COMMISSION REGULATION (EC) No 364/95
of 22 February 1995
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables (1), as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 30 (4) thereof,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts (2), as amended by Regulation (EEC) No 2455/72 (3), provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges, apples, peaches and nectarines of the common quality standards 'Extra' Class, Class I and Class II, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 (5), as last amended by Regulation (EC) No 150/95 (6), are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 (7), as last amended by Regulation (EC) No 157/95 (8);

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds in the fruit and vegetables sector shall be fixed at the amounts specified in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1995.

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 318, 18. 12. 1969, p. 17.
(3) OJ No L 266, 25. 11. 1972, p. 7.
(4) OJ No L 102, 28. 4. 1993, p. 14.
(5) OJ No L 387, 31. 12. 1992, p. 1.
(6) OJ No L 22, 31. 1. 1995, p. 1.
(7) OJ No L 108, 1. 5. 1993, p. 106.
(8) OJ No L 24, 1. 2. 1995, p. 1.

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

ANNEX

to the Commission Regulation of 22 February 1995 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (1)	Amounts of refunds (2)
0702 00 15 100	04	5,43
0702 00 20 100	04	5,43
0702 00 25 100	04	5,43
0702 00 30 100	04	5,43
0702 00 35 100	04	5,43
0702 00 40 100	04	5,43
0702 00 45 100	04	5,43
0702 00 50 100	04	5,43
0802 12 90 000	04	11,68
0802 21 00 000	04	13,65
0802 22 00 000	04	26,32
0802 31 00 000	04	16,91
0805 10 01 200	01	13,28
0805 10 05 200	01	13,28
0805 10 09 200	01	13,28
0805 10 11 200	01	13,28
0805 10 15 200	01	13,28
0805 10 19 200	01	13,28
0805 10 21 200	01	13,28
0805 10 25 200	01	13,28
0805 10 29 200	01	13,28
0805 10 32 200	01	13,28
0805 10 34 200	01	13,28
0805 10 36 200	01	13,28
0805 10 42 200	01	13,28
0805 10 44 200	01	13,28
0805 10 46 200	01	13,28
0805 10 51 200	01	13,28
0805 10 55 200	01	13,28
0805 10 59 200	01	13,28
0805 10 61 200	01	13,28
0805 10 65 200	01	13,28
0805 10 69 200	01	13,28
0805 30 20 100	04	16,30
0805 30 30 100	04	16,30
0805 30 40 100	04	16,30
0806 10 21 200	04	—
0806 10 29 200	04	—
0806 10 30 200	04	—
0806 10 40 200	04	—
0806 10 50 200	04	—
0806 10 61 200	04	—
0806 10 69 200	04	—
0808 10 51 910	02	9,66
0808 10 53 910	02	9,66
0808 10 59 910	02	9,66
0808 10 61 910	02	9,66
0808 10 63 910	02	9,66
0808 10 69 910	02	9,66
0808 10 71 910	02	9,66
0808 10 73 910	02	9,66
0808 10 79 910	02	9,66
0808 10 92 910	02	9,66
0808 10 94 910	02	9,66
0808 10 98 910	02	9,66
0809 30 11 100	03	—
0809 30 19 100	03	—
0809 30 21 100	03	—
0809 30 29 100	03	—
0809 30 31 100	03	—
0809 30 39 100	03	—
0809 30 41 100	03	—
0809 30 49 100	03	—
0809 30 51 100	03	—
0809 30 59 100	03	—

(1) The destinations are as follows:

01 Switzerland, Greenland, Norway, Iceland, Malta, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia,

02 Norway, Iceland, the Faroe Islands, Greenland, Malta, Syria, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrain, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm, al Qaiwain, Fujairah and Ras al Khaimah), Kuwait, Yemen), Iran, Jordan,

03 all destinations excluding Switzerland,

04 all destinations.

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