2

Madeira : Supply of pure-bred breeding bovines originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (*)	200	650

(\*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'



## ANNEX VI

## 'ANNEX III

## PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (!)	300	1 000

## PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the period 1 July 1995 to 30 June 1996

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (!)	350	1 000

## PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the period  
1 July 1995 to 30 June 1996

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (!)	40	1 000

## PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the period 1 July 1995 to 30 June 1996

*(ECU/head)*

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines (!)	50	1 000

(!) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

## ANNEX VII

## ANNEX

## PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	16	1 000

## PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the period 1 July 1995 to 30 June 1996

(ECU/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses (*)	15	1 000

(\*) Inclusion in this subheading is subject to the conditions provided for by Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 20. 8. 1990, p. 55).

*ANNEX VIII**ANNEX I***PART 1**

**Supply balance for Réunion for male bovine animals for fattening for the period 1 July 1995 to  
30 June 1996**

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	600

**PART 2**

**Supply balance for Guyana for male bovine animals for fattening for the period 1 July 1995 to  
30 June 1996**

CN code	Description	Number of animals
ex 0102 90	Bovine animals for fattening	200'



Part 2 : FODs

D. Sugar



## COMMISSION REGULATION (EC) No 359/95

of 22 February 1995

determining for the period 1 March to 30 June 1995 the quantities of raw sugar produced in the French overseas departments benefiting from the refining aid referred to in Council Regulation (EEC) No 2225/86

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 <sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar <sup>(2)</sup>, and in particular the second subparagraph of Article 3 (2) thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 provides for the granting of an aid for raw sugar produced in the French overseas departments and refined in a refinery situated in the European regions of the Community within the limits of the quantities to be determined according to the regions of destination in question and separately according to origin; whereas those quantities must be determined on the basis of a Community supply balance sheet for raw sugar; whereas in a first stage quantities were fixed by Commission Regulation (EC) No 1459/94 <sup>(3)</sup>, on the basis of a forward estimate covering the period 1 July 1994 to 28 February 1995;

Whereas the final production of the French overseas department of Réunion and the quantities available for refining are now known; whereas the latter quantities which may qualify for this refining aid are accordingly to be determined for the remainder of the 1994/95 marketing year;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities of sugar referred to in Article 3 (2) of Regulation (EEC) No 2225/86 shall be fixed for the period 1 March to 30 June 1995 in accordance with the Annex hereto.

*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 March 1995.

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

Done at Brussels, 22 February 1995.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 7.

<sup>(3)</sup> OJ No L 158, 25. 6. 1994, p. 3.

## ANNEX

## Quantities of raw cane sugar, expressed in 1 000 tonnes of white sugar

(Period from 1 March to 30 June 1995)

Originating from the French overseas departments	For refining			
	in metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	0	0	0	0
2. Guadeloupe and Martinique	20	0	0	0



Part 2 : FODs

E. Fisheries



**COMMISSION REGULATION (EC) No 737/95**  
**of 30 March 1995**  
**concerning the stopping of fishing for Greenland halibut by vessels flying the flag of a Member State**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(1)</sup>, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3377/94 of 20 December 1994 allocating, for the period until 31 March 1995, certain catch quotas between Member States for vessels fishing the Norwegian exclusive economic zone and the fishing zone around Jan Mayen<sup>(2)</sup>, provides for Greenland halibut quotas for 1995;

Whereas in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of Greenland halibut in the waters of ICES divisions I and II a and b (Norwegian

waters north of 62°N) by vessels flying the flag of a Member State or registered in a Member State have reached the quota allocated for 1995,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of Greenland halibut in the waters of ICES divisions I and II a and b (Norwegian waters north of 62°N) by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1995.

Fishing for Greenland halibut in the waters of ICES divisions I and II a and b (Norwegian waters north of 62°N) by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

*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, 30 March 1995.

*For the Commission*

Emma BONINO

*Member of the Commission*

<sup>(1)</sup> OJ No L 261, 20. 10. 1993, p. 1.

<sup>(2)</sup> OJ No L 363, 31. 12. 1994, p. 122.

**COUNCIL REGULATION (EC) No 749/95**  
of 31 March 1995  
**amending Regulation (EC) No 3363/94 allocating, for 1995, Community catch  
quotas in Greenland waters**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture <sup>(1)</sup>, and in particular Article 8 <sup>(4)</sup> thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 3363/94 <sup>(2)</sup>, lays down, for 1995, Community catch quotas in Greenland waters, including the quantities allocated to third countries;

Whereas the quantities allocated to Norway were provisional quotas, pending the conclusion of the bilateral fisheries arrangement between the Community and Norway for 1995;

Whereas the Community and Norway have now concluded their bilateral arrangement for 1995, including

definitive fishing possibilities for Norway in Greenland waters; whereas these quotas require the Community to purchase supplementary catch possibilities from Greenland, under the terms of the bilateral Fisheries Agreement between the Community and Greenland,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex of Regulation (EC) No 3363/94 shall be replaced by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 April 1995.

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

Done at Brussels, 31 March 1995.

*For the Council*

*The President*

F. BAYROU

<sup>(1)</sup> OJ No L 389, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 363, 31. 12. 1994, p. 48.

## ANNEX

## Allocation of Community catch quotas in Greenland waters for 1995

Species	Geographical area	Community catch quotas (in tonnes)	Quotas allocated to Member States	Quantities allocated to Norway (†)	Quantities allocated to Iceland (‡)	Faroese quotas under EC/Greenland Protocol (¶)
Cod	All zones	31 000	Germany 25 360 United Kingdom 5 640			
Redfish (‡)	NAFO 1 ICES XIV/V	5 500 46 820	Germany 5 395 United Kingdom 105 Germany 46 270 France 330 United Kingdom 220			500
Greenland halibut	NAFO 1 ICES XIV/V	1 750 4 650	Germany 550 Germany 4 040 United Kingdom 210	1 200 (¶) 400		150 150
Deepwater prawns	ICES XIV/V (‡)	4 525	France 1 012 Denmark 1 012	2 500		1 150
Atlantic halibut (‡)	NAFO 1 ICES XIV/V	200 200		200 200		
Catfish	NAFO 1 ICES XIV/V	1 000 1 000	Germany 1 000 Germany 1 000			
Blue whiting	ICES XIV/V	30 000	Denmark 3 000 France 3 000 Germany 24 000			
Capelin	ICES XIV/V	63 150 (¶)	Community 8 150	25 000	30 000	10 000
Roundnose grenadier	NAFO 1 ICES XIV/V	1 750 4 650	Germany 550 Germany 4 400 United Kingdom 250	1 200		
Roundnose grenadier (‡)	All zones	2 000	Community 2 000			
Polar cod (¶)	All zones	2 000	Community 2 000			

(†) A maximum of 20 000 tonnes may be fished by pelagic trawl. Catches from the bottom trawl fishery and the pelagic trawl fishery shall be reported separately.

(‡) If by-catches of Atlantic halibut in trawl cod and redfish fisheries imply over-runs of this quota, the Greenland authorities will provide solutions to the effect that Community cod and redfish fisheries can nevertheless continue until the respective quotas have been exhausted.

(§) Experimental fishery, to be conducted at depths greater than 1 500 metres. The maximum by-catch of Greenland halibut will be 40 % and will be counted against this quota.

(¶) To be fished only by pelagic trawl or longline. A by-catch of up to 10 %, excluding deepwater prawns and Greenland halibut, will be admitted. The by-catch will be counted against this quota.

(§) Up to 1 000 tonnes can be caught in NAFO areas 0/1 under agreement with Greenland licence holders.

(¶) 70 % of the Greenland share of the TAC for capelin minus 10 000 tonnes to the Faroe Islands. Calculated on the basis of a provisional TAC of 950 000 tonnes. Upon revision of this TAC in the course of 1995, the Community quota shall be revised accordingly.

(‡) Shown for information only.

(¶) Trawl fishing is not allowed north of 64° 30' N.

**COMMISSION REGULATION (EC) No 2565/95**  
**of 30 October 1995**  
**concerning the stopping of fishing for Greenland halibut by vessels flying the**  
**flag of a Member State**

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy<sup>(1)</sup>, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3366/94 of 20 December 1994 laying down for 1995 certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries<sup>(2)</sup>, as last amended by Regulation (EC) No 1761/95<sup>(3)</sup>, provides for Greenland halibut quotas for 1995;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota available for Member States;

Whereas, according to the information communicated to the Commission, catches of Greenland halibut in the

waters of NAFO zones 2 and 3 by vessels flying the flag of a Member State or registered in a Member State have reached the quota available for Member States for 1995,

HAS ADOPTED THIS REGULATION :

*Article 1*

Catches of Greenland halibut in the waters of NAFO zones 2 and 3 by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota available for Member States for 1995.

Fishing for Greenland halibut in the waters of NAFO zones 2 and 3 by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

*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, 30 October 1995.

*For the Commission*

Emma BONINO

*Member of the Commission*

<sup>(1)</sup> OJ No L 261, 20. 10. 1993, p. 1.

<sup>(2)</sup> OJ No L 363, 31. 12. 1994, p. 60.

<sup>(3)</sup> OJ No L 171, 21. 7. 1995, p. 1.

**COUNCIL REGULATION (EC) No 2337/95**  
of 2 October 1995

**establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

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

Having regard to the Declaration annexed to the Treaty on European Union on the outermost regions of the Community,

Having regard to the current difficulties of the European Union's fisheries sector, which are particularly aggravated by the cost of transporting fisheries products to markets on account of the remoteness and isolation of the outermost regions of the Community,

Whereas, by Decisions 89/687/EEC (4), 91/314/EEC (5) and 91/315/EEC (6), the Council established, as part of the Community's policy in favour of its outermost regions, programmes of options specific to the remote and insular nature of the French overseas departments (Poseidom), the Canary Islands (Poseicam) and Madeira and the Azores (Poseima) respectively, laying down the general outlines of measures to be applied taking account of the special characteristics of and constraints on those regions;

Having regard to the success of similar initiatives which have already been undertaken,

Whereas those regions are suffering from specific development problems, in particular the additional costs incurred in the marketing of certain products as a result of their remoteness; whereas, in order to maintain the competitiveness of certain fishery products in relation to similar products from other Community regions, Community measures have been applied in the fisheries sector in 1992 and 1993 to compensate for the additional costs incurred in the processing of tuna in the Azores and Madeira and the production and freezing of tuna and the freezing and processing of sardines in the Canary Islands; whereas these measures were followed up in 1994 by the

adoption by the Council of Regulation (EC) No 1503/94 (7); whereas the continuation of the system of compensation for the additional costs incurred in the processing and marketing of those products should be provided for at Community level from 1995 and measures should therefore be adopted providing for the continuation of the existing measures;

Having regard to the social and economic importance of coastal and small-scale fishing in the outermost regions of the European Union,

Whereas it is necessary to rationalize the fishing effort with a view to sound management of stocks, and taking particular account of the research carried out to this end to a high technical standard by various scientific institutions in the outermost regions,

HAS ADOPTED THIS REGULATION:

*Article 1*

A system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their remoteness is hereby established.

*Article 2*

1. For the Azores and Madeira, the system referred to in Article 1 shall consist of the payment of ECU 187 per tonne up to a maximum of 15 000 tonnes of tuna per year delivered to local industry (10 000 tonnes for the Azores and 5 000 tonnes for Madeira).
2. For the Canary Islands, the system referred to in Article 1 shall consist of the payment of ECU 151 per tonne, up to a maximum of 10 400 tonnes per year, of tuna for marketing fresh, ECU 54 per tonne, up to a maximum of 3 500 tonnes per year of frozen tuna, ECU 103 per tonne, up to a maximum of 10 500 tonnes per year, of sardines and mackerel for canning and ECU 54 per tonne, up to a maximum of 7 000 tonnes per year, of sardines and mackerel for freezing.
3. For the French department of Guiana, the system referred to in Article 1 shall consist of the payment of ECU 1 044 per tonne of prawns, up to a maximum of 3 500 tonnes per year, for industrial fishing and ECU 1 123 per tonne of prawns, up to a maximum of 500 tonnes per year, for non-industrial fishing.

(1) OJ No C 343, 6. 12. 1994, p. 17.

(2) OJ No C 109, 1. 5. 1995, p. 318.

(3) OJ No C 102, 24. 4. 1995, p. 13.

(4) OJ No L 399, 30. 12. 1989, p. 39.

(5) OJ No L 171, 29. 6. 1991, p. 5.

(6) OJ No L 171, 29. 6. 1991, p. 10.

(7) OJ No L 162, 30. 6. 1994, p. 8.

*Article 3*

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 32 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products<sup>(1)</sup>.

*Article 4*

The measures provided for in this Regulation shall be intended for producers, owners of vessels registered in the ports of the regions referred to in Article 1 and carrying out their activities on those regions, or associations of such producers or owners, as well as operators in the processing sector who bear additional costs in the marketing of the products referred to in herein as a result of their very remote location.

*Article 5*

The measures provided for in this Regulation are measures intended to stabilize the agricultural markets within the meaning of Article 3 of Council Regulation

(EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(2)</sup>. They are to be financed by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

*Article 6*

Not later than 30 June 1997, the Commission shall present the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions with a report on the application of the measures provided for in this Regulation accompanied by appropriate proposals if necessary.

*Article 7*

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

It shall apply from 1 January 1995 to 31 December 1997.

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

Done at Luxembourg, 2 October 1995.

*For the Council*

*The President*

J. SOLANA

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

<sup>(2)</sup> OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1).



**COMMISSION REGULATION (EC) No 2918/95**  
of 18 December 1995

**laying down detailed rules for the application of Council Regulation (EC) No 2337/95 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2337/95 of 2 October 1995 establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana<sup>(1)</sup> as a result of their very remote location, and in particular Article 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<sup>(2)</sup>, as last amended by Regulation (EC) No 150/95<sup>(3)</sup>, and in particular Article 6 (2) thereof,

Whereas it is necessary to lay down detailed rules for implementing the system introduced by Regulation (EC) No 2337/95 so that detailed arrangements can be established for granting Community aid for the measures provided for in that Regulation, in particular for the rules for payments and for checking and monitoring the measures;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The compensation system established by Regulation (EC) No 2337/95 shall be implemented for 1995, 1996 and 1997 in accordance with the provisions of this Regulation.

*Article 2*

1. In the case of the Azores and Madeira, should the overall annual quota of 15 000 tonnes not be exhausted by the catches of vessels registered at the ports of the

Azores and/or Madeira the operators concerned may resort to use of tuna originating in the other Member States.

2. In the case of the Canary Islands and Guiana, the maximum annual quantities for the various species shall be as fixed in Article 2 of Regulation (EC) No 2337/95.

3. No compensation shall be granted for tuna imported from third countries.

*Article 3*

The agricultural conversion rate applicable to the aid amounts shall be that in force on the first day of the month in which the products are physically taken over by :

- (a) the industrial undertaking concerned in the case of the Azores and Madeira ;
- (b) the first purchaser for the purposes of marketing fresh, the freezing undertaking or, where applicable, the processing undertaking concerned in the case of the Canary Islands and Guiana.

*Article 4*

1. The competent national authorities shall ensure that beneficiaries' applications, to be submitted before a date to be set by those authorities, are accompanied by the documentation needed to check for compliance with Community rules.

2. Member States shall send the Commission the national provisions for implementing this Regulation as regards allocation of compensation among recipients. These provisions must ensure that compensation is allocated in a balanced way.

3. Should applications to national authorities exceed the quantities specified in Article 2 of Regulation (EC) No 2337/95 they shall be met *pro rata*, account being taken of the quantities caught by applicants in the previous year.

*Article 5*

The competent authorities of the Member States shall pay the aid in the three months following the month in which the time limit for lodging applications expires at the latest.

<sup>(1)</sup> OJ No L 236, 5. 10. 1995, p. 2.

<sup>(2)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(3)</sup> OJ No L 22, 31. 1. 1995, p. 1.

*Article 6*

1. Member States shall adopt appropriate provisions to ensure compliance with the requirements for implementing the system, particularly as regards the regularity of operations. They shall undertake to take measures to prevent and pursue any irregularities and recover amounts wrongly paid out.

2. National authorities shall make available to the Commission all information required for the purposes of application of this Regulation and shall make every endeavour to facilitate such checks as the Commission may consider it useful to undertake, including on-the-spot checks.

3. Without prejudice to checks carried out by the Member States' authorities in line with national legislative, regulatory or administrative provisions, persons

charged by the Commission with on-the-spot checks shall have access to all documents relating to expenditure financed by the Community under this Regulation.

4. Five months after the end of the period in respect of which the aid is granted at the latest, the national authorities shall send the Commission an annual report on the quantities produced and marketed, and the value thereof, for which aid has actually been received.

*Article 7*

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

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

Done at Brussels, 18 December 1995.

*For the Commission*

Emma BONINO

*Member of the Commission*

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## COUNCIL REGULATION (EC) No 3091/95

of 22 December 1995

laying down for 1996 certain measures for the conservation and management of fishery resources applicable in vessels flying the flag of certain non-member countries in the 200-nautical-mile-zone off the coast of the French department of Guiana

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture <sup>(1)</sup>, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 8 of Regulation (EEC) No 3760/92, the Council determines for each fishery or group of fisheries on a case-by-case basis, the total allowable catch and/or the total allowable fishing effort in order to ensure a rational and responsible exploitation on a durable basis;

Whereas, since 1977, the Community has operated a system of conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile-zone of the coast of the French department of Guiana most recently laid down by Regulation (EC) No 3189/94 <sup>(2)</sup>; whereas the latter Regulation expires on 31 December 1995;

Whereas the continuity of the system should be ensured, in particular by maintaining the restriction on some fish stocks in the zone in order to conserve the stock and ensure adequate profitability for the fishermen concerned;

Whereas the processing industry based in the French department of Guiana depends on landings from vessels of non-member countries operating in the fishing zone off that department;

Whereas therefore, it is necessary to ensure that those vessels which are under contract to land their catches in the French department of Guiana can continue to fish;

Whereas shrimp-fishing licences calculated on the basis of scientific advice have been issued to non-member countries whose vessels fish in the zone of the said department;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy <sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Vessels flying the flag of one of the countries listed in Annex I shall be authorized, during the period 1 January to 31 December 1996 to fish for the species listed in the said Annex in the part of the 200-nautical-mile fishing zone off the coast of the French department of Guiana that lies more than 12 nautical miles from the base lines, in conformity with the conditions laid down in this Regulation.

*Article 2*

1. Fishing in the fishery zone referred to in Article 1 shall be subject to the possession on board of a licence, issued by the Commission on behalf of the Community, and to the observance of the conditions set out in that licence and the control measures and other provisions regulating fishing activities in that zone.

2. Applications for licences shall be submitted by the authorities of the non-member countries concerned to the Commission's services at least 15 working days before the desired date of commencement of validity. Licences will be issued to the authorities of the third countries concerned.

3. The registration letter and numbers of a vessel in possession of a licence must be clearly marked on both sides of the bow and on both sides of the superstructure at the most visible point. The letters and numbers must

<sup>(1)</sup> OJ No L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

<sup>(2)</sup> OJ No L 340, 29. 12. 1994, p. 1.

<sup>(3)</sup> OJ No L 261, 20. 10. 1993, p. 1.

be painted in a colour that contrasts with the colour of the hull or superstructure and must not be obliterated, altered, covered or masked in any other way.

#### *Article 3*

1. Licences may be issued for shrimp fishing to vessels which fly the flag of one of the countries listed in point 1 of Annex I. The catch quantities authorized under such licences, the maximum number of licences and the maximum number of days at sea during which such licences are valid shall be as specified for each country in point 1 of Annex I.

2. The licences referred to in paragraph 1 shall be issued on the basis of a fishing plan submitted by the authorities of the country concerned, approved by the Commission and not exceeding the limits for the country concerned specified in point 1 of Annex I.

3. The period of validity of each of the licences referred to in paragraph 1 shall be limited to the fishing period provided for in the fishing plan on the basis of which the licence was issued.

4. All licences referred to in paragraph 1 issued to vessels of a non-member country shall cease to be valid as soon as it is established that the quota laid down in point 1 of Annex I for that country has been used up.

#### *Article 4*

1. Licences may be issued for the fishing of species other than shrimps to vessels flying the flag of one of the countries listed in point 2 of Annex I. The maximum number of such licences for each country shall be as specified in point 2 of Annex I.

2. Snapper-fishing licences shall be granted subject to an undertaking by the owner of the vessel concerned to land 75 % of the catches in the French department of Guiana.

3. Shark-fishing licences shall be granted subject to an undertaking by the owner of the vessel concerned to land 50 % of the catches in the French department of Guiana.

#### *Article 5*

1. The following information shall accompany applications for licences submitted to the Commission:

(a) name of the vessel;

(b) registration number;

(c) external identification letters and numbers;

(d) port of registration;

(e) name and address of the owner or charterer;

(f) gross tonnage and overall length;

(g) engine power;

(h) call sign and radio frequency;

(i) intended method of fishing;

(j) species intended to be fished;

(k) period for which a licence is required.

2. Each licence shall be valid for one vessel only. Where several vessels are taking part in the same fishing operation, each vessel must be in possession of a licence.

#### *Article 6*

1. To obtain a fishing licence for snapper or shark, as referred to in Article 4, proof must be produced, in respect of each of the vessels concerned, that a valid contract exists between the shipowner applying for the licence and a processing undertaking situated in the French department of Guiana and that it includes an obligation to land at least 75 % of all snapper catches, or 50 % of all shark catches from the vessel concerned in that department so that they may be processed in that undertaking's plant.

2. The contract referred to in paragraph 1 must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guianese economy. A copy of the duly endorsed contract shall be appended to the licence application.

3. Where the endorsement referred to in paragraph 2 is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and the Commission.

#### *Article 7*

Licences may be cancelled with a view to issuing new licences. Such cancellation shall take effect on the date of issue of the new licence by the Commission.

#### Article 8

1. Fishing for shrimps of the species *Penaeus subtilis* and *Penaeus brasiliensis* shall be forbidden in waters of a depth less than 30 metres. During these fishing activities carried out by vessels using trawls, by-catches shall be permitted.
2. Tuna fishing shall be authorized only for vessels using long lines.
3. Snapper fishing shall be authorized only for vessels using long lines or traps.
4. Shark fishing shall be authorized only for vessels using long lines or mesh nets having a minimum mesh of 100 mm and shall be forbidden in waters of a depth less than 30 metres.

#### Article 9

A logbook, a model of which appears in Annex II, shall be completed after each fishing operation. A copy of this logbook shall be sent to the Commission within 30 days of the last day of each fishing trip via the French authorities.

#### Article 10

1. The master of each vessel in possession of a licence referred to in Articles 3 and 4 (1), as concerns tuna fishing, shall observe the special conditions set out in Annex III, and in particular forward the information specified in the Annex. These conditions shall form an integral part of the licence.
2. The master of each vessel in possession of a licence as referred to in Article 4 (2) and (3) shall, on landing the catch after each trip, submit to the French authorities a declaration, for whose accuracy the master alone is responsible, stating the quantities of shrimp caught and kept on board since the last declaration. This declaration shall be made using the form of which a model appears in Annex IV.

#### Article 11

1. The French authorities shall take all appropriate measures to verify the accuracy of the declarations referred to in Article 10 (2), by checking them in particular against the logbook referred to in Article 9. The declaration shall be signed by the competent official after it has been verified.

2. The French authorities shall ensure that all landings of shrimps in the French department of Guiana by vessels in possession of a licence as referred to in Article 4 (2) and (3) shall be the subject of a declaration as referred to in Article 10 (2).

3. Before the end of each month, the French authorities shall send to the Commission all declarations referred to in paragraph 2 relating to the preceding month.

#### Article 12

The granting of licences to vessels from third countries shall be subject to the undertaking by the owner of the vessel concerned to permit an observer to come on board at the Commission's request.

#### Article 13

1. The French authorities shall take appropriate measures to ensure that the obligations set out in this Regulation are complied with, including the regular inspection of vessels.

2. Where an infringement is formally ascertained, the French authorities shall, without delay, and in any event not later than 30 days from the date on which the infringement was ascertained, inform the Commission of the name of the vessel concerned and of any action they may have taken.

#### Article 14

1. Licences for vessels which have not complied with the obligations provided for in this Regulation, including the obligation to land all or part of the catches laid down in a contract as referred to in Article 6 shall be withdrawn.

No licence shall be issued to such vessels for a period of 4 to 12 months from the date on which the infringement was committed.

2. Where a vessel fishes without a valid licence in the zone referred to in Article 1, and where that vessel belongs to a shipowner or is managed by a natural or legal person who has or exercises the management of one or more other vessels to which licences have been issued, one of those licences may be withdrawn.

3. The granting of a licence may be refused during the period referred to in paragraph 1 to one or more vessels belonging to a shipowner who owns a vessel whose licence has been withdrawn under this Article or which as fished without a licence in the zone referred to in Article 1.

*Article 15*

If, for a period of one month, the Commission receives no communication as referred to in Article 10 (1) concerning a vessel in possession of a licence referred to in Articles 3 and 4, the licence of such vessel shall be withdrawn.

authorities of the country concerned, until 31 January 1996. Licences thus extended shall be counted against the number of corresponding licences laid down in Annex I for the duration of the extension, without that total being exceeded.

*Article 16*

The period of validity of licences valid on 31 December 1995 pursuant to Article 1 of Regulation (EC) No 3189/94 may be extended, at the request of the

*Article 17*

This Regulation shall enter into force on 1 January 1996.

It shall apply until 31 December 1996.

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

Done at Brussels, 22 December 1995.

*For the Council*

*The President*

L. ATIENZA SERNA

## ANNEX I

## 1. Licences referred to in Article 3

Vessels flying the flag of	Quantity of authorized catches (in tonnes)	Maximum number of vessels with a licence	Maximum number of days at sea
Barbados	24	5	200
Guiana	24	5	200
Suriname	p.m.	p.m.	p.m.
Trinidad and Tobago	60	8	350

## 2. Licences referred to in Article 4

Species	Vessels flying the flag of	Maximum number of licences
(a) Tuna	Japan	p.m.
	Korea	p.m.
(b) Snappers	Venezuela	41
	Barbados	5
(c) Shark	Venezuela	4



## ANNEX III

## Special conditions

1. Vessels in possession of licences referred to in Articles 3 and 4 (1) (*Thunnidae*) must communicate information to the European Commission in Brussels (telex: 24189 FISEU-B) via the French authorities at the following times:
  - (a) on each entry into zones extending up to 200 nautical miles off the coast of the French department of Guiana, hereinafter called 'the zone';
  - (b) whenever leaving the zone;
  - (c) whenever entering a port of a Member State;
  - (d) whenever leaving a port of a Member State;
  - (e) every week in respect of the previous week from the date of entry into the zone referred to in (a) or from the date of leaving the port referred to in (d).
  
2. Communications transmitted in accordance with the conditions of the licence at the times specified in 1 above should include the following particulars, where appropriate and should be transmitted in the following order:
  - name of vessel,
  - radio call sign,
  - licence number,
  - chronological number of the transmission for the trip in question,
  - indication of which of the types of transmission, as set out in paragraph 1, is involved,
  - date,
  - time,
  - geographical position,
  - quantity of each species caught during the fishing operation (in kilograms),
  - quantity of each species caught since the previous transmission of information (in kilograms),
  - the geographical coordinates of the position where the catches were made,
  - quantities of catches, by species, transferred to other vessels (in kilograms) since the previous information,
  - the name, call sign and, where applicable, licence number of the vessel to which the catch was transferred,
  - the master's name.
  
3. The following code must be used in reporting species caught in accordance with paragraph 2:
  - PEN: Brown Shrimp (*Penaeidae*);
  - BOB: Atlantic sea bob shrimp (*Xyphopenaeus kroyeri*);
  - TUN: Tunny;
  - SKH: Shark;
  - XXX: Other.
  
4. In cases where, for reasons of *force majeure*, the communication cannot be transmitted by the vessel in possession of a licence, the message may be transmitted by another vessel on behalf of the former.



ANNEX IV

Declaration pursuant to Article 10 (2)

<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="padding: 5px;">LANDING DECLARATION (1)</td> </tr> </table>	LANDING DECLARATION (1)
LANDING DECLARATION (1)	

Name of vessel:		Registration No:	
Name of master:		Name of agent:	
Master's signature:			

Voyage made from the \_\_\_\_\_ to the \_\_\_\_\_

Port of landing

Quantity of shrimps landed (in live weight)			
'Head-off' shrimps:		kg	
or (    × 1,6) =		kg (head-on shrimps)	
'Head-on' shrimps:		kg	
<i>Thunnidae:</i>	kg	<i>Snapper (Lutjanidae):</i>	kg
Shark	kg	Other	kg

(1) One copy is kept by the master, one copy is kept by the control officer, and one copy is to be sent to the European Commission.







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