

Official Journal

of the European Communities

ISSN 0378-6978

L 314

Volume 38

28 December 1995

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 3010/95 of 18 December 1995 totally or partially suspending the customs duties applicable to certain products falling within Chapters 1 to 24 and Chapter 27 of the Combined Nomenclature originating in Malta and Turkey (1995)..... 1**
- ★ **Council Regulation (EC) No 3011/95 of 19 December 1995 amending Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specific regions 14**
- ★ **Council Regulation (EC) No 3012/95 of 20 December 1995 amending Regulation (EEC) No 1605/92 temporarily suspending the autonomous Common Customs Tariff duties on imports of certain industrial products into the Canary Islands 15**
- Commission Regulation (EC) No 3013/95 of 27 December 1995 amending Regulation (EC) No 1608/95 adopting the balance and fixing the aid for the supply of products from the eggs and poultrymeat sectors to the Canary Islands under the arrangements provided for in Articles 2, 3 and 4 of Council Regulation (EEC) No 1601/92, regarding the amounts of aid 16
- ★ **Commission Regulation (EC) No 3014/95 of 19 December 1995 opening and providing for the administration of certain tariff quotas for 1996 for products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand 18**
- ★ **Commission Regulation (EC) No 3015/95 of 19 December 1995 opening and providing for the administration of certain import quotas for sweet potatoes and manioc starch intended for certain uses for 1996 29**
- ★ **Commission Regulation (EC) No 3016/95 of 18 December 1995 opening Community tariff quotas for 1996 for sheep, goats, sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 35**

Price : ECU 18

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EC) No 3017/95 of 20 December 1995 laying down provisions for the implementation of Council Regulation (EC) No 3036/94 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries	40
★ Commission Regulation (EC) No 3018/95 of 20 December 1995 introducing management measures for imports of certain bovine animals for the first half of 1996	58
★ Commission Regulation (EC) No 3019/95 of 20 December 1995 amending Regulation (EC) No 1489/95 setting export refunds on fruit and vegetables	65
Commission Regulation (EC) No 3020/95 of 27 December 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables	70
★ Commission Directive 95/67/EC of 15 December 1995 making a technical amendment to Council Directive 89/647/EEC on a solvency ratio for credit institutions as regards the definition of 'multilateral development banks' (¹)	72

II *Acts whose publication is not obligatory*

Council

95/553/EC :

★ Decision of the Representatives of the Governments of the Member States meeting within the Council of 19 December 1995 regarding protection for citizens of the European Union by diplomatic and consular representations	73
---	----

Commission

95/554/EC :

★ Commission Decision of 12 December 1995 authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directives 66/404/EEC and 71/161/EEC	77
---	----

(¹) Text with EEA relevance

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 3010/95
of 18 December 1995**

**totally or partially suspending the customs duties applicable to certain products
falling within Chapters 1 to 24 and Chapter 27 of the Combined Nomenclature
originating in Malta and Turkey (1995)**

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 proposal from the Commission,

Whereas Regulation (EC) No 3448/93⁽¹⁾ lays down the trade arrangements applicable to certain goods resulting from the proceedings of agricultural products;

Whereas, pursuant to Annex I to the Agreement establishing an association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend common customs tariff duties applicable to certain products; whereas it would seem appropriate to adapt or supplement temporarily some of the tariff advantages provided for in the said Annex; whereas accordingly in respect of the products listed in Annex I to this Regulation originating in Malta the Community should from 1 January to 31 December 1995 suspend, at the levels shown next to each item, either the fixed component of the charge applicable to goods covered by Regulation (EC) No 3448/93 or the customs duty applicable to the other products;

Whereas pursuant to Annex 6 to the Additional Protocol laying down the conditions, arrangements and timetable for implementing the transitional stage referred to in Article 4 of the Agreement establishing an Association between the European Economic Community and Turkey⁽³⁾ and to Article 9 of the Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community⁽⁴⁾, signed in Ankara on 30 June 1973 and in force on

1 March 1986⁽⁵⁾ the Community must totally or partially suspend the common customs tariff duties applicable to certain products; whereas in addition it would seem appropriate to adapt or supplement temporarily some of the tariff advantages provided for in the said Annex 6; whereas accordingly for the products originating in Turkey listed in Annex II to this Regulation the Community should from 1 January to 31 December 1995 suspend, at the levels shown next to each item, either the fixed element of duty applicable to goods covered by Regulation (EC) No 3448/93 or the customs duty applicable to the other products;

Whereas Article 7 of the abovementioned Supplementary Protocol to the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community referred to above provides for full suspension of the customs duties applicable to certain petroleum products of Chapter 27 of the Common Customs Tariff refined in Turkey, within the limits of an annual Community tariff quota of 340 000 tonnes; whereas that quota has been replaced with a Community ceiling which, following successive increases stands at 740 250 tonnes; whereas further adaptations to such tariff advantages, consisting in the full suspension, from 1 January to 31 December 1995, of customs duties applicable to products originating in Turkey and listed in Annex III hereto, should be envisaged on a temporary basis;

Whereas provision should be made for the reintroduction of customs duties on the products concerned in exceptional circumstances; whereas accordingly the Commission should be informed regularly of import trends for such products; whereas to this end imports of such products should be subjected to a system of surveillance;

Whereas the tariff advantages provided for in the measures in question should at least be equivalent to those accorded by the Community to developing countries under the Generalized System of Preferences (GSP);

⁽¹⁾ OJ No L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ No L 61, 14. 3. 1971, p. 3.

⁽³⁾ OJ No 217, 24. 12. 1964, p. 3687/64.

⁽⁴⁾ OJ No L 361, 31. 12. 1977, p. 2.

⁽⁵⁾ OJ No L 48, 26. 2. 1986, p. 36.

Whereas the period of validity of GSP tariff measures in respect of agricultural products is limited to one year, while GSP measures concerning petroleum products are multiannual; whereas in view of the number and the economic significance of the agricultural products concerned the period of validity of tariff measures for Malta and Turkey should be aligned with that applicable to GSP agricultural measures; whereas at the same time and for the sake of clarity such measures should be grouped together in a single regulation;

Whereas it is for the Community to decide on the suspension of such duties,

HAS ADOPTED THIS REGULATION:

Article 1

The following products shall be accepted for import into the Community subject to the customs duties indicated for each of them, from 1 January to 31 December 1995:

- products falling within Chapters 1 to 24 of the Combined Nomenclature originating in Malta and in Turkey and listed in Annexes I and II, and
- petroleum products refined in Turkey falling within Chapter 27 of the Combined Nomenclature and listed in Annex III.

Article 2

For the purposes of applying this Regulation, the rules of origin shall be those in force at any given time for the purposes of the Agreements establishing an association between the European Economic Community and Malta and the European Economic Community and Turkey respectively.

The methods of administrative cooperation intended to ensure that products originating in Turkey and listed in Annexes II and III are accorded total or partial suspension of customs duties shall be those established by Decision No 5/72 of the Association Council attached to Regulation (EEC) No 428/93⁽¹⁾.

Article 3

The duties applicable may be reintroduced in full or in part in respect of products covered by the arrangements set out in Article 1 imported in quantities or at prices such that they cause or may cause material injury to Community producers of similar products or products with which they are in direct competition. Such a

measure may also be adopted in case of material injury or threat of material injury limited to a single Community region.

Article 4

With a view to implementing Article 3, the Commission may adopt a regulation reintroducing the levying of customs duties for a certain period.

Such measure shall be adopted in accordance with the procedure laid down in Article 6(2).

Article 5

1. Subject to the procedure provided for in Regulation (EC) No 3448/93, the implementing provisions for this Regulation, and in particular:

- (a) amendments and technical adaptations made necessary by amendment of the combined Nomenclature and Taric codes;
- (b) the extension of tariff measures under the Agreements covered by this Regulation;
- (c) adaptations made necessary by the conclusion by the Council of protocols or exchanges of letters between the Community and the countries concerned;
- (d) amendments to this Regulation resulting from any other act adopted by the Council under agreements or regulations covered by this Regulation;

shall be adopted in accordance with the procedure laid down in Article 6(2).

2. The provisions adopted pursuant to paragraph 1 do not authorize the Commission to:

- carry over preferential quantities from one quota period to another,
- amend the timetables laid down in the Agreements or protocols,
- transfer quantities from one quota to another,
- open and administer quotas resulting from new agreements,
- adopt legislation affecting the administration of quotas subject to import certificates.

Article 6

1. The Commission shall be assisted by the Customs Code Committee set up by Article 247 of Regulation (EEC) No 2913/92⁽²⁾.

⁽¹⁾ OJ No L 59, 5. 3. 1973, p. 74. Decision as last amended by Decision No 1/93 (OJ No L 285, 20. 11. 1993, p. 34).

⁽²⁾ OJ No L 302, 19. 9. 1992, p. 1.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if those measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event the Commission shall defer application of the measures which it has decided for three months from the date of such communication.

The Council, acting by qualified majority, may take a different decision within the period referred to in the second subparagraph.

3. The Committee may examine any question concerning the application of this Regulation which is raised by its chairman either on his own initiative or at the request of a Member state.

Article 7

The Commission shall, in close cooperation with the Member States, take all necessary measures to ensure that this Regulation is applied.

Article 8

This Regulation shall enter into force on the third day following 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, 18 December 1995.

For the Council

The President

J. BORRELL FONTELLES

ANNEX I

LIST OF PRODUCTS FALLING WITHIN CHAPTERS 1 TO 24 ORIGINATING IN MALTA (a)

Order No	CN code	Description of goods	Rate of duty (b)	
			Period (1. 1 to 30. 6. 1995)	Period (1. 7 to 31. 12. 1995)
(1)	(2)	(3)	(4)	(5)
16.0040	0206 10 99 0206 21 00	Edible offal fresh, chilled or frozen of bovine animals	2 %	2 %
16.0055	0208 10 11 0208 10 19	Other meat and edible meat offal, fresh, chilled or frozen of : — Domestic rabbits	7 %	7 %
16.0060	0208 10 90	— Rabbits, other than domestic rabbits, or hares	Free	Free
16.0070	0208 20 00	— Frogs' legs	Free	Free
16.0160	0302 65	Dogfish and other sharks	4 %	4 %
16.0210	0303 75	Dogfish and other sharks	4 %	4 %
16.0230	0304 10 11 0304 20 11	Fish fillets and other meat, chilled or frozen Frozen fillets of trout	10 %	10 %
16.0330	0306 12	Lobsters	4 %	4 %
16.0340	0306 13 10	Shrimps and prawns		
16.0350	0306 13 90	Other shrimps and prawns	4,5 %	4,5 %
16.0360	0306 14	Crabs	4 %	4 %
16.0370	0306 19 10	Freshwater crayfish		
16.0380	ex 0306 19 90	<i>Peurullus</i> spp.		
16.0400	0306 22	Lobsters	4 %	4 %
16.0410	0306 23 10	Shrimps and prawns		
16.0420	0306 23 90	Other shrimps and prawns	4,5 %	4,5 %
16.0500	0307 39 90	Mussels (<i>Perna</i> spp.)	4 %	4 %
16.0510	0307 41 0307 49 11	Cuttlefish and squid		
16.0520	0307 49 18	Cuttlefish	5,5 %	5,5 %
16.0530	0307 49 31 0307 49 33 0307 49 35 0307 49 38	Squid	4 %	4 %
16.0540	0307 49 51	Squid, 'encornet'		
16.0550	0307 49 71 0307 49 91 0307 49 99	Cuttle fish, squid and 'encornet'		

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(b) Without prejudice to the levying of any additional duties applicable.

(1)	(2)	(3)	(4)	(5)
16.0560	0307 51 00 0307 59 10 0307 59 90 0307 91 00 0307 99 13 0307 99 15 0307 99 18 0307 99 90	Octopus and other invertebrates	4 %	4 %
16.0570	0409 00 00	Natural honey	25 %	25 %
16.0580	ex 0410 00 00	Edible products of animal origin, not elsewhere specified or included : — Royal jelly	4 %	4 %
	ex 0410 00 00	— Other	2 %	2 %
16.0690	0603 90 00	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, dried, dyed, bleached, impregnated or otherwise prepared	7 %	7 %
16.0734	0707 00 25 0707 00 30	Cucumber, fresh or chilled, from 16 May to 31 October	16 %	16 %
16.0740	ex 0709 20 00	Other vegetables, fresh or chilled Asparagus, from 1 October to 31 October	12 %	12 %
16.0750	ex 0709 30 00	Aubergines, from 1 January to 31 March	9 %	9 %
16.0760	ex 0709 40 00	Celery, other than celeriac, from 1 January to 31 March		
16.0790	ex 0709 90 90	Pumpkins and courgettes, from 1 January to the last day of February Other, excluding parsley from 1 January to 31 March	9 %	9 %
16.0795	ex 0709 90 90	Okra or comboux (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> L. Moench, <i>Moringa oleifera</i> drumsticks)	Free	Free
16.0825	0711 40 00	Cucumbers and gherkins	12 %	12 %
16.0860	ex 0712 30 00	Mushrooms, excluding cultivated mushrooms	6 %	6 %
16.0880	0713 10 90	Dried leguminous vegetables, shelled, whether or not skimmed or split	2 %	2 %
16.1070	ex 0807 10 10	Watermelons, from 1 November to 30 April	6,5 %	6,5 %
16.1300	0814 00 00	Peel of citrus fruit or melons, fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Free	Free
16.1610	1212 10 91	Locust bean seeds, not decorticated, crushed or ground	Free	Free
16.1620	1212 10 99	Other locust bean seeds	6 %	6 %
16.2020	1515 21 10	Other fixed vegetables fats and oils (including jojoba oil) and their fractions Maize (corn) oil and its fractions for technical or industrial uses other than the manufacture of foodstuffs for human consumption	2,5 %	2,5 %
16.2290	ex 1602 90 31	Prepared or preserved rabbit	14 %	14 %
16.2510	1704 90 30	White chocolate	4 %	4 % + ecu 61,2/100 kg/net

(1)	(2)	(3)	(4)	(5)
16.2520	ex 1704 90 51 1704 90 55 1704 90 61 1704 90 65 1704 90 71 1704 90 75 1704 90 81 1704 90 99	Other plates, including marzipan Throat pastilles and cough drops Sugar coated (panned) goods Gum confectionery and jelly confectionery Boiled sweets whether or not filled Toffees, caramels and similar sweets Compressed tablets Other	6 %	6 % + EA
16.2580	ex 1901 10 00 1901 20 00 ex 1901 90 91 ex 1901 90 99	Food preparations of flour, meal, starch or malt extract, not containing cocoa or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included Preparations for infant use, put for retail sale, not containing cocoa powder Mixes and doughs for the preparation of bakers' wares of heading No 1905 Other, not containing cocoa powder	Free Free Free Free	0 % + EA 0 % + EA Free 0 % + EA
16.2600	1904 10 10 1904 10 30 1904 10 90	Prepared foods obtained by the swelling or roasting for cereals or cereal products (for example 'corn flakes'); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared Prepared food obtained by the swelling or roasting of cereals or cereal products	Free Free Free	0 % + ecu 29,4/ 100 kg/net 0 % + ecu 67,6/ 100 kg/net 0 % + ecu 49,4/ 100 kg/net
16.2610	1904 90 10	Of rice	3 %	3 % + ecu 67,6/ 100 kg/net
16.2620	1904 90 90	Of other cereals	2 %	2 % + ecu 37,7/ 100 kg/net
16.2630	1905 10 00	Crispbread 'Knäckebröd'	Free	0 % + ecu 19,1/ 100 kg/net
16.2660	1905 90 10	Matzos	Free	0 % + ecu 23,4/ 100 kg/net
16.2670	1905 90 20	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Free	0 % + ecu 88,8/ 100 kg/net
16.2680	1905 90 30	Bread	4 %	4 % + EA
16.2690	2001 20 00	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid — Onions	14 %	14 %

(1)	(2)	(3)	(4)	(5)
16.2700	2001 90 50 2001 90 65 2001 90 75 2001 90 85 ex 2001 90 91 ex 2001 90 96	Mushrooms Olives Salad beetroot Red cabbage Tropical fruit and tropical nuts, excluding papaya chutney Other excluding 'mixed pickles' and papaya chutney	14 %	14 %
16.2725	ex 2001 90 91	Papaya chutney	9 %	9 %
19.2750	ex 2004 90 30	Capers	12 %	12 %
16.2800	2005 90 30	Capers	12 %	12 %
16.2820	ex 2006 00 35 ex 2006 00 38	Fruits, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized) Other with a sugar content exceeding 13 % by weight Fruit falling within headings Nos 0801, 0803, 0804 (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	6 % 6 %	6 % 6 % + ecu 28,9/ 100 kg/net
16.2830	ex 2006 00 91 ex 2006 00 99	Other, with a sugar content not exceeding 13 % Fruit falling within heading Nos 0801, 0803, 0804, (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	6 %	6 %
16.2840	2007 10 91 ex 2007 10 99	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked, preparations, whether or not containing added sugar or other sweetening matter Other Fruit falling within headings Nos 0801, 0803, 0804 (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	8 %	8 %
16.2850	ex 2007 91 10 ex 2007 91 30	Jams and marmalades of citrus fruit With a sugar content exceeding 30 %, by weight, excluding orange jam and marmalade With sugar content exceeding 13 %, but not exceeding 30 % by weight excluding orange jam and marmalade	18 %	18 % + ecu 27,8/ 100 kg/net 18 % + ecu 5/ 100 kg/net
16.2860	ex 2007 91 90	Other, excluding orange jam and marmalade	19 %	19 %
16.2865	2007 99 31	Jam, jellies, marmalades, cherry purée and cherry pastes with a sugar content exceeding 30 % by weight	25 %	25 %
16.2870	ex 2007 99 39	With a sugar content exceeding 30 % by weight Fruit falling within headings Nos 0801, 0803, 0804 (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	8 %	8 % + ecu 27,8/ 100 kg/net
16.2880	ex 2007 10 10 ex 2007 99 58	With a sugar content exceeding 13 % by weight but not exceeding 30 % Fruit falling within headings Nos 0801, 0803, 0804 (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	8 %	8 % + ecu 5/ 100 kg/net 8 % + ecu 5/ 100 kg/net

(1)	(2)	(3)	(4)	(5)
16.2890	ex 2007 99 93 ex 2007 99 98	Other Fruit falling within headings Nos 0801, 0803, 0804 (except figs and pineapples), 0805 40 00, 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 30 and 0810 90 80	8 %	8 %
16.2900	2008 11 91 2008 11 96 2008 11 98 2008 19 11 ex 2008 19 13 ex 2008 19 19	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included : Ground-nuts Other, including mixtures in immediate packings of a net content exceeding 1 kg, excluding almonds, walnuts and hazelnuts	6 %	6 %
16.3290	2009 20 11	Fruit juices (including grape musts) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter Grapefruit juices	28 %	28 % + ecu 24,8/ 100 kg/net
16.3300	2009 20 19	Grapefruit juices	28 %	28 %
16.3310	2009 20 91 2009 20 99	Grapefruit juices	7 %	7 % + ecu 24,8/ 100 kg/net 7 %
16.3320	ex 2009 30 31 ex 2009 30 39	Citrus fruit juices (excluding lemon juices) containing added sugar Citrus fruit juices (excluding lemon juices) not containing added sugar	13 %	13 %
16.3340	2009 30 91 2009 30 95	Other citrus fruit juices With an added sugar content exceeding 30 % by weight With an added sugar content not exceeding 30 % by weight	14 %	14 % + ecu 24,8/ 100 kg/net 14 %
16.3360	2009 40 30	Pineapple juice	17 %	17 %
16.3370	2009 40 91	Pineapple juice	17 %	17 % + ecu 24,8/ 100 kg/net
16.3400	ex 2009 80 38	Date juice	Free	Free
16.3550	2102 10 21 2102 10 39	Bakers' yeast	4 % Free	4 % + ecu 59,5/ 100 kg/net 4 % + ecu 17,5/ 100 kg/net
16.3580	2102 20 90	Other	Free	Free
16.3760	2309 10 90	Preparation of a kind used in animal feeding Other dog or cat food	3 %	3 %

Taric codes

Order No	CN code	Taric code
16.0380	ex 0306 19 90	0306 19 90*20
16.0580	ex 0410 00 00	0410 00 00*10
	ex 0410 00 00	0410 00 00*90
16.0740	ex 0709 20 00	0709 20 00*12 *92
16.0750	ex 0709 30 00	0709 30 00*10 *20
16.0760	ex 0709 40 00	0709 40 00*13 *91
16.0790	ex 0709 90 90	0709 90 90*12 *51 *52 *58 *91
16.0795	ex 0709 90 90	0709 90 90*23 *24 *25 *26 *31 *32
16.0860	ex 0712 30 00	0712 30 00*22 *24 *27
16.1070	ex 0807 10 10	0807 10 10*10 *20
16.2290	ex 1602 90 31	1602 90 31*20
16.2520	ex 1704 90 51	1704 90 51*90
16.2580	ex 1901 10 00	1901 10 00*31 *33 *35 *37 *81 *83 *85 *87
16.2580	ex 1901 90 91	1901 90 91*50 1901 90 91*60 1901 90 91*70 1901 90 91*90

Order No	CN code	Taric code
	ex 1901 90 99	1901 90 99*51 1901 90 99*53 1901 90 99*55 1901 90 99*57 1901 90 99*59 1901 90 99*91 1901 90 99*93 1901 90 99*95 1901 90 99*97 1901 90 99*99
16.2700	ex 2001 90 91 ex 2001 90 96	2001 90 91*91 2001 90 91*99 2001 90 96*21 2001 90 96*29 2001 90 96*30 2001 90 96*41 2001 90 96*49 2001 90 96*91 2001 90 96*99
16.2725	ex 2001 90 91	2001 90 91*11 *19
16.2750	ex 2004 90 30	2004 90 30*20
16.2820	ex 2006 00 35 ex 2006 00 38	2006 00 35*10 2006 00 38*10
16.2830	ex 2006 00 91 ex 2006 00 99	2006 00 91*10 2006 00 99*10
16.2840	ex 2007 10 99	2007 10 99*10
16.2850	ex 2007 91 10 ex 2007 91 30	2007 91 10*19 2007 91 30*19
16.2860	ex 2007 91 90	2007 91 90*19
16.2870	ex 2007 99 39	2007 99 39*10
16.2880	ex 2007 10 10 ex 2007 99 58	2007 10 10*11 *19 2007 99 58*11 *19
16.2890	ex 2007 99 93 ex 2007 99 98	2007 99 93*10 2007 99 98*10
16.2900	ex 2008 19 13 ex 2008 19 19	2008 19 13*90 2008 19 19*90
16.3320	ex 2009 30 31 ex 2009 30 39	2009 30 31*90 2009 30 39*90
16.3400	ex 2009 80 38	2009 80 39*40

ANNEX II

LIST OF PRODUCTS FALLING WITHIN CHAPTER 27, ORIGINATING IN TURKEY

Order No	CN code (*)	Description of goods	Rate of duty (a)	
			Period (1. 1. to 30. 6. 1995)	Period (1. 7. to 31. 12. 1995)
(1)	(2)	(3)	(4)	(5)
15.0001	ex 0709 30 00	Vegetables, fresh or chilled : – Aubergines, from 1 to 14 January	9 %	9 %
15.0003	0714 20 10	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced ; sago pith : – Sweet potatoes intended for human consumption (1)	Free	Free
15.0005	ex 0807 10 10	Melon (including watermelons) and papaws (papayas), fresh : – Watermelons, from 1 November to 31 March	6,5 %	6,5 %
15.0007	ex 1806 10 15	Chocolate and other food preparation containing cocoa : – Cocoa powder, not otherwise sweetened than by the addition of sucrose	3 %	3 %
	ex 1806 10 20		3 %	3 % + ECU 30,5/ 100 kg/net
	ex 1806 10 30		3 %	3 % + ECU 38/ 100 kg/net
	ex 1806 10 90		3 %	3 % + ECU 50,7/ 100 kg/net
15.0009	1806 20 10 1806 20 30 1806 20 50 1806 20 80 1806 20 95 1806 31 00 1806 32 10 1806 32 90 1806 90 11 1806 90 19 1806 90 31 1806 90 39 1806 90 50	Chocolate and chocolate goods, whether or not filled, sugar confectionery and substitutes therefore made from sugar substitution products, containing cocoa	9 %	9 % + EA
15.0011	ex 1901 90 91	Preparation based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as 'papad'	Free	Free
	ex 1901 90 99		Free	Free
15.0013	ex 1903 00 00	Tapioca, other than tapioca prepared from potato starch	2 %	2 % + ECU 22,2/ 100 kg/net
15.0015	0710 40 00 0711 90 30 2001 90 30 2004 90 10 2005 80 00 2008 99 85	Preparations : – – Corn	3 %	3 % + ECU 13,8/ 100 kg/net
15.0017	1904 90 10	– – Of rice	3 %	3 % + ECU 67,6/ 100 kg/net
15.0019	1904 90 90	– – Of other cereals	2 %	2 % + ECU 37,7/ 100 kg/net

(*) The Taric codes appear at the end of this Annex.

(1) Entry under this CN code is subject to conditions laid down in the relevant Community provision.

(a) Without prejudice to the levying of any additional duties applicable.

Taric Codes

Order No	CN code	Taric code
15.0001	ex 0709 30 00	0709 30 00*10
15.0005	ex 0807 10 10	0807 10 10*10
15.0007	ex 1806 10 15	1806 10 15*10
	ex 1806 10 20	1806 10 20*10
	ex 1806 10 30	1806 10 30*10
	ex 1806 10 90	1806 10 90*10
15.0011	ex 1901 90 91	1901 90 91*10
		*50
	ex 1901 90 99	1901 90 99*11
		*21
		*51
		*91
15.0013	ex 1903 00 00	1903 00 00*90

ANNEX III

LIST OF PRODUCTS FALLING WITHIN CHAPTER 27, REFINED IN TURKEY

Order No	CN code	Description of goods	Rate of duty
(1)	(2)	(3)	(4)
13.0010	2710 00 00	Petroleum oils and oils obtained from bituminous minerals, other than made preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations : – Light oils : – – For other purposes : – – – Special spirits : 2710 00 21 – – – – White spirit 2710 00 25 – – – – Other : – – – – Other : – – – – Motor spirit : 2710 00 26 – – – – – Aviation spirit – – – – – Other, with a lead content : – – – – – Not exceeding 0,013 g per litre : 2710 00 27 – – – – – – With an octane number of less than 95 2710 00 29 – – – – – – With an octane number of 95 or more but less than 98 2710 00 32 – – – – – – With an octane number of less than 98 or more – – – – – Exceeding 0,013 g per litre : 2710 00 34 – – – – – – With an octane number of less than 98 2710 00 36 – – – – – – With an octane number of 98 or more 2710 00 37 – – – – Spirit type jet fuel 2710 00 39 – – – – Other light oils – Medium oils : – – For other purposes : – – – Kerosene : 2710 00 51 – – – – Jet fuel 2710 00 55 – – – – Other 2710 00 59 – – – – Other – Heavy oils : – – Gas oils : 2710 00 69 – – – For other purposes – – Fuel oils : 2710 00 74 – – – – With a sulphur content not exceeding 1 % 2710 00 76 – – – – With a sulphur content exceeding 1 % by weight but not exceeding 2 % by weight 2710 00 77 – – – – With a sulphur content exceeding 2 % by weight but not exceeding 2,8 % by weight 2710 00 78 – – – – With a sulphur content exceeding 2,8 % by weight – Lubricating oils ; other oils : 2710 00 85 – – – To be mixed in accordance with the terms of additional note 6 (CN) to this chapter ⁽¹⁾	Free

⁽¹⁾ Entry under this code is subject to conditions laid down in the relevant Community provisions

(1)	(2)	(3)	(4)
13.0010 (cont'd)	2710 00 87 2710 00 88 2710 00 89 2710 00 92 2710 00 94 2710 00 96 2710 00 98	— — — For other purposes : — — — — Motor oils, compressor lube oils, turbine lube oils — — — — Liquids for hydraulic purposes — — — — White oils, liquid paraffin — — — — Gear oils and reductor oils — — — — Metal-working compounds, mould release oils ; anti-corrosion oils — — — — Electrical insulating oils — — — — Other lubricating oils and other oils	
	2711 2711 12 2711 12 94 2711 12 96 2711 12 98 2711 13 2711 13 91 2711 13 93 2711 13 98	Petroleum gases and other gaseous hydrocarbons : — Liquified : — — Propane : — — — Other : — — — — For other purposes : — — — — — Of a purity exceeding 90 % but less than 99 % — — — — — Mixture of propane and butane containing more than 50 % but not more than 70 % of propane — — — — — Other — — Butanes : — — — For other purposes : — — — — Of a purity exceeding 90 % but less than 95 % — — — — Mixture of butane and propane containing more than 50 % but not more than 65 % of butane : — — — — Other	Free
	2712 2712 10 2712 10 10 2712 10 90 2712 20 00 2712 90 2712 90 39 2712 90 90	Petroleum jelly, paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured — Petroleum jelly : — — Crude — — Other — Paraffin wax containing by weight less than 0,75 % of oil — Other : — — Other : — — — Crude : — — — — For other purposes — — — Other	Free
	2713 2713 90 2713 90 90	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals : — Other residues of petroleum oils or of oils obtained from bituminous minerals : — — Other	Free

**COUNCIL REGULATION (EC) No 3011/95
of 19 December 1995**

**amending Regulation (EEC) No 823/87 laying down special provisions relating to
quality wines produced in specific regions**

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 Act of Accession of Spain and Portugal, and in particular Article 129 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas reference should be made to the Agreement between the United Kingdom and the Kingdom of Spain and related statements and Article 18 of the Directive on the harmonization of the structures of excise duties on alcohol and alcoholic beverages⁽²⁾, and in particular the first subparagraph of paragraph (ii) thereof;

Whereas Article 129 of the Act of Accession permits the use of the composite terms 'British Sherry', 'Irish Sherry' and 'Cyprus Sherry' on the territory of the United Kingdom and Ireland until 31 December 1995;

Whereas correct information to consumers, including in advertising, and adequate protection of the legitimate interests of wine producers of specified regions should be provided; whereas Regulation (EEC) No 823/87⁽³⁾ should accordingly be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 15 (5) of Regulation (EEC) No 823/87 the first subparagraph is hereby amended as follows:

- (a) in the introductory phrase the terms 'the description and presentation' shall be replaced by 'the description, presentation and advertising';
- (b) the first indent shall be replaced by the following:
 - the name of a specific region as referred to in Article 3 included on the list drawn up pursuant to the third subparagraph of Article 1¹.

Article 2

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 1996.

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

Done at Brussels, 19 December 1995.

For the Council

The President

L. ATIENZA SERNA

⁽¹⁾ Opinion delivered on 15 December 1995 (not yet published in the Official Journal).

⁽²⁾ OJ No L 316, 31. 10. 1992, p. 28. (The directive referred to is Directive 92/83/EEC, published in the same edition of the Official Journal, p. 21).

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 59. Regulation as last amended by the 1994 Act of Accession.

COUNCIL REGULATION (EC) No 3012/95
of 20 December 1995

**amending Regulation (EEC) No 1605/92 temporarily suspending the autonomous
Common Customs Tariff duties on imports of certain industrial products into
the Canary Islands**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas Article 6(1) of Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands⁽¹⁾ provides for the gradual introduction of the Common Customs Tariff (CCT) over a transitional period not extending beyond 31 December 2000; whereas, in accordance with Article 7 of the same Regulation the common commercial policy will apply to the Canary Islands, without prejudice to the specific measures referred to in Article 6(3) thereof;

Whereas paragraph 7.2 of the Annex to Council Decision 91/314/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican)⁽²⁾ states that specific tariff measures must continue to be considered; whereas in principle they must be limited to the transitional period provided for under Article 6 of Regulation (EEC) No 1911/91 for the gradual adoption of the Common Customs Tariff to the Canary Islands;

Whereas Council Regulation (EEC) No 1605/92 of 15 June 1992 temporarily suspending the autonomous Common Customs Tariff duties on imports of certain industrial products into the Canary Islands⁽³⁾ totally suspended until 31 December 1995 CCT duties appli-

cable to imports into the Canary Islands of the products listed in the Annex to the Regulation which are intended for the Canary Islands' domestic market;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1605/92, the Commission has during 1995 examined the effect of measures adopted in favour of the economy of the Canary Islands; whereas on that basis it intends to submit to the Council a proposal for a series of measures for the period after 31 December 1995;

Whereas because of that circumstance the Council is not in a position to act on the said proposal before the expiry of Regulation (EEC) No 1605/92; whereas that Regulation should therefore be extended to 31 March 1996,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1(1) of Regulation (EEC) No 1605/92, the date '31 December 1995' shall be replaced by that of '31 March 1996'.

Article 2

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 1996.

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

Done at Brussels, 20 December 1995.

For the Council

The President

J.L. DICENTA BALLESTER

⁽¹⁾ OJ No L 171, 29. 6. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 284/92 (OJ No L 31, 7. 2. 1992, p. 6).

⁽²⁾ OJ No L 171, 29. 6. 1991, p. 5.

⁽³⁾ OJ No L 173, 15. 6. 1992, p. 31.

COMMISSION REGULATION (EC) No 3013/95

of 27 December 1995

amending Regulation (EC) No 1608/95 adopting the balance and fixing the aid for the supply of products from the eggs and poultrymeat sectors to the Canary Islands under the arrangements provided for in Articles 2, 3 and 4 of Council Regulation (EEC) No 1601/92, regarding the amounts of 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 with regard to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 3 (4) and Article 4 (4) thereof,

Whereas Commission Regulation (EC) No 1608/95 ⁽³⁾ fixed the amounts of the aid for the supply to the archipelago, on the one hand, of meat and eggs, and on the other hand, of meat and eggs, and on the other hand, of chicks and hatching eggs originating in the rest of the Community; whereas such aid must be fixed taking into account in particular the costs of supply from the world market, conditions due to the geographical situation of the archipelago and the basis of the current prices on export to third countries for the animals or products concerned;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the amounts of aid for such deliveries should be adjusted, taking account of their current volume and ensuring that the share of supplies from the Community is maintained;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 1608/95 are replaced by the Annexes to this 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, 27 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 153, 4. 7. 1995, p. 15.

ANNEX

ANNEX II

Amounts of aid granted for products from the Community market

(ECU/100 kg)	
Product code	Amount of aid
0207 12 10 900	30
0207 12 90 190	33
0207 25 10 000	8
0207 25 90 000	8
0207 14 20 900	9
0207 14 60 900	9
0207 14 70 190	9
0207 14 70 290	9
0207 27 10 990	15
0207 27 60 000	6,5
0207 27 70 000	6,5
0408 11 80 100	45
0408 91 80 100	27

Note: The product codes and the footnotes are defined in Regulation (EEC) No 3846/87.

ANNEX III

Supply to the Canary Islands of breeding material originating in the Community for the period from 1 July 1995 to 30 June 1996 — chicks and hatching eggs

(ECU/100 units)			
CN code	Description of goods	Number	Aid
ex 0105 11	Parent or grandparent stock chicks ⁽¹⁾	525 000	2,00
ex 0407 00 19	Hatching eggs for the production of parent or grandparent stock chicks ⁽¹⁾	500 000	1,60

⁽¹⁾ In accordance with the definition provided for in Article 1 of Council Regulation (EEC) No 2782/75 (OJ No L 282, 1. 11. 1975, p. 100).'

COMMISSION REGULATION (EC) No 3014/95
of 19 December 1995

opening and providing for the administration of certain tariff quotas for 1996 for products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

maintained; whereas it is therefore necessary to open quotas for 1996;

Having regard to the Treaty establishing the European Community,

Whereas importation of products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 is subject to presentation of an import licence for which common detailed rules of application are laid down in Commission Regulation (EEC) No 3719/88⁽⁴⁾, as last amended by Regulation (EC) No 2137/95⁽⁵⁾; whereas Commission Regulation (EC) No 1162/95⁽⁶⁾, as last amended by Regulation (EC) No 2916/95⁽⁷⁾, lays down special detailed rules for the application of the system of licences for cereals and rice;

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1863/95⁽²⁾, and in particular Article 12 (4) thereof,

Whereas the usual additional procedures for the management of such quotas, relating in particular to the submission of applications, issue of licences, and monitoring of imports should be applied;

Whereas the Community has undertaken, within the framework of the Uruguay Round multilateral trade negotiations⁽³⁾, to open certain annual tariff quotas for products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in Indonesia, in other contracting parties to the World Trade Organization (WTO) other than Thailand, in the People's Republic of China and in certain other non-member countries of the WTO other than China; whereas under those quotas the customs duty is limited to 6 % *ad valorem*; whereas those quotas are to be opened and administered by the Commission;

Whereas, in particular, the origin of the products should be ensured by providing that the issue of import licences be subject to the presentation of certificates of origin issued by the countries concerned; whereas, however, certificates of origin should not be required for products originating in the People's Republic of China;

Whereas it is necessary to maintain a system of administration which ensures that only products originating in the Republic of Indonesia and the People's Republic of China can be imported under the quotas allocated to those countries; whereas, as a result, the issue of import licences should continue to be subject to the presentation of export licences issued by the authorities of those two countries, specimens of which have been sent to the Commission; whereas, as regards products originating in Vietnam, in accordance with the practice followed for several years, import licence applications are subject, in addition to other provisions, to presentation of a certificate issued on the initiative of the exporting country;

Whereas, for the sake of sound management of the import arrangements in question, an application for a licence may not concern a quantity in excess of the quantity entered on the document certifying loading and shipment to the Community; whereas a maximum quantity per application should also be laid down in certain cases, and it should be stipulated that in no case may applications cover a quantity greater than the quantity for which the aforementioned proof is provided;

Whereas, since the importation of the products concerned onto the Community market has traditionally been administered on a calendar-year basis, that system should be

Whereas, in cases where the quantities actually unloaded are slightly in excess of the quantities given in the import licences, measures to ensure the release for free circulation of the surplus quantities should be adopted if the country of origin of the products is able to guarantee that the formalities needed for this purpose can be executed; whereas Indonesia and China appear able to meet this condition;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 336, 22. 12. 1994, p. 1.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁶⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁷⁾ OJ No L 305, 19. 12. 1995, p. 53.

Whereas the adoption of this Regulation renders Regulations (EEC) No 3936/92⁽¹⁾, (EEC) No 3855/89⁽²⁾, as last amended by Regulation (EEC) No 483/93⁽³⁾, and (EEC) No 3858/89⁽⁴⁾, as last amended by Regulation (EEC) No 482/93⁽⁵⁾, no longer applicable; whereas they should therefore be repealed;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Quotas

Article 1

For the period 1 January to 31 December 1996 the following tariff quotas are hereby opened for the import of products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19, at a customs duty rate of 6 % *ad valorem*:

1. a quota of 825 000 tonnes for the products in question originating in the Republic of Indonesia;
2. a quota of 145 590 tonnes for the products in question originating in other member countries of the World Trade Organization (WTO) other than Thailand;
3. a quota of 350 000 tonnes for the products in question originating in the Peoples Republic of China;
4. a quota of 32 000 tonnes for the products in question originating in other non-member countries of the WTO other than China, of which 2 000 tonnes shall be reserved for the importation products of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kilograms, either fresh and whole or without skin and frozen, whether or not sliced.

Article 2

For the purposes of the release for free circulation of the products referred to in Article 1, import licence applications shall be lodged in any Member State and licences issued shall be valid throughout the Community.

The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not apply.

Article 3

1. Import licence applications shall be admissible if:
 - (a) they are accompanied by the original of a certificate drawn up by the competent authorities of the country concerned certifying the origin of the goods, in accor-

dance with the specimen in Annex I; however, such a certificate shall not be necessary for imports of products originating in the People's Republic of China referred to in Article 1 (3);

- (b) they are accompanied by proof, in the form of copy of the bill of lading, that the goods have been loaded in the third country of origin and are being transported to the Community by the vessel mentioned in the application, and, where the third country does not have direct access to the sea, an international transport document certifying transport of the goods from the country of origin to the port of shipping is also provided;
- (c) for products originating in Indonesia and China, they are accompanied by the respective export licence referred to in Title II issued by the authorities of those countries, duly completed, in accordance with the specimen in Annexes II and III. The original of the licence shall be kept by the authority issuing the import licence. However, where the import licence application concerns only part of the quantity indicated on the export licence, the issuing authority shall indicate on the original the quantity in respect of which the original was used and, after stamping it, shall return the original to the party concerned. Only the quantity indicated in Section 7 of the export licence in the case of Indonesian exports and in Section 9 of the export licence in the case of Chinese exports respectively shall be taken into consideration for the purposes of issuing the import licence;
- (d) they relate to a quantity which does not exceed the quantity indicated in the documents referred to in points (a), (b) and (c).

2. Applications for import licences for the purposes of the release for free circulation of products of a kind used for human consumption falling within CN codes 0714 10 91 and 0714 90 11 may not relate to a quantity in excess of 150 tonnes per interested party acting on their own account.

TITLE II

Export licences

Article 4

1. Export licences issued by the authorities of the Republic of Indonesia and the People's Republic of China shall be printed in English.
2. The original and copies thereof shall be completed in typescript or by hand. In the latter case, they must be completed using ink and block capitals.
3. Each export licence shall bear a preprinted serial number; in its uppermost section it shall also bear a licence number. The copies shall bear the same numbers as the original.

⁽¹⁾ OJ No L 398, 31. 12. 1992, p. 21.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 22.

⁽³⁾ OJ No L 51, 3. 3. 1993, p. 17.

⁽⁴⁾ OJ No L 374, 22. 12. 1989, p. 37.

⁽⁵⁾ OJ No L 51, 3. 3. 1993, p. 16.

Article 5

1. Export licences issued from 1 January to 31 December 1996 shall be valid for 120 days from the date of issue. The date of issue of a licence shall count as part of its period of validity.

Licences shall not be valid unless their sections are duly completed and they are authenticated as indicated on them. Quantities must be given in figures and in words.

2. Export licences are duly authenticated when they indicate the date of issue and bear the stamp of the issuing authority and the signature of the persons authorized to sign them.

TITLE III

Import licences

Article 6

Licence applications and licences shall indicate :

(a) in Section 8, the third country in which the product concerned originated.

Importation from that country shall be obligatory ;

(b) in Section 24, one of the following entries :

- Derechos de aduana limitados al 6 % *ad valorem* [Reglamento (CE) n° 3014/95],
- Toldsatsen begrænses til 6 % af værdien (Forordning (EF) nr. 3014/95),
- Beschränkung des Zolls auf 6 % des Zollwerts (Verordnung (EG) Nr. 3014/95),
- Τελωνειακός δασμός κατ' ανώτατο όριο 6 % κατ' αξία [Κανονισμός (ΕΚ) αριθ. 3014/95],
- Customs duties limited to 6 % *ad valorem* (Regulation (EC) No 3014/95),
- Droits de douane limités à 6 % *ad valorem* [Règlement (CE) n° 3014/95],
- Dazi doganali limitati al 6 % *ad valorem* [Regolamento (CE) n. 3014/95],
- Douanerechten beperkt tot 6 % *ad valorem* (Verordening (EG) nr. 3014/95),
- Direitos aduaneiros limitados a 6 % *ad valorem* [Regulamento (CE) n° 3014/95],
- Arvotulli rajoitettu 6 prosenttiin [asetus (EY) N:o 3014/95],
- Tullsatsen begränsad till 6 % av värdet (Förordning (EG) nr 3014/95)

(c) in Section 20, the name of the vessel in which the goods are being or have been shipped to the Community, the number of the certificate of origin submitted and, in the case of products originating in Indonesia or China, the number and date of the Indonesian or Chinese export licence respectively.

Article 7

1. Notwithstanding Article 10 of Regulation (EC) No 1162/95, the security against import licences shall be ECU 20 per tonne.

However, in the case of products originating in the People's Republic of China, the security shall be ECU 5 per tonne.

2. If, pursuant to Article 8 (4), the quantity in respect of which the licence is issued is less than the quantity in respect of which it was applied for, the security corresponding to the difference shall be released.

3. The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not apply.

Article 8

1. Licence applications shall be lodged with the competent authorities of the Member States between Monday and Wednesday each week, up to 1 p.m.

However, the first day each year for lodging applications shall be the first working day in January.

2. For products originating in Indonesia or China, licence applications may relate to imports to be carried out the following year if they are submitted during December on the basis of an export licence issued by the Indonesian or Chinese authorities for the year in question.

3. Member States shall notify to the Commission by telefax or fax on the day following the day on which applications are lodged, and not later than 1 p.m. on the Thursday following the deadline for lodging applications laid down in the first subparagraph of paragraph 1, the following particulars in respect of each application :

- the country of origin of the product,
- the quantity in respect of which the import licence is applied for,
- the name of the applicant,
- the number of the certificate of origin submitted and the total quantity entered in the original document or an extract thereof,
- the name of the vessel entered in Section 20,
- for products originating in Indonesia or China, the number of the Indonesian or Chinese export licence indicated in the uppermost section of the licence.

4. The Commission shall determine and notify to the Member States by telex or fax not later than the fourth working day following the day on which applications are lodged the extent to which licence applications are to be accepted.

5. Member States may issue the import licences as soon as they receive notification from the Commission.

However, import licences for products originating in Indonesia or China in respect of which applications are lodged in December for the following year shall not be issued before the first working day in January of the year in question.

Article 9

Subject to Article 10 (2) and notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released into free circulation may not exceed the quantity indicated in Sections 17 and 18 of the import licence; to that end the figure 0 shall be entered in Section 19 of the licence.

Article 10

1. In the case of products originating in Indonesia, once it has been verified that the quantities actually unloaded for a given consignment are in excess of those covered by the import licence(s) issued for that consignment, the competent authorities which issued the licence(s) concerned shall, at the request of the importer, notify the Commission by telex or fax as quickly as possible, on a case-by-case basis, of the Indonesian export licence number(s), the import licence number(s), the excess quantity and the name of the vessel.

The Commission shall contact the Indonesian authorities with a view to the issue of new export licences. Pending their preparation, the surplus quantities may not be released for free circulation as long as the new import licences for the quantities in question cannot be presented. The new import licences shall be issued under the terms laid down in Article 8.

2. However, notwithstanding paragraph 1, where the quantities unloaded are not more than 2 % in excess of the quantities covered by the import licences issued corresponding to the export licences granted for the vessel concerned, the competent authorities in the Member State where release for free circulation is to take place shall, at the request of the importer, authorize the release for free circulation of the excess quantities provided that the importer pays a customs duty limited to 6 % *ad valorem* and lodges security for an amount equal to the difference between the full duty and that paid.

The Commission, on receipt of the information referred to in the first subparagraph of paragraph 1, shall contact the Indonesian authorities with a view to the issue of new export licences.

The security shall be released on presentation to the competent authorities of the Member State in which

release for free circulation is to take place of a supplementary import licence for the excess quantity in question. Application for this licence shall not be subject to the lodging of a security against the licence as provided for in Article 14 (2) of Regulation (EEC) No 3719/88 and Article 7 of this Regulation. This licence shall be issued under the terms of Article 8 on presentation of one or more new export licences issued by the Indonesian authorities for the excess quantity in question. The supplementary import licence shall contain one of the following entries in Section 20 :

'Licence for additional quantity, Article 10 (2) of Regulation (EC) No 3014/95'.

The security shall be forfeit in respect of quantities for which a supplementary import licence is not presented within four months, except in cases of *force majeure*, from the date on which the declaration for release for free circulation referred to in the first subparagraph is accepted.

Once the supplementary import licence has been processed and stamped by the competent authority when the security is released, the licence shall be returned to the issuing authority as soon as possible.

3. Application of paragraphs 1 and 2 may not result in importation of quantities of goods exceeding the overall quota authorized for the year. If, when a supplementary import licence is issued, it is found that the overall quota has been exceeded, the quantity covered by the supplementary licence shall be deducted from the overall quota authorized for the following year.

Article 11

The quantities of products to which each import licence issued relates shall be deducted from the overall quota for the year of issue of those licences.

Licences issued pursuant to this Regulation shall be valid throughout the Community for 60 days from the date of actual issue.

However, licences issued for products originating in Indonesia or China shall be valid up to the last day of validity of the export licence plus 30 days.

Article 12

Regulations (EEC) No 3963/92, (EEC) No 3855/89 and (EEC) No 3858/89 are hereby repealed.

Article 13

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, 19 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

1. Consignor	CERTIFICATE OF ORIGIN for imports of agricultural products into the European Community No ORIGINAL	
2. Consignee (optional)	3. ISSUING AUTHORITY	
	4. Country of origin	
NOTES A. The certificate must be completed in typescript or by means of a mechanical data-processing system, or similar procedure. B. The original of the certificate must be lodged together with the declaration of release for free circulation with the relevant customs office in the Community.	5. Remarks	
6. Item number — Markings and numbers — Number and kind of packages — Description of goods		7. Gross and net mass (kg)
8. THIS IS TO CERTIFY THAT THE ABOVE PRODUCTS ORIGINATE IN THE COUNTRY INDICATED IN BOX 4 AND THAT THE INDICATIONS IN BOX 5 ARE CORRECT. Place and date of issue Signature Issuing authority's stamp		
9. RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY		

SERIAL No

ORIGINAL

DEPARTMENT OF TRADE
OF THE REPUBLIC OF INDONESIA

EXPORT CERTIFICATE

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

1. EXPORTER (NAME, ADDRESS AND COUNTRY)		2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
3. SHIPPED PER		5. COUNTRY/COUNTRIES OF DESTINATION IN EC	
4. EXPECTED TIME OF ARRIVAL			
6. TYPE OF MANIOC PRODUCTS	7. WEIGHT (TONNES)	8. PACKING	
☐ CN CODE 0714 10 10 ☐ CN CODE 0714 10 91 ☐ CN CODE 0714 10 99	SHIPPED WEIGHT	☐ IN BULK ☐ BAGS ☐ OTHERS	
	ESTIMATED NET WEIGHT		

WE HEREBY CERTIFY THAT THE ABOVEMENTIONED PRODUCTS ARE PRODUCED IN AND ARE EXPORTED FROM THAILAND

DEPARTMENT OF TRADE
OF THE REPUBLIC OF INDONESIA

DATE

.....
NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE

FOR USE OF EC AUTHORITIES:

People's Republic of China

1. Exporter (name, full address, country) China National Native Produce & Animal By-Products Import & Export Corporation Branch China	2. No	
	3. Quota, year	
4. First consignee (name, full address, country)	EXPORT CERTIFICATE (Manioc falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19)	
	5. Country of origin CHINA	6. Country of destination EC
7. Place and date of shipment — Means of transport — Shipped by (name of vessel)		
8. Descriptions of goods: — Type of products: △ Pellets △ Chips △ Others — Packaging: △ In bulk △ Bags △ Others	9. QUANTITY	
	Metric tonne (Net shipped weight)	
10. Competent authority (name, address, country) Imp/Exp Department Ministry of Foreign Economic Relations and Trade, People's Republic of China 2, Dong Chang An Street, Beijing, China		
Date:	Signature:	Stamp:
For use of EC authorities		
This certificate is valid for 120 days from the date of issue		

COMMISSION REGULATION (EC) No 3015/95**of 19 December 1995****opening and providing for the administration of certain import quotas for sweet potatoes and manioc starch intended for certain uses for 1996**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1863/95⁽²⁾, and in particular Article 12 (4) thereof,

Whereas the Community has undertaken, under the Uruguay Round of multilateral trade negotiations⁽³⁾, to open two tariff quotas subject to zero duty each year for products covered by CN code 0714 20 90 for the People's Republic of China and for other third countries and a tariff quota for manioc starch covered by CN code 1108 14 00 intended for certain uses;

Whereas those quotas should be opened for 1996;

Whereas a distinction should be made between sweet potatoes for human consumption and those for other uses; whereas the presentation and packaging of sweet potatoes covered by CN code 0714 20 10 for use as referred to above should be defined and products which do not meet those presentation and packaging conditions should be deemed to correspond to CN code 0714 20 90;

Whereas, with a view to the sound administration of the abovementioned arrangements and in particular to ensure that the quantities fixed for each year are not exceeded, special detailed rules must be adopted concerning the submission of applications and the issuing of licences; whereas such detailed rules will either supplement or derogate from Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁴⁾, as last amended by Regulation (EC) No 2137/95⁽⁵⁾;

Whereas the detailed rules for the administration and monitoring of imports laid down for the period 1 January 1993 to 31 December 1995 in Commission Regulation (EEC) No 1759/88 of 21 June 1988 laying down detailed

rules for implementing the arrangements applicable to imports of sweet potatoes and manioc starch intended for certain uses⁽⁶⁾, as last amended by Regulation (EEC) No 484/93⁽⁷⁾, should be maintained and in particular an export document issued by, or under the responsibility of, the Chinese authorities should be required for goods originating in that country;

Whereas manioc starch imported under the tariff arrangements introduced by this Regulation is to be used for certain purposes only; whereas, as regards products for the manufacture of food preparations, the quantity fixed must be broken down on the basis of usual requirements for the manufacture, on the one hand, of food preparations for retail sale covered by CN code 1901 and, on the other hand, of tapioca in the form of granules or pearls for retail sale covered by CN code 1903;

Whereas special provisions must be laid down to ensure that the manioc starch is not used otherwise than for the purposes specified; whereas, to that end, the right to import at the reduced rate of duty should depend in particular on an undertaking by the importer to use the product for the stated purpose and on the lodging of a security of an amount equal to the reduction in the import duty; whereas a reasonable time must be allowed for processing if the arrangements in question are to be monitored satisfactorily; whereas, where the product released for free circulation is dispatched to another Member State for processing, the T5 control copy completed by the Member State of release for free circulation should provide suitable proof of processing;

Whereas experience has shown that, although the security is lodged to ensure payment of a customs import debt thus arising, some element of proportionality must be introduced as regards the release of the security, in particular in certain cases where the time limits laid down under the arrangements have not been observed; whereas the rules laid down in Title V of Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products⁽⁸⁾, as last amended by Regulation (EC) No 3403/93⁽⁹⁾, should therefore serve as a basis;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 336, 22. 12. 1994, p. 1.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁶⁾ OJ No L 156, 23. 6. 1988, p. 20.

⁽⁷⁾ OJ No L 51, 3. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽⁹⁾ OJ No L 310, 14. 12. 1993, p. 4.

Whereas Regulation (EEC) No 1759/88 will lapse once this Regulation is adopted; whereas it should therefore be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 December 1996, the following quotas are hereby opened:

1. an annual tariff quota at zero duty for imports into the Community of 5 000 tonnes of sweet potatoes intended for a use other than human consumption, covered by CN code 0714 20 90 and originating in third countries other than the People's Republic of China;
2. an annual tariff quota at zero duty for imports into the Community of 600 000 tonnes of sweet potatoes covered by CN code 0714 20 90, originating in the People's Republic of China and intended for a use other than human consumption;
3. an annual tariff quota at a reduced duty of ECU 170,59 per tonne for imports into the Community of 10 000 tonnes of manioc starch covered by CN code 1108 14 00 up to the following quantities, depending on use:
 - (a) 2 000 tonnes for the manufacture of medicaments covered by CN code 3003 and/or 3004;
 - (b) 4 000 tonnes for the manufacture of food preparations put up for retail sale, covered by CN code 1901;
 - (c) 4 000 tonnes for the manufacture of tapioca in the form of granules or pearls put up for retail sale, covered by CN code 1903.

TITLE I

Sweet potatoes intended for certain uses

Article 2

1. Import licences shall be issued in accordance with this Title under the annual tariff quotas opened for the products referred to in Article 1 (1) and (2).
2. Fresh, whole sweet potatoes put up in immediate packings shall be deemed to be intended for human consumption in accordance with CN code 0714 20 10 when customs formalities for release for free circulation are completed.

The provisions of this Title shall not apply on the release for free circulation of sweet potatoes intended for human

consumption as defined in the preceding subparagraph, with the exception of Article 5 (1).

Article 3

Licence applications shall be submitted to the competent authorities in the Member States by 1 p.m. (Brussels time) on Tuesdays or, where that day is not a working day, on the first following working day.

Article 4

1. Section 8 of licence applications and of licences shall show the country of origin. Licences shall carry an obligation to import from the country shown.

In the case of imports of products originating in the People's Republic of China, licence applications shall be admissible only where they are accompanied by the original of an export document issued by, or under the responsibility of, the Government of the People's Republic of China and drawn up in accordance with the model set out in the Annex. Such export documents shall be blue.

2. Section 24 of licences shall show one of the following entries:

- Exención del derecho de aduana [artículo 4 del Reglamento (CE) n° 3015/95]
- Fritagelse for toldsatser (artikel 4 i forordning (EF) nr. 3015/95)
- Zollfrei (Artikel 4 der Verordnung (EG) Nr. 3015/95)
- Απαλλαγή από τους τελωνειακούς δασμούς [άρθρο 4 του κανονισμού (ΕΚ) αριθ. 3015/95]
- Exemption from customs duty (Article 4 of Regulation (EC) No 3015/95)
- Exemption du droit de douane [article 4 du règlement (CE) n° 3015/95]
- Esenzione dal dazio doganale [articolo 4 del regolamento (CE) n. 3015/95]
- Vrijgesteld van douanerecht (artikel 4 van Verordening (EG) nr. 3015/95)
- Isenção de direito aduaneiro [artigo 4º do Regulamento (CE) n° 3015/95]
- Tullivapaa (asetuksen (EY) N:o 3015/95 4 artikla)
- Tullfri (artikel 4 i förordning (EG) nr 3015/95).

Article 5

1. The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not be applicable.
2. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed that shown in Sections 10 and 11 of import licences. The figure 0 shall be entered to that end in Section 22 of licences.
3. Article 33 (5) of Regulation (EEC) No 3719/88 shall apply.

Article 6

The security for import licences shall be ECU 20 per tonne.

Article 7

By 5 p.m. (Brussels time) at the latest on the first working day following that of submission of the application as provided for in Article 3, the Member States shall send the Commission the following details of licence applications:

- the applicant's name,
- the quantities applied for,
- the origin of the products,
- the number of the export document and the name of the vessel in the case of products originating in the People's Republic of China.

Article 8

1. The Commission shall notify the Member States by telex or fax of the percentage of quantities applied for which can be granted. Where the quantities covered by licence applications exceed the quantities available, the Commission shall fix the uniform percentage reduction to be applied to the quantities requested and shall notify it by telex or fax.

Licences shall be issued for up to the quotas fixed in Article 1 (1) and (2).

2. On receipt of the Commission's notification, the Member States may issue the import licences.

Licences issued shall be valid throughout the Community from the day of their actual issue to the end of the fourth month thereafter.

TITLE II

Manioc starch intended for certain uses

Article 9

Applications for import licences under the quota opened for the products referred to in Article 1 (3) shall be submitted to the competent authorities in the Member States by 1 p.m. (Brussels time) on Tuesdays or, where that day is not a working day, on the first following working day.

Licence applications may not relate to a quantity in excess of 1 000 tonnes per applicant acting on his own account.

Article 10

1. Section 20 of licence applications and of licences shall show one of the following entries, as appropriate:

- (a) 'manioc starch intended for the manufacture of medicaments covered by CN code 3003 and/or 3004', or
- (b) 'manioc starch intended for the manufacture of food preparations put up for retail sale, covered by CN code 1901', or
- (c) 'manioc starch intended for the manufacture of tapioca in the form of granules or pearls put up for retail sale, covered by CN code 1903'.

2. Section 24 of licence applications and of licences shall show the following:

'customs duty of ECU 170,59 per tonne (Article 10 of Regulation (EC) No 3015/95)'.

3. Eligibility for the customs duty provided for in Article 1 (3) shall be subject to:

- (a) a written undertaking by the importer, entered into at the time of release for free circulation, to the effect that all the goods declared shall be processed in accordance with the information set out in Section 12 of the licence within six months of the date of acceptance of the declaration of release for free circulation;
- (b) the lodging by the importer, at the time of release for free circulation, of a security equal to the difference between the duty of ECU 170,59 per tonne and the full customs duty.

4. On release for free circulation, importers shall specify the place where processing is to be carried out. If the latter is to take place in another Member State, a T5 control copy shall be completed in the Member State of departure on dispatch of the goods.

Section 104 of the T5 control copy shall show the following:

'Article 10 of Regulation (EC) No 3015/95 — (particular use specified in Section 12 of import licence)'.

5. Except in cases of *force majeure*, securities as provided for in paragraph 3 (b) shall be released when proof is provided to the competent authorities of the Member State of release for free circulation that the entire quantities released for free circulation have been processed into the product specified in the import licence within the time limit laid down in paragraph 3 (a).

Where processing is carried out in a Member State other than that of release for free circulation, proof of processing shall be provided by means of the original of the T5 control copy referred to in paragraph 4.

In the case of goods released for free circulation which have not been processed within the time limit referred to above, the security shall be reduced by:

- 15 % of its total amount, and
- 2 % of the remainder, after the 15 % has been deducted, for each day by which the time limit is exceeded.

That part of the security not released shall be forfeited by way of customs duty.

6. Proof of processing shall be provided to the competent authorities within six months of the expiry of the time limit for processing. However, where proof is established within those six months but provided within the following 12 months, the amount forfeited, less 15 % of the security, shall be reimbursed.

Article 11

Articles 5 and 6 shall apply under this Title.

Article 12

By 1 p.m. (Brussels time) at the latest on the day following that of submission of the application as provided for in Article 9, the Member States shall send the Commission the following details, separately for each of the three quotas provided for in Article 1 (3):

- the applicant's name,
- the quantities applied for.

Article 13

1. The Commission shall notify the Member States by telex or fax of the percentage of quantities applied for which can be granted. Where the quantities covered by licence applications exceed the quantities available, the Commission shall fix the uniform percentage reduction to be applied to the quantities requested and shall notify it by telex or fax.

2. On receipt of the Commission's notification, the Member States may issue the import licences.

Licences issued shall be valid throughout the Community from the day of their actual issue to the end of the third month thereafter.

Article 14

Regulation (EEC) No 1759/88 is hereby repealed.

Article 15

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, 19 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

People's Republic of China

1. Exporter (name, full address, country) China		2. No	
		3. Quota, year	
4. First consignee (name, full address, country)		EXPORT CERTIFICATE (Sweet potatoes falling within CN code 0714 20 90)	
		5. Country of origin CHINA	6. Country of destination EC
7. Place and date of shipment — Means of transport — Shipped by (name of vessel)			
8. Descriptions of goods: — Type of products: △ Pellets △ Chips △ Others — Packaging: △ In bulk △ Bags △ Others		9. QUANTITY	
		Metric tonne (Net shipped weight)	
10. Competent authority (name, address, country) Imp/Exp Department Ministry of Foreign Economic Relations and Trade, People's Republic of China 2, Dong Chang An Street, Beijing, China			
Date:		Signature:	
		Stamp:	
For use of EC authorities			
This certificate is valid for 120 days from the date of issue			

COMMISSION REGULATION (EC) No 3016/95

of 18 December 1995

opening Community tariff quotas for 1996 for sheep, goats, sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁶⁾, and in particular Article 1 thereof,

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

the European Communities and their Member States, of the one part, and Romania, of the other part⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1275/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part⁽⁹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1276/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia, of the other part⁽¹⁰⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1277/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania, of the other part⁽¹¹⁾, and in particular Article 1 thereof,

Whereas under the Agreement on Agriculture concluded in the framework of the Uruguay Round of multilateral trade negotiations⁽¹²⁾, the Community has undertaken to replace, as from 1 July 1995, the Voluntary Restraint Agreements in the sheep and goat sector by country-specific tariff quotas and to open a non-country-specific tariff quota; whereas the Europe Agreements concluded between the Community and the countries of central Europe allow additional preferential access to the Community market;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 123, 3. 6. 1995, p. 1.

⁽³⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁵⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁶⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁷⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽⁸⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽⁹⁾ OJ No L 124, 7. 6. 1995, p. 1.

⁽¹⁰⁾ OJ No L 124, 7. 6. 1995, p. 2.

⁽¹¹⁾ OJ No L 124, 7. 6. 1995, p. 3.

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

Whereas, moreover, the Community undertook to reserve a certain share of the non-country-specific tariff quota for imports of sheepmeat and goatmeat from Estonia⁽¹⁾, Latvia⁽²⁾ and Lithuania⁽³⁾;

Whereas the tariff quotas have to be opened by the Commission and be managed according to the rules laid down in Commission Regulation (EC) No 1439/95 of 1995 of 26 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 3013/89 as regards the import and export of products in the sheepmeat and goatmeat sector⁽⁴⁾, as last amended by Regulation (EC) No 2526/95⁽⁵⁾;

Whereas since imports in the Community market have traditionally been managed on a calendar year basis, it is appropriate to maintain this system in the future;

Whereas a carcase-weight equivalent needs to be fixed in order to ensure a proper functioning of the tariff quotas; whereas, furthermore, certain tariff quotas provide the option of importing either the live animals or their meat; whereas a conversion factor is therefore required;

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

HAS ADOPTED THIS REGULATION:

Article 1

The customs duties applicable to imports into the Community of sheep, goats, sheepmeat and goatmeat falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 originating in the countries indicated in the Annexes, shall be suspended or reduced during the periods, at the levels and within the limits of the tariff quotas laid down in this Regulation.

Article 2

1. The quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports originating in specific supplying countries, is suspended for the period between 1 January and 31 December 1996, shall be those laid down in Annex I.

2. The quantities of live animals and meat, expressed as carcase weight equivalent, falling within CN codes 0104 10 30, 0104 10 80, 0104 20 90 and 0204 for which

the customs duty, applicable to imports originating in specific supplying countries, is reduced to 4 % *ad valorem* for the period between 1 January and 31 December 1996, shall be those laid down in Annex II.

3. The quantities of live animals, expressed in live weight, falling under CN codes 0104 10 30, 0104 10 80 and 0104 20 90 for which the customs duty, applicable to imports originating in specific supplying countries, is reduced to 10 % *ad valorem* for the period between 1 January and 31 December 1996, shall be those laid down in Annex III.

4. The quantities of live animals, expressed in live weight, falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90 for which the customs duty, applicable to imports, is reduced to 10 % *ad valorem* for the period between 1 January and 31 December 1996, shall be those laid down in Annex IV, Part A.

5. The quantities of meat, expressed in carcase weight equivalent, falling within CN code 0204 for which the customs duty, applicable to imports, is suspended for the period between 1 January and 31 December 1996, shall be those laid down in Annex IV, Part B.

Article 3

1. The tariff quotas provided for Article 2 (1), (2) and (3) shall be managed in accordance with the rules laid down in Title II A of Regulation (EC) No 1439/95.

2. The tariff quotas provided for Article 2 (4) and (5) shall be managed in accordance with the rules laid down in Title II B of Regulation (EC) No 1439/95.

Article 4

1. The term 'carcase weight equivalent' referred to in Article 2 shall be taken to mean the weight of bone-in meat presented as such, and also boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton or goatmeat other than kid corresponds to 100 kg of bone-in mutton or goatmeat other than kid and 60 kg of boned lamb or kid corresponds to 100 kg of bone-in lamb or kid.

2. Where the option is available under the Association Agreements between the Community and certain supplier countries of allowing imports in the form of live animals or as meat, 100 kg of live animals shall be considered to be equivalent to 47 kg of meat.

Article 5

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 1996.

⁽¹⁾ OJ No L 373, 31. 12. 1994, p. 18.

⁽²⁾ OJ No L 374, 31. 12. 1994, p. 18.

⁽³⁾ OJ No L 375, 31. 12. 1994, p. 48.

⁽⁴⁾ OJ No L 143, 27. 6. 1995, p. 7.

⁽⁵⁾ OJ No L 258, 28. 10. 1995, p. 48.

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

Done at Brussels, 18 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

QUANTITIES REFERRED TO IN ARTICLE 2 (1)

Sheepmeat and goatmeat (tonnes in CWE) at zero duty

	(in tonnes)
Argentina	23 000
Australia	17 500
Chile	1 490
New Zealand	225 000
Uruguay	5 800
Iceland	600
Poland	200
Romania	75
Hungary	1 150
Bulgaria	1 250
Bosnia-Herzegovina	850
Croatia	450
Slovenia	50
Former Yugoslav Republic of Macedonia	1 750

ANNEX II

QUANTITIES (TONNES CWE) REFERRED TO IN ARTICLE 2 (2)

Duty rate 4 %

	Live animals	Meat
Poland	8 800 ⁽¹⁾	—
Romania ⁽²⁾	713	38
Hungary	11 450	400
Bulgaria	3 023	640
Czech Republic ⁽²⁾	830	830
Slovakia	1 670	1 670

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

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

*ANNEX III***QUANTITIES REFERRED TO IN ARTICLE 2 (3)****Live sheep and goats (tonnes live weight) — Duty rate 10 %**

Former Yugoslav Republic of Macedonia

215 tonnes

*ANNEX IV***A. QUANTITIES REFERRED TO IN ARTICLE 2 (4)****Live sheep and goats (tonnes live weight) — Duty rate 10 %**

Others

105 tonnes

B. QUANTITIES REFERRED TO IN ARTICLE 2 (5)**Sheepmeat and goatmeat (tonnes CWE) — Duty rate zero**

Others

300 tonnes

(of which Greenland 100 tonnes, Faeroes 20 tonnes and Estonia, Latvia and Lithuania 100 tonnes)

COMMISSION REGULATION (EC) No 3017/95
of 20 December 1995

laying down provisions for the implementation of Council Regulation (EC) No 3036/94 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3036/94 of 8 December 1994 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries⁽¹⁾, and in particular Article 3 (8) and Article 12 thereof,

Whereas Article 4 of this Regulation provides that the competent authorities of the Member States shall issue prior authorizations to applicants satisfying the conditions of the economic outward processing arrangements for certain textile and clothing products;

Whereas the smooth operation of the arrangements in the single market calls for uniform procedures for issuing and checking such prior authorizations;

Whereas the introduction of a standard application and prior authorization form will facilitate the application of the arrangements in the single market, and in particular administrative cooperation between the Member States;

Whereas it should be possible for prior authorizations to be issued in any Member State and be valid throughout the Community irrespective of the Member State of issue; whereas provision should nevertheless be made for centralized control to prevent economic operators being allocated more than their entitlement, such control taking the form of consulting the competent authorities of the Member State in which the applicant is established or where his Community production takes place;

Whereas a time limit should be fixed for the completion of any consultation that may prove necessary between Member States;

Whereas applications, prior authorizations and the documents belonging to them should be kept for a prescribed period;

Whereas economic operators must be notified of the authorities competent to issue prior authorizations in each Member State; for that reason the Member States should transmit this information to the Commission in order to publish it in the 'C' series of the *Official Journal of the European Communities*;

Whereas the administration of quotas should be facilitated by issuing prior authorizations in respect of one category of compensating product and one processing country only;

Whereas procedures for the issue of prior authorizations and the control of such essential aspects as the origin of goods should be introduced;

Whereas procedures should be introduced for the administration of the quantitative limits;

Whereas in cases other than those provided for in Article 11 (3) of Regulation (EC) No 3036/94, the granting of prior authorizations is subject to the quantities being available in accordance with the procedures laid down in Annex VII to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽²⁾, as last amended by Commission Regulation (EC) No 1616/95⁽³⁾; whereas the quantities available are allocated in the chronological order in which applications are received by the Commission;

Whereas a time limit must be set for exporting the export goods in order to ensure that amounts charged against quantitative limits do not go unused;

Whereas the measures applicable in the event of infringements being detected must be established to ensure the smooth running of the procedure;

Whereas the procedures for temporary export and for free circulation shall follow as closely as possible the rules set down in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs

⁽¹⁾ OJ No L 322, 15. 12. 1994, p. 1.

⁽²⁾ OJ No L 275, 8. 11. 1993, p. 1.

⁽³⁾ OJ No L 154, 5. 7. 1995, p. 3.

Code⁽¹⁾, as well as Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽²⁾, as last amended by Regulation (EC) No 1762/95⁽³⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Economic Outward Processing Arrangements for Textiles,

HAS ADOPTED THIS REGULATION:

GENERAL

Article 1

This Regulation lays down provisions for the application of Council Regulation (EC) No 3036/94 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries, hereinafter referred to as the 'basic Regulation', especially with respect to the issue and control of prior authorizations.

Article 2

Definitions

1. For the purposes of Article 3 (2) of the basic Regulation, the expression 'quantities available within the overall Community quota for the entire category and the third country concerned' is understood to mean the quantities available in the framework of the quota established for the year during which the quantity requested by an operator has been notified to the Commission by the competent authorities which have received the application for the prior authorization.

2. For the purposes of Article 3 (4) (i) of the basic Regulation, the expression 'the overall quantity for which he carried out OPT' is understood to mean the reimportation of compensating products of a specific category and country under the economic outward processing arrangements during the course of the year 1993 or the year 1994, the choice being left to the applicant. The category, quantity and the third country corresponding to the chosen year shall be the reference for the following years, an adjustment being made, if need be, of the quantities

pursuant to Article 3 (4) (2) and (3) and Article 3 (5) (5) and (6) of the basic Regulation.

3. For the purposes of Article 3 (4) (3) of the basic Regulation, the equivalent quantities are to be found in the equivalence table in Annex I of Regulation (EEC) No 3030/93.

4. For the purposes of Article 3 (5) (3) of the basic Regulation the value of the Community production is calculated on the basis of the normal ex factory price, exclusive of VAT, of products, shown in Annex II of the basic Regulation that have been manufactured in the Community in the previous year, whether in the applicant's factory or on his account by another manufacturer, as much as the latter business does not also introduce a request for prior authorization for the same Community production for the same period.

5. The additional amounts, provided for in Article 3 (4) (2) and (5) (4) of the basic Regulation, are allocated according to the maximum amounts shown in Annex III on the condition that the applicant has effectively either reimported at least 50 % or exported an equivalent of at least 80 % of the quantity previously authorized in the framework of the economic outward processing arrangements for the category and the country concerned.

6. For the purposes of Article 3 (5) (5) and (6) of the basic Regulation, the 'quantities of compensatory products' which shall be allocated for each category and third country to an applicant as a past beneficiary, are those which the applicant has reimported the previous year under the economic outward processing arrangements, reduced proportionately, where appropriate, to the decline of this Community production due to economic outward processing operations carried out in the course of the reference period.

7. For the purposes of Article 5 (3) of the basic Regulation 'rate of yield' means the quantity or percentage of compensating products obtained from the processing of a given quantity of the temporary exported goods.

GRANTING OF PRIOR AUTHORIZATIONS

Article 3

Application for authorization

1. An application for the issue of a prior authorization shall be submitted to the competent authorities appointed by the Member States using the form shown in Annex I, by or on behalf of a person satisfying the conditions under Article 2 of the basic Regulation.

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 171, 21. 7. 1995, p. 8.

The competent authorities may, under the conditions fixed by them, allow the submission of applications to be transmitted or printed by electronic means which may, in order to allow for simplification, depart from the format as contained at Annex 1. However all documents and evidence, required according to paragraph 3, must be available to the competent authorities.

2. The application and all further correspondence shall be completed in the language, or in one of the official languages, of the Member State in which the application is submitted and shall be used throughout the procedure as regards the applicant.

3. An application shall be accompanied by all documents or evidence, whether originals or copies, the production of which is necessary for its examination, especially the contract concluded with the undertaking responsible for carrying out the processing operations in the third country or any written evidence considered to be equivalent thereto.

Additional sheets may be appended to the application where there is a need to expand on certain particulars required. Any document, evidence or sheet appended to the application shall constitute an integral part thereof. The number of accompanying documents shall be mentioned in the application.

The competent authorities may request further information if this is required for the handling of the application. Where appropriate, the competent authorities may accept references to an earlier application in support of a new request.

4. A request for prior authorization can only concern one category of compensating products and one specific third country.

5. When the request concerns products subject, in the named third country, to specific quantitative limits with respect to economic outward processing, the applicant must declare that he has not and will not introduce another request concerning the same category and third country to another Member State's competent authorities, as long as he has not received a decision on his request for a prior authorization. When he introduces a further request having received a prior authorization for a category and a specific third country for the same quota period, the applicant must mention the prior authorization obtained.

6. The requests introduced on the basis of Article 3 (4) (1) of the basic Regulation may not cover an amount superior to the total quantity for which the applicant has carried out outward processing under the economic outward processing arrangements for the category and the country concerned in the reference period, adjustments being made, where applicable, of the quantities pursuant to Article 3 (4) (2) and (3) and Article 3 (5) (5) (6) of the basic Regulation.

The requests introduced on the basis of Article 3 (5) (1) to (3) of the basic Regulation may not cover for each country concerned, an amount superior to the one set out for the specific category in Annex 3. The total value of processing in third countries requested in the application, where applicable taking into account earlier authorizations for the same quota period, may not, however, exceed 50 % of the value of the applicant's Community production as defined in Article 2 (4).

7. The applicant must undertake to keep stock records in the Community which allow the customs supervising office to control the quantities of the temporary export goods and the compensating products reimported.

8. In lodging an application signed by the applicant or his authorized representative, the applicant expresses the intention to benefit from the arrangements, without prejudice to any sanctions that may be taken under the rules in force in the Member States, and certifies that :

- the particulars given in the application are correct,
- the documents or evidence appended are authentic, and
- all obligations and conditions connected with the issuing and the utilization of the prior authorization according to the basic Regulation or in the present Regulation are met or, where appropriate, will be honoured.

Article 4

Verification of the application

1. Once they have received the application, accompanied by all documents and evidence, the competent authorities verify its content. They may request additional information if they consider the application is inexact or incomplete or does not enable them to conclude that all the conditions for granting an authorization are met.

2. When an applicant lodges a request with the competent authorities in a different Member State to where he is established or his Community production takes place, these competent authorities shall consult the competent authorities of the Member States concerned. The latter authorities shall communicate any information requested as soon as possible and not later than two weeks after the date of the receipt of the request of information. Such consultations may be conducted in other cases where appropriate.

3. Where a condition for granting a prior authorization is not satisfied, the competent authorities reject the application.

The decision to refuse an application shall be set down in writing and sent to the applicant with the grounds for refusal. Where the particulars provided by the applicant are incomplete, the competent authorities set a time limit for completion of the application, in which case the rejection may not precede the expiry of the time limit.

4. If the competent authorities consider that all conditions for granting a prior authorization are satisfied, they communicate to the Commission the quantity, category and third country concerned, and in the event that the outward processing consists of obtaining from yarn fully fashioned knitwear, the weight of yarn to be temporarily exported.

Article 5

Issue, annulment, or revocation of a prior authorization

1. The authorization shall be issued by the competent authorities to which the application has been submitted on the form shown in Annex II.

The prior authorizations form shall be made out in three copies. The first, marked 'original' and bearing the number 1, shall be issued to the applicant and the second, marked 'copy for the competent authority' and bearing the number 2, shall be kept by the issuing authority, whereas the third marked 'copy for the customs supervising office' and bearing the number 3 will be sent to the customs supervising office, as defined in Article 13. In the event that the functions of the customs supervising office are performed by the competent authorities to which the application has been submitted, no copy No 3 is required.

The prior authorization may be issued by electronic means as long as the customs offices involved have access to this authorization across a computer network.

2. When the application concerns a category of products whose release into free circulation in the Community is subject to the measures provided for in Article 1 (3) of the basic Regulation, the prior authorization is issued by the competent authorities only when the Commission has confirmed the availability of the quantity notified by the authorities managing the request in accordance with the procedures laid down in Annex VII of Regulation (EEC) No 3030/93. The Commission will respond to all applications immediately, wherever possible, by electronic means.

When the application concerns a category of products not subject to quantitative limits pursuant to Article 11 (3) of the basic Regulation, the prior authorization is issued once the quantities have been notified to the Commission.

3. A prior authorization can only concern one category of compensating products and one specified third country.

4. In so far as the Commission has confirmed the availability of the quantity requested within the quota limit concerned, the competent authorities shall issue the prior authorization within no more than five working days, counting from the date of receipt of confirmation from the Commission.

5. The competent authorities will register the quantities requested by and granted to the beneficiaries and ensure, if necessary in cooperation with the competent authorities of the other Member States concerned, that these quantities do not exceed those referred to in Article 3 (4) and (5) of the basic Regulation.

6. Article 497 (3) of Regulation (EEC) No 2454/93, shall apply *mutatis mutandis* where the applicant requests to modify a prior authorization.

7. Should the competent authorities become aware of the fact that one of the conditions for granting authorization is or has not been satisfied, Articles 8, 9 and 10 of Regulation (EEC) No 2913/92 concerning the annulment and revocation of a decision shall apply to prior authorizations.

Article 6

Partial prior authorization

1. At the request of the holder of a prior authorization and on presentation of copy No 1 of that authorization, one or more partial prior authorizations may be issued by the competent authorities of the Member State which have issued the prior authorization. They may authorize the customs supervising office to issue partial authorizations.

2. The authorities issuing partial authorizations shall charge the quantities concerned against copies Nos 1, 3 and possibly 2 of the initially granted prior authorization. In such cases, the entry 'partial authorization' shall be made on copies Nos 1, 3 and possibly 2 against the quantities charged and shall refer to the number in the initial authorization. In the event that copy No 3 has already been sent to the customs supervising office, the competent authorities shall inform the customs supervising office about the partial prior authorization. Where the issue of one or more partial authorizations discharges the initial prior authorization, the competent authorities shall retain copy No 1 of this prior authorization and shall inform the customs supervising office.

3. The partial authorization shall be marked 'Partial prior authorization' and shall be treated under the same rules as normal prior authorizations.

4. Without prejudice to Article 10, one partial prior authorization may not give rise to the issue of another partial authorization.

Article 7

Territorial validity

Prior authorizations shall be valid in all Member States and may be presented in any customs office competent for the handling of the economic outward processing arrangements. Prior authorizations delivered by electronic means may only be used in customs offices having access to these authorizations across a computer network.

*Article 8***Transfer**

Prior authorizations may not be transferred and can only be used by the person named in the authorization or by his authorized representative.

*Article 9***Retention of documents**

1. The competent authorities shall keep applications and accompanying documents together with copy No 2 of any prior authorization issued.

2. In the event of a prior authorization being granted, the original or a copy of the application, the accompanying documents and the authorization shall be kept by the applicant and the competent authorities for a period of at least three years from the end of the calendar year of issue of the authorization.

3. If the application is rejected or the prior authorization is annulled or revoked, the authorization or decision rejecting the application and any accompanying documents shall be kept for at least three calendar years from the end of the calendar year in which the application was rejected or the authorization annulled or revoked.

*Article 10***Loss and replacement authorization**

1. If a prior authorization is lost, the competent authorities who have issued the original authorization may issue a replacement authorization, at the holder's request. The application for a replacement shall include a signed declaration, assuring the authorities that the prior authorization has been lost and will not be used if found, but returned immediately to the issuing authority.

2. The replacement authorization shall bear the same information and entries as the document replaced. It shall be issued for a quantity of goods corresponding to the quantity available on the lost document. Where this quantity cannot be proven, no replacement authorization may be issued.

The replacement authorization shall be marked either 'Replacement prior authorization' or 'Replacement partial prior authorization' and shall be treated under the same rules as normal prior authorizations.

3. In the event of a replacement authorization being lost, no further replacement authorization may be issued unless exceptional circumstances prevail.

*Article 11***Competent authorities**

The Member States shall designate the authorities competent for the issue of prior authorizations and shall notify the Commission accordingly. The Commission shall publish this information in the 'C' series of the *Official Journal of the European Communities*.

*Article 12***Deadlines**

1. When issuing a prior authorization, the Member States competent authorities shall fix a period during which the goods must undergo temporary export formalities. This period shall not exceed six months. Nevertheless, at the request of the holder, the competent authorities may extend the period to a total duration of nine months.

2. The competent authorities shall fix a time limit for the reimportation of the compensating products taking account of the period necessary for the processing of the goods. This period shall be calculated from the date of completion of the temporary export formalities. The period may be extended at the holder's request if circumstances so warrant.

3. The holder of a prior authorization shall return the authorization to the competent authorities as soon as it has been fully utilized or as soon as it becomes apparent that it will not be fully used. If the holder needs the authorization for outstanding reimports of compensating products, he shall contact the competent authorities who will take the appropriate measures and inform the customs supervising office.

FUNCTIONING OF THE ARRANGEMENTS*Article 13***The customs supervising office**

1. Without prejudice to Article 14 (5), the customs office indicated in the prior authorization, competent for the handling of the economic outward processing arrangements and to be called the 'customs supervising office', will control the functioning of the arrangements, notably on the basis of:

- (a) copy No 3 of the prior authorization;
- (b) copies of the export and import declarations;
- (c) the stock records mentioned in Article 3 (7).

2. It shall inform the competent authorities if it becomes aware that less than the quantities corresponding to the allocated quantities are exported.

3. Member States may charge the authorities competent for the issuing of prior authorizations with some or all the functions of the customs supervising office.

Article 14

Entry of the goods for temporary export and free circulation

1. Where no specific provision exists in this Regulation, or the basic Regulation, the relevant provisions of Regulations (EEC) No 2913/92 and (EEC) No 2454/93 shall apply.

2. The customs office carrying out the formalities for temporary export shall inform the customs supervising office by a copy of the export declaration.

3. The customs office carrying out the formalities for entry into free circulation shall:

- charge the quantities reimported against the prior authorization, and
- inform the customs supervising office by a copy of the import declaration.

4. The information required may be furnished by electronic means as long as it gives the same guarantee and on condition that the customs office involved have access to the prior authorization across a computer network.

5. Where an authorization for outward processing according to Regulation (EEC) No 2913/92 exists in parallel with a prior authorization under the present Regulation, the competent authorities may apply the relevant provisions of Regulations (EEC) No 2913/92 and (EEC) No 2454/93 for the control of the procedure, in place of paragraphs 1 to 4 and of Article 13 (1).

INFRINGEMENTS

Article 15

1. Customs offices detecting infringements of the rules laid down in the present or the basic Regulation shall immediately notify the authority which issued the prior authorization.

2. Each Member State shall determine the sanctions applicable in cases where the competent authorities find that an application for prior authorization contains false statements, made either intentionally or as the result of

serious negligence, or that any other rule laid down in the present or basic Regulation has been seriously infringed.

ADMINISTRATIVE COOPERATION

Article 16

1. The competent authorities in the Member States shall communicate to the Commission, at its request, wherever possible by electronic means, statistics on goods reimported into their territory under this Regulation.

The Commission shall communicate this information to the other Member States, wherever possible, by electronic means.

2. Where the competent authorities find that quantities have been totally, partially unused or renounced within the meaning of Article 3 (4) and (6) of the basic Regulation they shall communicate them, wherever possible via the integrated electronic network, immediately and no later than 20 days after the date of expiry of the time limit for the exportation or the expiry of the authorization.

3. In application of Article 3 (4) and Article 4 (3) of the basic Regulation, the competent authorities of the Member States shall communicate to the Commission, by category and by third country, the total quantities reserved for the past beneficiaries, as well as the quantities adjusted pursuant to Article 3 (4), (2) and (3) and Article 3 (5), (5) and (6) of the basic Regulation, before 15 January of each year.

4. In application of Article 2 (2) (c) of the basic Regulation, the Member States shall communicate to the Commission a list of goods for which operators benefited in the previous year of a percentage of more than 14 %, indicating each product's textile category, origin and quantity (mass and supplementary unit as appropriate).

FINAL PROVISIONS

Article 17

Regulations (EEC) No 1828/83 ⁽¹⁾ and (EC) No 1816/95 ⁽²⁾ are hereby repealed. This repealing does not affect the validity of any prior authorization issued in application of these Regulations.

This Regulation shall enter into force on 1 January 1996.

Existing application and prior authorization forms may continue to be used, however, until 30 June 1996.

⁽¹⁾ OJ No L 180, 5. 7. 1983, p. 16.

⁽²⁾ OJ No L 175, 27. 7. 1995, p. 21.

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

Done at Brussels, 20 December 1995.

For the Commission

Mario MONTI

Member of the Commission

(¹) E.g. VAT
(²) The weight and the supplementary unit as relevant
(³) Value of processing of the fabric/yarn
(⁴) If non EU origin goods are included in your temporary export please attach justification or make reference to past correspondence

QUESTIONS 24 TO 27 AND 32, NEED ONLY BE COMPLETED ONCE PER YEAR.**YES****NO**

(COMPLETE QUESTIONS 29 TO 31 IN EACH APPLICATION)

24. Do you manufacture goods which are similar to and at the same stage of processing in your own factory within the EU as the products to be reimported?

☐☐

(Article 2 (2)(a) of Regulation (EC) No 3036/94)

25. Are the main manufacturing processes of the similar goods performed in your own factory within the EU (i.e. sewing and assembly or knitting in the case of fully-fashioned garments obtained from yarn)?

☐☐

(Article 2 (2)(a) of Regulation (EC) No 3036/94)

26. Have you maintained your textile manufacturing activity in the EU with respect to the nature of the products and their quantities?

☐☐

(If not, please indicate reasons or make reference to past correspondence)

(Article 3 (3) of Regulation No 3036/94)

27. Has your level of employment decreased? (If so please indicate reasons and attach statistics, if necessary, or make reference to past correspondence)

☐☐

(Article 5 (4) of Regulation (EC) No 3036/94)

28. Have you applied for a prior authorization in another Member State for the same quota period?

☐☐

(If so please attach a copy or make reference to past correspondence)

(Article 3 (4) or (5) of Regulation No 3036/94)

29. Are you applying as a past beneficiary with regard to the category and country concerned?

☐

(If so please attach justification or make reference to past correspondence)

(Article 3 (4) of Regulation No 3036/94)

or

30. Is this a new application with regard to the category and country concerned?

☐

(If so please attach justification - or make reference to past correspondence - that the value of third country processing will not exceed 50 % of the value of your Community production in the previous year)

(Article 3 (5)(2) and (3) of Regulation No 3036/94)

if you have answered question 30,

31. Are you applying for a further authorization with regard to the category and country concerned?

☐☐

(If so please attach evidence - or make reference to past correspondence - that 50 % of your previous authorization has been reimported or that 80 % has been exported)

(Article 3 (5)(4) of Regulation No 3036/94)

and lastly, if you have answered question 30,

32. Does the value of your Community production in the previous year include subcontract production?

☐☐

(If so, and you have not yet given this information, please attach declarations from subcontractors that they will not apply for the same quantities)

(Article 2 (2)(a) of Regulation No 3036/94)

I, the undersigned, hereby declare that the particulars contained in this application are accurate and the documents enclosed are authentic and I submit the following documents :

1. contracts,
2. proof of origin of the goods temporarily exported, and
3. other documents to support this application (numbered).

I also undertake :

- (i) to present at the request of the competent authorities any supplementary documentation or information they consider necessary to issue the prior authorization and to accept, if need be, the control by the competent authorities of the stock records relating to the authorization ;
- (ii) to retain such stock records for a period of three years from the end of the calendar year to the issue of the authorization(s) ;
- (iii) to make clearly identifiable the goods temporarily exported and reimported ;
- (iv) to make available all other evidence or samples the competent authorities deem necessary to control the use of this authorization ; and
- (v) to return the prior authorization at the latest within 15 days of the expiry period.

I request the issue of a prior authorization for the goods detailed in the application.

Signed

Date

.....

.....

Name

Position with company

.....

.....

(Please state if you are acting as a representative in the name of and on behalf of another person and attach a copy of your authority to act on their behalf).

ORIGINAL	1	1. Holder ☐	Identity	2. No and date of application				
		Contact: Tel.: Fax:						
		3. Requested customs supervising office		4. Last day of authorized exportation				
				5. Period for reimportation				
		6. Rate of yield/method of calculation		PRIOR AUTHORIZATION FOR ECONOMIC OUTWARD PROCESSING (TEXTILES)				
				7. Origin (compensating products)		8. Country of processing		
	9. Description of reimport compensating products	10. Category No	11. CN code	12. Quantity	13. Value			
	14. Description of temporary export goods	15. Origin of the goods	16. CN code	17. Quantity	18. Value			
1	19. Nature of processing operations							
20. Official use only								
22. Means of identification of reimport compensating products			23. Authorization granted: By: Name: Tel.: Fax: Signature:					

24. Quantity (*)	25. CN code	26. Free circulation document, No	27. Member State, signature, date and stamp of the customs authorities
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			

(*) In box A indicate the quantity available and in the case of box B the quantity to be charged

COPY FOR COMPETENT AUTHORITY	1. Holder ☐		Identity No		2. No and date of application				
	Contact: Tel.: Fax:								
	3. Customs supervising office				4. Last day of authorized exportation				
					5. Period for reimportation				
	6. Rate of yield/method of calculation				PRIOR AUTHORIZATION FOR ECONOMIC OUTWARD PROCESSING (TEXTILES)				
9. Description of reimport compensating products				7. Origin (compensating products)	8. Country of processing				
				10. Category No	11. CN code	12. Quantity	13. Value		
14. Description of temporary export goods				15. Origin of the goods		16. CN code	17. Quantity	18. Value	
19. Nature of processing operations									
20. Official use only									
22. Means of identification of reimport compensating products				23. Authorization granted: By: Name: Tel.: Fax: Signature:					

24. Quantity (1)	25. CN code	26. Free circulation document, No	27. Member State, signature, date and stamp of the customs authorities
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			

(1) In box A indicate the quantity available and in the case of box B the quantity to be charged

EUROPEAN COMMUNITY

3 COPY FOR CUSTOMS SUPERVISING OFFICE	1. Holder ☐		Identity No		2. No and date of application				
	Contact: Tel.:		Fax:						
	3. Customs supervising office				4. Last day of authorized exportation				
					5. Period for reimportation				
	6. Rate of yield/method of calculation				PRIOR AUTHORIZATION FOR ECONOMIC OUTWARD PROCESSING (TEXTILES)				
	9. Description of reimport compensating products				10. Category No	11. CN code	12. Quantity	13. Value	
	14. Description of temporary export goods		15. Origin of the goods		16. CN code	17. Quantity	18. Value		
19. Nature of processing operations									
20. Official use only									
22. Means of identification of reimport compensating products				23. Authorization granted:					
				By: Name: Tel.: Fax: Signature:					

24. Quantity (¹)	25. CN code	26. Free circulation document, No	27. Member State, signature, date and stamp of the customs authorities
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			
A			
B			

(¹) In box A indicate the quantity available and in the case of box B the quantity to be charged

*ANNEX III***Maximum amounts referred to in Article 3, (5) of the basic Regulation**

Category	Maximum amount
5, 6, 7, 8	80 000 pieces
14, 15, 16, 17, 21, 26, 27, 29, 73, 74	40 000 pieces
4, 13, 24, 31	100 000 pieces
12	120 000 pairs
18, 68, 76, 78, 83	7 tonnes
159, 161	3 tonnes

COMMISSION REGULATION (EC) No 3018/95**of 20 December 1995****introducing management measures for imports of certain bovine animals for the first half of 1996**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations ⁽¹⁾, and in particular Article 4 (3) thereof,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreements establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part ⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part ⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part ⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part ⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the

Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Bulgarian Republic, of the other part ⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1275/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part ⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1276/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia, of the other part ⁽⁹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1277/95 of 29 May 1995 on certain procedures for applying the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Lithuania, of the other part ⁽¹⁰⁾, and in particular Article 1 thereof,

Whereas experience gained and forecasts for 1996 show that, in the absence of Community measures, massive imports into the Community of live bovine animals of up to 300 kg are likely to occur, due, in particular, to the economically favourable stock farming conditions existing in certain third countries; whereas such imports are likely to greatly exceed the traditional annual level of imports and the absorption capacity of the Community market; whereas, therefore, the beef and veal market would be threatened with serious disturbance endangering, in particular, market prices and producers' incomes and making public intervention more difficult;

Whereas, however, it is necessary to take into account the application of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations; whereas the management measures provided for

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

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽³⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁵⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁶⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽⁷⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽⁸⁾ OJ No L 124, 7. 6. 1995, p. 1.

⁽⁹⁾ OJ No L 124, 7. 6. 1995, p. 2.

⁽¹⁰⁾ OJ No L 124, 7. 6. 1995, p. 3.

should therefore be restricted to products from the third countries to which the Community grants preferential treatment and which have accepted that the Community take measures to manage the importation of the animals in question ;

Whereas the total absorption capacity of the Community market in 1996 is estimated at 425 000 head other than pure bred breedings animals ; whereas, in view of imports planned under certain preferential arrangements for 1996, i.e. 300 500 head under the quota established by the context of the Uruguay Round concerning young male bovine animals weighing 300 kg or less and intended for fattening and under the Europe Agreements concluded with the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, Romania and the Republic of Bulgaria and the agreements on free trade and trade-related measures with the Baltic Republics, 124 500 head should be admitted for import at the full rate of import duty in 1996 ;

Whereas it is planned to extend the autonomous measures applied in 1995 ; whereas, pending the entry into force of the extension of these autonomous measures, management measures should be taken and only 50 % of the 124 500 head should be opened for the first half of 1996 with, as countries of origin, the aforementioned countries ;

Whereas the Commission will closely monitor developments on the beef and veal market so as to be able to react immediately to any changes in the relevant economic criteria ;

Whereas, in order to take account to the greatest extent of the traditional structure of the Community veal market, imports should be restricted to animals weighing 80 kg or less ;

Whereas experience shows that limiting imports can give rise to speculative import applications ; whereas, in order to guarantee that the planned measures function correctly, most of the quantities available should be reserved for so-called traditional importers of live bovine animals ; whereas, so as not to introduce rigidity into trade relations in the sector, a second allocation should be made available for operators able to show that they are carrying out a genuine activity involving trade in a significant number of animals ; whereas in consideration of this and in order to ensure efficient management, a minimum of 100 animals should be required to have been exported or imported during 1995 by the operators concerned ; whereas a batch of 100 animals in principle constitutes a normal load and whereas experience has shown that the sale or purchase of a single batch is a minimum requirement for a transaction to be considered real and viable ; whereas verification of those criteria requires that all

applications from the same operator be submitted in the same Member State ;

Whereas steps must be taken to ensure that importers in the new Member States falling within the first category can participate fairly in the allocation of the quantities available ; whereas for those importers, therefore, imports carried out between 1 January 1993 and 31 December 1995 from countries considered third countries depending on the year of importation should be taken into account as reference quantities giving access to the quantities reserved for traditional importers ;

Whereas, so as to avoid speculation, access to the quota should be denied to operators no longer carrying out an activity in the beef and veal sector on 1 January 1996 ;

Whereas the quota in question should be managed using import licences ; whereas to this end rules should be set on submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for application of the system of import and export licences and advance-fixing certificates for agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2137/95 ⁽²⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽³⁾, as amended by Regulation (EC) No 2856/95 ⁽⁴⁾, whereas it should moreover be stipulated that licences are to be issued following a reflection period and where necessary with a flat-rate percentage reduction applied ;

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

Imports into the Community, at the full rate provided for in the Common Customs Tariff of live bovine animals falling within CN codes 0102 90 05, 0102 90 21, 0102 90 29, 0102 90 41 and 0102 90 49, as referred to in Article 1 (1) (a) of Council Regulation (EEC) No 805/68 ⁽⁵⁾, originating in the third countries listed in Annex I, shall be subject to the management measures laid down in this Regulation.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽³⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁴⁾ OJ No L 299, 12. 12. 1995, p. 10.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 24.

Article 2

1. Import licences for the first half of 1996 may be issued in respect of not more than 62 250 animals falling within CN code 0102 90 05.

2. The quantity referred to in paragraph 1 shall be split into two parts, as follows :

(a) the first part equal to 70 %, i.e. 43 575 head, shall be allocated among :

— importers from the Community as constituted on 31 December 1994 who can furnish proof of having imported animals falling within CN code 0102 90 05 during 1993, 1994 or 1995 and who are entered in a VAT register of a Member State, and

— importers from the new Member States who can furnish proof of having imported animals falling within the abovementioned CN code during 1993, 1994 and 1995 from countries which, depending on the year of import, are for them third countries and who are entered in a VAT register of a Member State ;

(b) the second part, equal to 30 %, i.e. 18 675 head, shall be allocated among importers who can furnish proof of having imported and/or exported during 1995 at least 100 live bovine animals falling with CN code 0102 90 apart from those under (a), and who are entered in a VAT register of a Member State.

3. The 43 575 head shall be allocated among the eligible importers in proportion to their imports of animals within the meaning of Article 2(2)(a) during 1993, 1994 and 1995 proven in accordance with paragraph 5.

4. The 18 675 head shall be allocated in proportion to the quantities applied for by the eligible importers.

5. Proof of import and export shall be provided exclusively by means of the customs document of release for free circulation or the export document duly stamped by the customs authorities.

Member States may accept duly certified copies of the abovementioned documents where the applicant can prove to the satisfaction of the competent authority that he was not able to obtain the original documents.

Article 3

1. Importers who on 1 January 1996 were no longer engaged in any activity in the beef and veal sector shall not qualify for allocation pursuant to Article 2(2)(a).

2. Any company formed by the manager of companies each having rights under Article 2(3) shall benefit from the same rights as the companies from which it was formed.

Article 4

1. Applications for the right to import may be presented only in the Member State in which the applicant is registered within the meaning of Article 2(2).

2. For the purposes of Article 2(2)(a), importers shall present the applications for the right to import to the competent authorities together with the proof referred to in Article 2(5) by 12 January 1996, at the latest.

After verification of the documents presented, Member States shall forward to the Commission, by 26 January 1996 at the latest, the list of importers who meet the acceptance, showing in particular their names and addresses and the number of animals imported during each of the reference years.

3. For the purposes of Article 2(2)(b), importers may lodge applications for the right to import until 12 January 1996, together with the proof referred to in Article 2(5).

Only one application may be lodged by each applicant. Where the same applicant lodges more than one application, all applications from that person shall be inadmissible. Applications may not concern a quantity larger than the available quantity.

After verification of the documents presented, Member States shall forward to the Commission, by 26 January 1996 at the latest, the list of applications and the quantities requested.

4. All notification, including notifications of nil applications, shall be made by telex or fax, drawn up on the basis of the models in Annexes II and III in the case where applications have been lodged.

Article 5

1. The Commission shall decide to what extent applications may be accepted.

2. As regards the applications referred to in Article 4(3), if the quantities in respect of which applications are made exceed the quantities available, the Commission shall reduce the quantities applied for by a fixed percentage.

If the reduction referred to in preceding subparagraph results in a quantity of less than 100 head per application, the allocation shall be by drawing lots, by batches of 100 head, by the Member States concerned. If the remaining quantity is less than 100 head, a single licence shall be issued for that quantity.

Article 6

1. Imports of the quantities allocated in accordance with Article 5 shall be subject to the presentation of an import licence.

2. Licence applications may be presented only in the Member State in which the applications for the right to import was lodged.

3. Licence applications and licences shall contain one of the following entries :

(a) in section 8, the indication of the countries referred to in Annex I ; licences shall carry with them an obligation to import from one or more of the countries indicated ;

(b) in Section 16, subheading CN 0102 90 05 ;

(c) in Section 20, one of the following :

- Reglamento (CE) n° 3018/95
- Forordning (EF) nr. 3018/95
- Verordnung (EG) Nr. 3018/95
- Κανονισμός (ΕΚ) αριθ. 3018/95
- Regulation (EC) No 3018/95
- Règlement (CE) n° 3018/95
- Regolamento (CE) n. 3018/95
- Verordening (EG) nr. 3018/95
- Regulamento (CE) nº 3018/95
- Asetus (EY) N:o 3018/95
- Förordning (EG) nr 3018/95.

4. Licences shall be issued at the request of importers :

- from 12 to 16 February 1996 for up to 50 % of the quantities allocated,
- from 3 to 24 April 1996 for up to 100 % of the quantities allocated.

The number of animals for which a licence is issued shall be expressed in units. Where necessary, numbers shall be rounded up or down, as the case may be.

5. Import licences shall be valid for 90 days from the date of actual issue. They shall expire, however, on 30 June 1996 at the latest.

6. Licences issued shall be valid throughout the Community.

7. Article 8 (4) of Regulation (EEC) No 3719/88 shall not apply.

Article 7

Not later than three weeks after the importation of the animals specified in this Regulation, the importer shall inform the competent authority which issued the import licence of the number and origin of the imported animals. That authority shall communicate the information in question to the Commission at the beginning of each month.

Article 8

The security provided for in Article 4 of Regulation (EC) No 1445/95 shall be lodged when the licence is issued.

Article 9

The provisions of Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply subject to the provisions of this Regulation.

Article 10

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 1996.

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

*ANNEX I***List of third countries**

- Hungary,
 - Poland,
 - Czech Republic,
 - Slovakia,
 - Romania,
 - Bulgaria,
 - Lithuania,
 - Latvia,
 - Estonia.
-

Tel. No :

ANNEX III

EC Fax No : (32 2) 296 60 27/(32 2) 295 36 13

Application of Article 2 (2) (b) of Regulation (EC) No 3018/95

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI D.2 — BEEF AND VEAL SECTOR

APPLICATIONS FOR IMPORT

Date : **period :**

Member State :

[illegible]

Member State : Fax No :

Tel. No :

COMMISSION REGULATION (EC) No 3019/95
of 20 December 1995
amending Regulation (EC) No 1489/95 setting 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 Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 26 (11) thereof,

Whereas Commission Regulation (EC) No 1489/95⁽³⁾, as last amended by Regulation (EC) No 2703/95⁽⁴⁾, fixes the quantities which may be covered by applications for export licences other than for food aid;

Whereas, given the present trends on the market, the quantities and rates of refund for forthcoming periods should be amended;

Whereas account should be taken of the amendments, introduced by Commission Regulation (EC) No 2996/95⁽⁵⁾, amending Commission Regulation (EEC) No

3846/87 establishing an agricultural product nomenclature for export refunds⁽⁶⁾, to the agricultural product nomenclature for export refunds in respect of oranges, applicable from 1 January 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1489/95 are hereby replaced by Annexes I and II hereto respectively.

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, 20 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 145, 29. 6. 1995, p. 75.

⁽⁴⁾ OJ No L 280, 23. 11. 1995, p. 31.

⁽⁵⁾ OJ No L 312, 23. 12. 1995, p. 31.

⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX I

ANNEX I

RATES AND QUANTITIES LAID DOWN FOR THE ALLOCATION OF LICENCES WITH ADVANCE FIXING OF THE REFUND

[illegible]

Product	Product code	Destination code ⁽¹⁾	Refined rate ⁽¹⁾ (BCU/t net)		Quantities provided for per licences issuing period (in tonnes)				
			Licences applied from 25.10.1995 to 2.1.1996	Licences applied from 3.1.1996 to 21.6.1996	Licence issuing period	November/December 1995	January/February 1996	March/April 1996	May/June 1996
Lemons	0805 30 20 100 0805 30 30 100 0805 30 40 100	F	152,5	124,0	Period for submission of applications	From 25.10.1995 to 2.1.1996	From 3.1.1996 to 22.2.1996	From 23.2.1996 to 23.4.1996	From 24.4.1996 to 21.6.1996
Table grapes	0806 10 21 200 0806 10 29 200 0806 10 30 200 0806 10 40 200 0806 10 50 200 0806 10 61 200 0806 10 69 200	F	54,7	44,5		7 097			
Apples	0808 10 51 910 0808 10 53 910 0808 10 59 910 0808 10 61 910 0808 10 63 910 0808 10 69 910 0808 10 71 910 0808 10 73 910 0808 10 79 910 0808 10 92 910 0808 10 94 910 0808 10 98 910	A B D	90,4	73,5		14 616	7 531	5 262	4 999
Peaches and nectarines	0809 30 11 100 0809 30 19 100 0809 30 21 100 0809 30 29 100 0809 30 31 100 0809 30 39 100 0809 30 41 100 0809 30 49 100 0809 30 51 100 0809 30 59 100	E	56,5	45,9					1 054

(1) The destination codes are defined as follows:

A : Norway, Iceland, Greenland, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Malta.

B : Países, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman Umm al Qaiwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia.

C : Switzerland, Czech Republic, Slovakia.

D : Hong Kong, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

E : All destinations except Switzerland.

F : All destinations.

(2) For refunds to be granted on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) the requirements of Regulation (EEC) No 990/93 must be met.

ANNEX II

ANNEX II

INDICATIVE RATES AND QUANTITIES LAID DOWN FOR THE ALLOCATION OF LICENCES WITHOUT ADVANCE FIXING OF THE REFUND

Product	Product code	Destination code (1)	Refund rate (%) (ECU/t net)	Quantities provided for per licence issuing period (in tonnes)		
				January/February 1996	March/April 1996	May/June 1996
Tomatoes	0702 00 15 100	F	41,3		4 026	13 095
	0702 00 20 100					
	0702 00 25 100					
	0702 00 30 100					
	0702 00 35 100					
	0702 00 40 100					
	0702 00 45 100					
	0702 00 50 100					
Shelled almonds	0802 12 90 000	F	88,9	136	315	419
Hazelnuts in shell	0802 21 00 000	F	103,8	10	9	12
Shelled hazelnuts	0802 22 00 000	F	200,2	731	589	662
Walnuts in shell	0802 31 00 000	F	128,7	13	5	1
Oranges	0805 10 01 200	A C	101,0	61 755	47 557	10 545
	0805 10 05 200					
	0805 10 09 200					
	0805 10 11 200					
	0805 10 15 200					
	0805 10 19 200					
	0805 10 21 200					
	0805 10 25 200					
	0805 10 29 200					
	0805 10 31 200					
	0805 10 33 200					
	0805 10 35 200					
	0805 10 37 200					
	0805 10 38 200					
	0805 10 39 200					
	0805 10 42 200					
	0805 10 44 200					
	0805 10 46 200					
	0805 10 51 200					
	0805 10 55 200					
	0805 10 59 200					
	0805 10 61 200					
	0805 10 65 200					
	0805 10 69 200					

Product	Product code	Destination code ⁽¹⁾	Refund rate ⁽²⁾ (ECU/t net)	Quantities provided for per licence issuing period (in tonnes)		
				January/February 1996	March/April 1996	May/June 1996
Lemons	0805 30 20 100 0805 30 30 100 0805 30 40 100	F	124,0	18 080	16 203	10 885
Table grapes	0806 10 21 200 0806 10 29 200 0806 10 30 200 0806 10 40 200 0806 10 50 200 0806 10 61 200 0806 10 69 200	F	44,5			
Apples	0808 10 51 910 0808 10 53 910 0808 10 59 910 0808 10 61 910 0808 10 63 910 0808 10 69 910 0808 10 71 910 0808 10 73 910 0808 10 79 910 0808 10 92 910 0808 10 94 910 0808 10 98 910	A B D	73,5		902	6 699
Peaches and nectarines	0809 30 11 100 0809 30 19 100 0809 30 21 100 0809 30 29 100 0809 30 31 100 0809 30 39 100 0809 30 41 100 0809 30 49 100 0809 30 51 100 0809 30 59 100	E	45,9			

(1) The destination codes are defined as follows:

A : Norway, Iceland, Greenland, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Malta

B : Faeroes, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia

C : Switzerland, Czech Republic, Slovakia

D : Hong Kong, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica

E : All destinations except Switzerland

F : All destinations

(2) For refunds to be granted on exports to the Federal of Yugoslavia (Serbia and Montenegro) the requirements of Regulation (EEC) No 990/93 must be met.

COMMISSION REGULATION (EC) No 3020/95

of 27 December 1995

**establishing the standard import values for determining the entry price of
certain fruit and vegetables**

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4 (1) thereof,

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

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from

third countries, in respect of the products and periods stipulated in the Annex thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 December 1995.

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

Done at Brussels, 27 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 27 December 1995 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)			(ECU/100 kg)		
CN code	Third country code (1)	Standard import value	CN code	Third country code (1)	Standard import value
0702 00 50	052	67,0	0805 30 40	022	73,4
	060	80,2		052	76,7
	064	59,6		204	59,8
	066	41,7		388	67,5
	068	62,3		400	98,6
	204	101,1		512	54,8
	208	44,0		520	66,5
	212	117,9		524	100,8
	624	374,8		528	94,7
	999	105,4		600	79,5
				624	78,0
0707 00 40	052	84,4	0808 10 92, 0808 10 94, 0808 10 98	999	77,3
	053	166,9		052	65,4
	060	61,0		064	78,6
	066	53,8		388	39,2
	068	60,4		400	75,3
	204	49,1		404	60,5
	624	96,6		508	68,4
	999	81,7		512	51,2
0709 10 40	220	244,5		524	57,4
	999	244,5		528	48,0
0709 90 79	052	79,1		728	107,3
	204	77,5		800	78,0
	412	54,2		804	21,0
	624	172,2		999	62,5
	999	95,7	0808 20 67	052	86,3
0805 10 61, 0805 10 65, 0805 10 69	052	43,8		064	75,3
	204	57,1		388	79,6
	388	40,5		400	93,9
	600	58,4		512	89,7
	624	46,6		528	84,1
0805 20 31	999	49,3		624	79,0
	052	77,3		728	115,4
	204	84,1		800	55,8
	624	79,7		804	112,9
	999	80,4		999	87,2
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	59,6			
	464	57,1			
	624	94,8			
	999	70,5			

(1) Country nomenclature as fixed by Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17). Code '999' stands for 'of other origin'.

COMMISSION DIRECTIVE 95/67/EC

of 15 December 1995

making a technical amendment to Council Directive 89/647/EEC on a solvency ratio for credit institutions as regards the definition of 'multilateral development banks'

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/647/EEC of 18 December 1989 on a solvency ratio for credit institutions⁽¹⁾ as last amended by Commission Directive 95/15/CE⁽²⁾, and in particular Article 9 thereof,

Whereas 'multilateral development banks' are defined by list in the seventh indent of Article 2 (1) of Directive 89/647/EEC;

Whereas the Inter-American Investment Corporation is affiliated with the Inter-American Development Bank; whereas the purpose of the Inter-American Investment Corporation is to promote the economic development of its developing regional member countries by encouraging the establishment, expansion and modernization of private — preferably small or medium-scale — enterprises, so as to complement the activities of the Inter-American Development Bank; whereas the Inter-American Investment Corporation has the same basic characteristics as 'multilateral development banks' and should therefore be included in the definition of 'multilateral development banks' contained in Directive 89/64/EEC;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Banking Advisory Committee acting as the committee required to assist the Commission in accordance with the procedure laid down in Article 9 (2) of Directive 89/647/EEC;

Whereas this Directive concerns the European Economic Area (EEA); whereas the procedure of Article 99 of the Agreement on the European Economic Area has been complied with,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The definition of 'multilateral development banks' contained in the seventh indent of Article 2 (1) of Direc-

tive 89/647/EEC shall include the Inter-American Investment Corporation.

Article 2

1. Member States shall take the measures necessary to comply with the provisions of this Directive not later than 1 July 1996.

The provisions adopted pursuant to this paragraph shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by the Member States.

2. Member States shall communicate to the Commission the texts of the main laws, regulations and administrative provisions which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 15 December 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 386, 30. 12. 1989, p. 14.

⁽²⁾ OJ No L 125, 8. 6. 1995, p. 23.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES MEETING WITHIN THE COUNCIL**

of 19 December 1995

**regarding protection for citizens of the European Union by diplomatic and
consular representations**

(95/553/EC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN UNION,
MEETING WITHIN THE COUNCIL,

Resolved to continue building a Union ever closer to its
citizens,

Taking into account the concept of citizenship of the
Union as introduced by the Treaty on European Union,
such concept being different from, and in no way a
substitute for, the concept of national citizenship,

Desirous of performing the obligation laid down in
Article 8c of the Treaty establishing the European
Community,

Whereas such common protection arrangements will
strengthen the identity of the Union as perceived in third
countries ;

Bearing in mind that the introduction of common protec-
tion arrangements for citizens of the Union in third coun-
tries will also strengthen the idea of European solidarity
as perceived by the citizens in question,

HAVE DECIDED AS FOLLOWS :

Article 1

Every citizen of the European Union is entitled to the
consular protection of any Member State's diplomatic or
consular representation if, in the place in which he is
located, his own Member State or another State represen-
ting it on a permanent basis has no :

- accessible permanent representation, or
- accessible Honorary Consul competent for such
matters.

Article 2

1. The diplomatic and consular representations
approached shall respond to the request for protection by
the person concerned provided that it is established that
the latter is a national of a Member State of the Union by
his producing a passport or identity card.

2. In the event of loss or theft of those documents, any
other proof of nationality may be accepted, if necessary
after verification with the central authorities of the
Member State of which the person concerned claims to be
a national, or with the nearest diplomatic or consular
representation of that State.

Article 3

Diplomatic and consular representations which give
protection shall treat a person seeking help as if he were a
national of the Member State which they represent.

Article 4

Without prejudice to Article 1, diplomatic and consular
representations may agree on practical arrangements for
the effective management of applications for protection.

Article 5

1. The protection referred to in Article 1 shall
comprise :

- (a) assistance in cases of death ;
- (b) assistance in cases of serious accident or serious illness ;
- (c) assistance in cases of arrest or detention ;
- (d) assistance to victims of violent crime ;
- (e) the relief and repatriation of distressed citizens of the Union.

2. In addition, Member States' diplomatic representations or consular agents serving in a non-member State may, in so far as it is within their powers, also come to the assistance of any citizen of the Union who so requests in other circumstances.

Article 6

1. Notwithstanding Article 3 and except in cases of extreme urgency, no financial advance or help may be given or expenditure incurred on behalf of a citizen of the Union without the permission of the competent authorities of the Member State of which that citizen is a national, given either by the Foreign Ministry or by the nearest diplomatic mission.

2. Unless the authorities of the Member State of the applicant's nationality expressly waive this requirement, the applicant must undertake to repay the full value of any financial advance or help and expenditure incurred plus, where applicable, a consular fee notified by the competent authorities.

3. The undertaking to repay shall take the form of a document requiring the distressed national to repay to the Government of the Member State of which he is a

national any costs incurred on his behalf or money paid to him, plus any applicable fee.

4. The Government of the Member State of which the applicant is a national shall reimburse all costs, on request, to the Government of the assisting Member State.

5. The common formats for undertakings to repay are given in Annexes I and II.

Article 7

Five years after its entry into force, this Decision shall be reviewed in the light of experience acquired and the objective of Article 8c of the Treaty establishing the European Community.

Article 8

This Decision shall enter into force when all the Member States have notified the General Secretariat of the Council that the procedures required by their legal systems for the Decision to apply have been completed.

Article 9

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 19 December 1995.

For the Council

The President

L. ATIENZA SERNA

ANNEX I

COMMON FORMAT UNDERTAKING TO REPAY (FINANCIAL ADVANCE)

I, (Mr/Mrs/Ms/Miss) (full name in block capitals)

.....

holder of passport No issued at

hereby acknowledge receipt from the Embassy/Consulate of

..... at

of the sum of

as an advance for the purpose of

..... (including any applicable consular fee)

and undertake and promise to repay on demand to the Ministry of Foreign Affairs/Government of

.....

in accordance with the national law of that country the equivalent of the said sum in (currency)

at the rate of exchange prevailing on the day on which the advance was made.

My address (*) (in block capitals) (country)

is:

.....

.....

.....

DATE SIGNATURE

(*) If you have no permanent address, please give a contact address.

ANNEX II

COMMON FORMAT UNDERTAKING TO REPAY (REPATRIATION)

I, (Mr/Mrs/Ms/Miss) (full name in block capitals)

born at (town) in (country)

on (date)

holder of passport No issued at

on and ID No

hereby undertake to repay on demand to the Government of

..... in accordance with the national law of that country the equivalent of all such sums as are paid

on my behalf or advanced to me by the Consular Officer of the

..... Government at

for the purpose of, or in connection with, the repatriation to

of myself and the members of my family accompanying me, and to pay all appropriate consular fees

chargeable in respect of the repatriation.

These are:

(i) (*) Fares

Subsistence

Miscellaneous costs

LESS the contribution made by me

CONSULAR FEES:

Repatriation fee

Attendance fee

Passport/emergency fees

(... hours at ... per hour ...)

(ii) (**) All sums paid on my behalf for the purpose of, or in connection with, the repatriation of myself and the members of my family accompanying me which cannot be determined at the time this undertaking to repay is signed by me.

I understand that passport facilities will not normally be available to me until my debt has been paid in full.

My address (***) in (in block capitals) (country)

.....

is:

.....

.....

.....

DATE SIGNATURE

(*) Delete as appropriate; the Consular Officer and the applicant should initial each deletion in the margin.

(**) Delete as appropriate; the Consular Officer and the applicant should initial each deletion in the margin.

(***) If you have no permanent address, please give a contact address.

COMMISSION

COMMISSION DECISION

of 12 December 1995

authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directives 66/404/EEC and 71/161/EEC

(95/554/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 15 thereof,

Having regard to Council Directive 71/161/EEC of 30 March 1971 on external quality standards for forest reproductive material marketed within the Community⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 15 thereof,

Having regard to the requests submitted by certain Member States,

Whereas production of reproductive material of the species set out in the Annexes is at present insufficient in all Member States, with the result that their requirements for reproductive material conforming to the provisions of Directives 66/404/EEC and 71/161/EEC cannot be met;

Whereas third countries are not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the provisions of the abovementioned Directives;

Whereas the Member States should therefore be authorized to permit, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements to cover the shortage of reproductive material satisfying the requirements of Directive 66/404/EEC or 71/161/EEC;

Whereas, for genetic reasons, the reproductive material must be collected at places of origin within the natural range of the relevant species and the strictest possible guarantees should be given to ensure the identity of the material;

Whereas, furthermore, reproductive material should be marked only if it is accompanied by a document bearing certain details of the reproductive material in question;

Whereas each of the Member states should furthermore be authorized to permit the marketing in its territory of seeds and plants which satisfy less stringent requirements in respect of provenance, as laid down in Directive 66/404/EEC, or seed which satisfies less stringent requirements in respect of specific purity as laid down in Directive 71/161/EEC, if the marketing of such material has been authorized in the other Member States under this Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are authorized to permit the marketing in their territory of seed which does not satisfy the requirements in respect of provenance in Directive 66/404/EEC on the terms set out in Annex I hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected.

2. Member States are authorized to permit the marketing in their territory of plants produced in the Community from the abovementioned seed.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2326/66.

⁽²⁾ OJ No L 87, 17. 4. 1971, p. 14.

Article 2

1. The proof referred to in Article 1 (1) and 4 shall be deemed to be furnished where the reproductive material is of the category 'source identified reproductive material' as defined in the Organization for Economic Cooperation and Development (OECD) scheme for the control of forest reproductive material moving in international trade, or of another category defined in that scheme.

2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the reproductive material, other official evidence shall be admissible.

3. Where official evidence cannot be provided, Member states may accept other non-official evidence.

Article 3

Member States are authorized on the terms set out in Annex II hereto, to permit the marketing in their territory of seed which does not satisfy the requirements relating to specific purity in Annex I to Directive 71/161/EEC, provided that the document required pursuant to Article 9 of Directive 66/404/EEC bears the wording:

'Seed not satisfying the standards in respect of specific purity'.

Article 4

Member States are authorized on the terms set out in Annex III hereto, to permit the marketing in their territory of reproductive material which neither satisfies the requirements in respect of provenance in Directive 66/404/EEC nor the requirements relating to specific purity in Annex I to Directive 71/161/EEC, on condition that:

- the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected, and
- the document required pursuant to Article 9 of Directive 66/404/EEC bears the wording:
'Seed not satisfying the standards in respect of specific purity'.

Article 5

The Member States other than the applicant Member States are also authorized to permit, on the terms set out in Annexes I, II and III respectively and for the purposes intended by the applicant Member States, the marketing in their territory of the seeds and plants authorized to be marketed under this Decision.

Article 6

The authorizations provided for in Articles 1 (1), 3 and 4 in so far as they concern the first placing of forest reproductive material on the market of the Community, shall expire on 30 November 1996. Such authorizations, in so far as they concern subsequent placing on the market of the Community, shall expire on 31 December 1998.

Article 7

With regard to the first placing on the market of forest reproductive material, as referred to in Article 6, Member states shall immediately notify the Commission and the other Member States of the quantities of such material satisfying less stringent requirements which have been approved for marketing in their territory under this Decision.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 12 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

*LEGEND**1. Member States*

A	= Republic of Austria
B	= Kingdom of Belgium
D	= Federal Republic of Germany
DK	= Kingdom of Denmark
E	= Kingdom of Spain
F	= French Republic
FIN	= Republic of Finland
GB	= United Kingdom
GR	= Hellenic Republic
I	= Italian Republic
IRL	= Ireland
L	= Grand Duchy of Luxembourg
NL	= Kingdom of the Netherlands
P	= Republic of Portugal
S	= Kingdom of Sweden

2. States or regions of provenance

CDN	= Canada
CH	= Switzerland
CROATIA (vallée de la Save)	= Croatia (Sava valley)
CZ (Sudètes)	= Czech Republic (Sudeten)
EC	= European Community
H	= Hungary
J	= Japan
LT	= Lithuania
N	= Norway
PL (Ca.)	= Poland (Carpathians)
R	= Romania
SK	= Slovak Republic
SL (vallée de la Save)	= Slovenia (Sava valley)
TR	= Turkey
UKRAINE	= Ukraine
USA	= United States of America

3. Other abbreviations

max. alt.	= maximum altitude
-----------	--------------------

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenmaa Medlemsstat	Fagus sylvatica L.		Larix decidua Mill.		Picea abies Karst.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst
A	1 000	SL, H, CZ, R, CROATIA	210	CZ, PL, H, SL, CROATIA	—	—
B	1 500	PL, SK R (max. alt. 900 m)	40	PL (max. alt. 900 m), SK, CZ (Sudètes)	40	PL (Ca.), R (max. alt. 900 m) SK (max. alt. 900 m) CZ (max. alt. 900 m)
D	10 000	EC, CZ, R, CH	100	EC, CZ	100	EC, CZ, SK, R, PL, H, UKRAINE
DK	5 300	CH, CZ	—	—	—	—
E	1 890	EC	60	EC, SK, PL	120	EC, CZ
F	—	—	145	PL (zones VI 7 and VII 8), CZ (Sudètes)	55	PL (zones II 1, II 3 and VIII 5)
GB	7 000	EC, H, SL, R	125	PL, CZ (Sudètes)	500	R, PL, CZ, SK
I	2 000	EC	—	—	—	—
IRL	700	H, SL, R, CZ	—	—	300	CZ, PL, R
L	1 500	EC	—	—	—	—
NL	20 000	R	20	CZ, SK	50	CZ, SK
P	4	EC	2	EC, J	2	EC

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenmaa Medlemsstat	Pinus nigra Arn.		Pinus sylvestris L.		Quercus borealis Michx.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst
A	520	SL, H, CROATIA	120	H, SL, PL, CZ	3 800	SL, H, PL, R, CZ, SK, CROATIA
B	—	—	—	—	5 000	CROATIA (vallée de la Save), PL, SK, CZ, SL (vallée de la Save)
D	100	EC, SL	100	EC, PL	4 000	EC, USA, CZ, SK

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenmaa Medlemsstat	Pinus nigra Arn.		Pinus sylvestris L.		Quercus borealis Michx.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst
DK	190	SL, TR	132	LT, N	5 000	PL
E	1 420	EC	1 780	EC	10 200	EC, USA
F	—	—	40	PL (zones II 1 and II 2)	—	—
GB	—	—	300	EC	750	EC, CDN, USA
I	—	—	—	—	—	—
IRL	10	EC	—	—	500	H, SL, CROATIA, SK, USA
L	—	—	—	—	—	—
NL	60	EC, CROATIA, SL	—	—	20 000	R, PL
P	130	EC	10	EC	15 000	EC

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenmaa Medlemsstat	Quercus pedunculata Ehrh.		Quercus sessiliflora Sal.		Larix Leptolepis Grod	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência Alue Härkomst
A	7 500	SL, H, PL, R, CZ, SK, CROATIA	4 000	SL, H, PL, R, CZ, SK, CROATIA	—	—
B	3 000	EC, PL, SK, CZ, CROATIA (vallée de la Save), SL (vallée de la Save)	3 000	PL, CZ, SK, CROATIA (vallée de la Save), SL (vallée de la Save)	—	—
D	—	—	—	—	—	—
DK	3 500	N, PL	75 500	N, PL	—	—
E	11 180	EC	7 230	EC	—	—
F	—	—	—	—	—	—
GB	30 000	EC, PL, H, CZ, SK, SL	30 000	EC, PL, H, CZ, SK, SL	—	—
I	3 000	EC	3 000	EC	—	—
IRL	10 000	PL, H, SL, CZ, SK	3 000	H, N, PL, SL, CZ	—	—
L	1 200	EC	800	EC	—	—
NL	25 000	R, PL	25 000	SK, CZ, PL	20	J (Fuji, Nagano, Nikko)
P	7 000	EC	—	—	—	—

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

Especies Arter Arten Είδη Species Espèces Specie Soorten Espécies Lajit Arter	Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenmaa Medlemsstat	kg
Quercus pedunculata Ehrh.	A D	3 000 25 000
Quercus sessiliflora Sal.	A D	2 000 20 000

*ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ III — ANNEX III — ANNEXE III
— ALLEGATO III — BIJLAGE III — ANEXO III — LIITE III — BILAGA III*

Especies Arter Arten Είδη Species Espèces Specie Soorten Espécies Lajit Arter	Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro Jäsenmaa Medlemsstat	kg
Quercus pedunculata Ehrh.	GB	5 000
Quercus sessiliflora Sal.	GB	5 000