I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1767/95

of 29 June 1995

establishing certain concessions in the form of Community tariff quotas in 1995 for certain agricultural products, including processed products, in favour of certain central and east European countries

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the Act of Accession of Austria, Finland and Sweden,

Having regard to the proposal from the Commission,

Whereas, under the preferential agreements between the European Economic Community, of the one part, and Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania of the other part (hereinafter called 'third countries'), concessions regarding certain agricultural products including processed products have been granted to those countries;

Whereas, as a result of the accession of Austria, Finland and Sweden, those concessions should be adjusted to take into account the arrangements for trade in agricultural products including processed products which existed between Austria, Finland and Sweden, of the one part, and Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania, of the other part;

Whereas to that end exploratory talks are in progress with those third countries with a view to the conclusion of additional protocols to the abovementioned agreements;

Whereas, however, because of the excessively tight deadline, the additional protocols could not enter into force on 1 January 1995;

Whereas in those circumstances and pursuant to Articles 76, 102 and 128 of the Act of Accession the Community must adopt the measures required to remedy the situation; whereas those measures must take the form of autonomous Community tariff quotas covering the conventional preferential tariff concessions applied by Austria, Finland and Sweden;

Whereas the new Member States must apply the import arrangements applicable in the Community with effect from 1 January 1995,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the import arrangements in the Community applicable to certain agricultural products, including processed products, pursuant to agreements concluded between the Community and Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania existing Community tariff quotas shall be increased or, as necessary, new tariff quotas shall be opened autonomously in accordance with Annexes I and II to this Regulation.

Article 2

Articles 2 to 7 of Regulation (EC) No 1798/94 [1] shall not apply to the tariff concessions referred to in Annex I. Article 16 of Regulation (EC) No 3448/93 [2] shall apply as regards products referred to in Annex II.

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 with effect from 1 January 1995.

[1] OJ No L 189, 23. 7. 1994, p. 1. Regulation as amended by Regulation (EC) No 2485/94 (OJ No L 265, 15. 10. 1994, p. 5).

[2] OJ No L 318, 20. 12. 1993, p. 18.

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

Done at Luxembourg, 29 June 1995.

For the Council

The President

J. BARROT

ANNEX I

PREFERENTIAL TARIFF QUOTAS OPENED FOR 1995

A. HUNGARY

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5561	0409 00 00	Natural honey	—	450	17 %
09.5557	0704 90 10 ex 0704 90 90	White and red cabbages Chinese cabbage, from 1 July to 31 July	—	330 (2)	10 %
09.5563	0710 80 51	Sweet peppers, frozen	—	1 160	free
09.5565	0802 22 00	Hazelnuts, shelled	—	130	free
09.5567	0802 31 00	Walnuts, in shell	—	120	free
09.5569	0802 32 00	Walnuts, shelled	—	420	free
09.5511	0806 10 30 0806 10 40	Table grapes, from 15 July to 31 October, fresh	—	520 (3)	12 % (6)
09.5571	0807 10	Melons (including water melons), fresh	—	3 980	free
09.5159		Apples, other than cider apples			
	0808 10 51 0808 10 53 0808 10 59	from 1 January to 31 March (4)	4 200	700 (7)	3,2 %
	0808 10 61 0808 10 63 0808 10 69	from 1 April to 30 June (5)			2,4 %
	0808 10 71 0808 10 73 0808 10 79	from 1 July to 31 July (6)			2,4 %
	0808 10 92 0808 10 94 0808 10 98	from 1 August to 31 December (6)			5,6 %
09.5513	0808 20	Pears and quinces, fresh	—	1 100 (8)	6,5 % (6)
09.5515		Cherries, other than sour cherries			
	0809 20 29 0809 20 39 0809 20 49	from 1 May to 15 July	—	225 (9)	11 % (6)
09.5573	0812 90	Other fruit and nuts, provisionally preserved, unsuitable for immediate consumption	—	770	free
09.5575	0904 20 10 0904 20 39 0904 20 90	Fruits of the genus '*capsicum*' or '*pimenta*', dried or crushed or ground	—	710	free
09.5583	2001 90 20 2001 90 70	Fruits of the genus '*capsicum*', other than pimentos, prepared or preserved by vingear or acetic acid	—	200	free

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5585	2001 90 91 2001 90 96	Tropical fruit and tropical nuts and other vegetables, fruits, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid	—	140	7 %
09.5177	2002 90 31 2002 90 39	Tomatoes, prepared otherwise than by vinegar or acetic acid, with a dry matter content of not less than 12 %, but not more than 30 % by weight	5 000	2 060	7,2 %
09.5179	2002 90 91 2002 90 99	Tomatoes, prepared otherwise than by vinegar or acetic acid, with a dry matter content of more than 30 % weight	1 400	580	7,2 %
09.5587	2004 90	Other vegetables and mixtures, prepared or preserved otherwise than by vinegar or acetic acid, frozen	—	120	8 %
09.7011	ex 2204 21	Other wine in containers holding 2 litres or less	145 000 hl	11 930 hl	40 % of the basic duty rate base
09.7007	ex 2204 29	Other wine, in bulk	70 000 hl	43 460 hl	40 % of the basic duty rate

(1) Existing quotas opened under Community preferential agreements.

(2) Including 142 tonnes as provided for in Annex II of Council Regulation (EC) No 3379/94 of 22 December 1994 opening and administering certain Community tariff quotas for certain agricultural products and for beer (OJ No L 366, del 31. 12. 1994, p. 3).

(3) Including 480 tonnes as provided for in Annex II of Regulation (EC) No 3379/94.

(4) Minimum duty applicable : min ECU 2,3/100 kg net.

(5) Minimum duty applicable : min ECU 1,4/100 kg net.

(6) The reduction concerns only the *ad valorem* part of the duty.

(7) Including 480 tonnes as provided for in Annex II of Regulation (EC) No 3379/94.

(8) Including 770 tonnes as provided for in Annex II of Regulation (EC) No 3379/94.

(9) Including 150 tonnes as provided for in Annex II of Regulation (EC) No 3379/94.

B. POLAND

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5589	0602 99 70 0602 99 91 0602 99 99	Indoor plants	—	130	8 %
09.5123	0706 90 11 0706 90 19	Celeriac	700	190	5,2 % 6,8 %
09.5125	0706 90 90	Other edible roots, excluding carrots, turnips, celeriac and horseradish	230	60	6,8 %
09.5135	0709 51 50	Flap mushrooms	340	140	2,8 %
09.5591	0709 51 30 0709.51 90	Chanterelles Other mushrooms	—	140	free
09.5563	0710 80 51	Sweet peppers, frozen	—	840	free
09.5595	0713 50	Broad beans and horse beans	—	3 930	free
09.5159		Apples, other than cider apples			
	0808 10 51 0808 10 53 0808 10 59	from 1 January to 31 March (2)	1 500	880	3,2 %
	0808 10 61 0808 10 63 0808 10 69	from 1 April to 30 June (3)			2,4 %
	0808 10 71 0808 10 73 0808 10 79	from 1 July to 31 July (4)			2,4 %
	0808 10 92 0808 10 94 0808 10 98	from 1 August to 31 December (4)			5,6 %
09.5597	0809 20 11 0809 20 21 0809 20 31 0809 20 41 0809 20 71	Sour cherries, excluding from 16 July to 10 August	—	200	free (4)
09.5519	0811 10 90 ex 0811 20 ex 0811 90	Strawberries, frozen, not containing added sugar or other sweetening matter (5) Other berries, frozen, excluding cherries (5)	—	9 340 (6)	free
09.5573	0812 90	Other fruit and nuts provisionally preserved, unsuitable for immediate consumption	—	1 000	free
09.5599	1209 22 to 29	Seeds of forage plants, other than beet and lucerne seeds	—	1 450	free

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5589	1514 10 10	Rape, colza or mustard crude oil, for technical or industrial uses other than the manufacture of foodstuffs for human consumption	—	410	free
09.5547	1703 90 00	Molasses, other than cane molasses	—	64 650	free of levy

(1) Existing quotas opened under Community preferential agreements.
(2) Minimum duty applicable : min ECU 2,3/100 kg net.
(3) Minimum duty applicable : min ECU 1,4/100 kg net.
(4) The reduction concerns only the *ad valorem* part of the duty.
(5) Subject to minimum import price arrangements contained in the Appendix to this Annex.
(6) Including 3 400 tonnes as provided for in Annex II of Regulation (EC) No 3379/94.

C. BULGARIA

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5561	0409 00 00	Natural honey	—	310	17 %
09.5629	0707 00 10 0707 00 15 0707 00 20 0707 00 35 0707 00 40	Cucumbers, fresh or chilled from 1 November to 31 May	—	5 810	free (2)
09.5571	0807 10	Melons (including water melons), fresh	—	230	free
09.5613	0809 20 11 0809 20 21	Sour cherries, from 1 January to 20 May	—	110	free
09.5573	0812 90	Fruit and nuts, other than strawberries and cherries, provisionally preserved, unsuitable for immediate consumption	—	850	free
09.6281	2002 10	Tomatoes, whole or in pieces, prepared or preserved otherwise than by vinegar or acetic acid	7 140	300	12,6 %
09.6283	2002 90	Tomatoes, other than whole or in pieces, prepared or preserved otherwise than by vinegar or acetic acid	7 430	300	12,6 %
09.5615	2003 10 80	Mushrooms, prepared or preserved other than by vinegar or acetic acid	—	110	free
09.7003	ex 2204 21	Quality wine in containers holding not more than 2 litres, other than sparkling wine	280 400 hl	21 230 hl (3)	40 % of basic duty
09.7005	ex 2204 29	Quality wine in containers holding more than 2 litres, other than sparkling wine	118 000 hl	10 000 hl	40 % of basic duty

(1) Existing quotas opened under Community preferential agreement.

(2) The reduction concerns only the *ad valorem* part of the duty.

(3) Including 200 hl, as provided for in Annex II of Regulation (EC) No 3379/94.

D. CZECH REPUBLIC

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5561	0409 00 00	Natural honey	—	420	17 %
09.5603	0602 99 41	Forest trees	—	140	free
09.5607	0810 90	Other fruit, fresh other than berries	—	500	free
09.5579	1514 10 10	Rape, colza or mustard oil, crude, for technical or industrial uses other than the manufacture of foodstuffs for human consumption	—	9 020	free
09.5609	ex 2204	Wine, including fortified wines	—	990 hl	free

(1) Existing quotas opened under Community preferential agreements.

E. SLOVAK REPUBLIC

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5561	0409 00 00	Natural honey	—	160	17 %
09.5569	0802 32 00	Walnuts, shelled	—	180	free
09.5601	2002 90	Tomatoes, other than whole or in pieces, prepared or preserved otherwise than by vinegar or acetic acid	—	980	free

(1) Existing quotas opened under Community preferential agreements.

F. ROMANIA

Order No	CN code	Description	Conventional quotas (tonnes) (1)	Autonomous quotas (tonnes)	Rate of duty applicable
09.5561	0409 00 00	Natural honey	—	190	17 %
09.6101	0702 00 15 0702 00 20 0702 00 25 0702 00 45 0702 00 50	Tomatoes, fresh or chilled	3 890	525	7,7 % (2)
	0702 00 30 0702 00 35 0702 00 40				12,6 % (2)
09.6107	0707 00 10 0707 00 15 0707 00 20 0707 00 35 0707 00 40	Cucumbers, fresh or chilled, from 1 November to 15 May	1 880	370	6,8 % (2)
09.5611	0707 00 25 0707 00 30	Cucumbers, fresh or chilled, from 16 May to 31 October	—	330	12 % (2)
09.6131	0813 10 00 0813 20 00 0813 30 00 0813 40 70 0813 40 95	Dried fruit, other than peaches, pears, papaws and tamarinds	730	180	2,8 % 4,8 % 3,2 % 2,4 % 2,4 %
09.7013	ex 2204 10 ex 2204 21 ex 2204 29	Wine	130 000 hl	8 880 hl	40 % of basic duty rate

(1) Existing quotas opened under Community preferential agreements.

(2) The reduction concerns only the *ad valorem* part of the duty.

Appendix to Annex I

Minimum import price arrangement for certain soft fruit for processing

1. For Poland minimum import prices are fixed for each marketing year for the following products:

0811 10 90	Strawberries
ex 0811 20 19	Raspberries
0811 20 31	Raspberries
0811 20 39	Blackcurrants
0811 20 51	Red currants.

2. In case of non-respect of these minimum import prices, the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from Poland.

ANNEX II

PROCESSED AGRICULTURAL PRODUCTS — ADDITIONAL QUOTAS FOR 1995

A. HUNGARY

Order No	CN code	Additional quotas 1995 (tonnes)	Preference
09.5616	0403 10 51	110	0 + MOBR
	0403 10 53		
	0403 10 59		
	0403 10 91		
	0403 10 93		
	0403 10 99		
09.5209	0710 40	5 740	0 + MOBR
	0711 90 30		0 + MOBR
09.5211	1519 12 00	580	0
	1519 30 00		3,3
09.5217	1804 00 00	250	1,6
09.5221	1806 10 10*11	110	0
	1806 10 10*19		2
	1806 10 10*91		0 + MOBR
	1806 10 10*99		0 + MOBR
	1806 10 30*10		0 + MOBR
	1806 10 30*90		0 + MOBR
	1806 10 90*10		0 + MOBR
	1806 10 90*90		0 + MOBR
	1806 20 10		0 + MOBR
			MAX 27 + AD S/Z
	1806 20 30		0 + MOBR
			MAX 27 + AD S/Z
	1806 20 50		0 + MOBR
			MAX 27 + AD S/Z
	1806 20 70		0 + MOBR
	1806 20 80*10		0 + MOBR
			MAX 27 + AD S/Z
	1806 20 80*90		0 + MOB
			MAX 27 + AD S/Z
	1806 20 95*10		0 + MOBR
			MAX 27 + AD S/Z
	1806 20 95*90		0 + MOB
			MAX 27 + AD S/Z
	1806 31		0 + MOBR
	1806 32		MAX 27 + AD S/Z
	1806 90 11		0 + MOBR
	1806 90 19		MAX 27 + AD S/Z
	1806 90 31		
	1806 90 39		
	1806 90 50		
	1806 90 60*10		
	1806 90 60*90		
	1806 90 70		0 + MOBR
			MAX 27 + AD S/Z
	1806 90 90*11		0 + MOBR
	1806 90 90*91		MAX 27 + AD S/Z
	1806 90 90*19		0 + MOB
	1806 90 90*99		MAX 27 + AD S/Z

Order No	CN code	Additional quotas 1995 (tonnes)	Preference
09.5227	1901 90 11	120	0 + MOBR
	1901 90 19		0 + MOBR
	1901 90 90*12		0 + MOBR
	1901 90 90*14		0 + MOBR
	1901 90 90*16		0 + MOBR
	1901 90 90*18		0 + MOBR
	1901 90 90*21		0 + MOBR
	1901 90 90*23		0 + MOBR
	1901 90 90*27		0 + MOBR
	1901 90 90*29		0 + MOBR
	1901 90 90*61		0 + MOBR
	1901 90 90*63		0 + MOBR
	1901 90 90*65		0 + MOBR
	1901 90 90*67		0 + MOBR
	1901 90 90*71 to 1901 90 90*77		0 + MOBR
	1901 90 90*93		0 + MOBR
	1901 90 90*95		0 + MOBR
	1901 90 90*97		0 + MOBR
	1901 90 90*99		0 + MOBR
09.5228	1902 11	200	0 + MOBR
	1902 19		
	1902 20 91		
	1902 20 99		
	1902 30		
	1902 40 10		
	1902 40 90		
09.5233	1905 10	600	0 + MOBR MAX 24 + AD F/M
	1905 20		0 + MOBR
	1905 30 11		0 + MOBR MAX 35 + AD S/Z
	1905 30 19		0 + MOBR
	1905 30 30		MAX 27 + AD S/Z
	1905 30 51		
	1905 30 59		
	1905 30 91		
	1905 30 99		0 + MOB MAX 35 + AD F/M
	1905 40		0 + MOBR
	1905 90 10		0 + MOBR MAX 20 + AD F/M
	1905 90 20		0 + MOBR
	1905 90 30		
	1905 90 40		0 + MOBR
	1905 90 45		MAX 30 + AD F/M
	1905 90 55		0 + MOBR MAX 35 + AD F/M
	1905 90 60		0 + MOBR
	1905 90 90		MAX 30 + AD F/M
09.5235	2001 90 30	2 204	0 + MOBR
	2004 90 10		
	2005 80		
09.5617	2008 99 85	200	0 + MOBR
	2008 99 91		
09.5619	2102 20	260	3

Order No	CN code	Additional quotas 1995 (tonnes)	Preference
09.5241	2103 10 00*10	200	4,4
	2103 10 00*90		4,4
	2103 20 00*10		6
	2103 20 00*90		7
	2103 30 90		6,5
	2103 90 90*11		5,9
	2103 90 90*19		5,9
	2103 90 90*91		5,9
	2103 90 90*99		5
09.5251	2202 10 00	360	0
	2202 90 10*10		4,4
	2202 90 91		0 + MOBR
	2202 90 95		
	2202 90 99		

B. CZECH REPUBLIC

Order No	CN code	Additional quotas 1995 (tonnes)	Preference
09.5641	1516 20 10	314	0
09.5643	1519 11	226	0