COMMISSION REGULATION (EC) No 572/95

of 15 March 1995

amending Regulation (EC) No 3108/94 on transitional measures to be adopted on account of the accession of Austria, Finland and Sweden in respect of trade in agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149 (1) thereof,

Having regard to Commission Regulation (EC) No 3108/94 of 19 December 1994 on transitional measures to be adopted on account of the accession of Austria, Finland and Sweden in respect of trade in agricultural products [1], as amended by Regulation (EC) No 3244/94 [2],

Whereas, in the interest of simplification, Article 2 of Regulation (EC) No 3108/94 provides for a system based on the principle that intra-Community transactions begun before 1 January 1995 and concluded from that date on in a new Member State should remain subject to the provisions applicable before that date;

Whereas two new Member States have indicated that application of that provision has had the effect of preventing the placing on their markets under acceptable economic conditions of products subject to normal trade; whereas it is possible to remedy that situation by providing that Article 2 of Regulation (EC) No 3108/94 does not apply to products in respect of which no refund was fixed in the Community of Twelve in 1994;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is hereby added to the end of Article 2 of Regulation (EC) No 3108/94:

'However, the provisions referred to under (b) shall not apply to products in respect of which no refund was set in the Community of Twelve in 1994.'

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 with effect from 1 January 1995.

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

Done at Brussels, 15 March 1995.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ No L 328, 20. 12. 1994, p. 42.
[2] OJ No L 338, 28. 12. 1994, p. 68.