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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 39/96

of 12 January 1996

laying down for the first half of 1996 certain detailed rules for the application of a tariff quota for live bovine animals weighing between 160 and 300 kilograms originating 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 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural 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 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⁽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,

⁽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.

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations⁽¹⁾, and in particular Article 8 thereof,

Whereas Commission Regulation (EC) No 2465/95⁽²⁾ provides for the first half of 1996 the opening of a tariff quota of 76 500 live bovine animals weighing between 160 and 300 kilograms originating in the abovementioned countries and benefiting from an 80 % reduction in the rate of customs duties; whereas management measures should be established for the import of those animals;

Whereas, with a view to preventing speculation, the quantity available 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 with third countries; whereas, in consideration of this and in order to ensure efficient management, a minimum of 50 animals should be required to have been exported or imported during 1995 by the operators concerned; whereas a batch of 50 animals in principle constitutes a normal load 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, while recalling the provisions of the Agreements intended to guarantee product origin, the quotas 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 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⁽³⁾, as last amended by Regulation (EC) No 2137/95⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EC) No 2856/95⁽⁶⁾; 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

1. As part of the tariff quotas provided for in Regulation (EC) No 2465/95, 76 500 head of live bovine animals

falling within CN codes 0102 90 41 or 0102 90 49 originating in the third countries listed in Annex II may be imported in the first half of 1996 in accordance with the provisions of this Regulation.

2. For those animals, the *ad valorem* duty and the specific duties fixed in the Common Customs Tariff (CCT) shall be reduced by 80 %.

Article 2

In order to qualify for the quota referred to in Article 1:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, must prove to the satisfaction of the competent authorities of the Member State concerned that they have imported and/or exported during 1995 at least 50 animals falling within CN code 0102 90; applicants must be listed in the national VAT register;
- (b) import licence applications may be presented only in the Member State in which the applicant is so registered;
- (c) licence applications shall relate to:
 - a number equal to or greater than 50 head and
 - a quantity not exceeding 10 % of the total quantity available.

Where applications for licences exceed this quantity, they shall only be considered within the limits of the said quantity;

- (d) Section 8 of import licence applications and licences shall indicate the countries referred to in Annex II; licences shall carry with them an obligation to import from one or more of the countries indicated;
- (e) Section 20 import licence applications and licences shall indicate at least one of the following:
 - Reglamento (CE) n° 39/96
 - Forordning (EF) nr. 39/96
 - Verordnung (EG) Nr. 39/96
 - Κανονισμός (ΕΚ) αριθ. 39/96
 - Regulation (EC) No 39/96
 - Règlement (CE) n° 39/96
 - Regolamento (CE) n. 39/96
 - Verordening (EG) nr. 39/96
 - Regulamento (CE) n° 39/96
 - Asetus (EY) N:o 39/96
 - Förordning (EG) nr 39/96;

⁽¹⁾ OJ No L 328, 30. 12. 1995.

⁽²⁾ OJ No L 254, 24. 10. 1995, p. 11.

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁵⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁶⁾ OJ No L 299, 12. 12. 1995, p. 10.

(f) at the time of acceptance of the declaration of release for free circulation, importers shall undertake to inform the competent authorities of the importing Member State, not later than one month after the date of import, of

- the number of animals imported,
- the origin of the animals.

The authorities shall forward this information to the Commission before the beginning of each month.

Article 3

1. Import licence applications may be lodged only from 1 to 8 February 1996.

2. Where the same applicant lodges more than one application, all applications from that person shall be inadmissible.

3. The Member States shall notify the Commission of the applications lodged not later than 14 February 1996. Such notification shall comprise a list of applicants and quantities applied for.

All notifications, including notifications of 'nil' applications, shall be made by telex or fax, drawn up on the model in Annex I to this Regulation in the case where applications have been made.

4. The Commission shall decide to what extent quantities may be awarded in respect of licence applications. If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reduction in the quantities applied for.

5. Subject to a decision to accept applications by the Commission, licences shall be issued at the earliest opportunity.

6. Import licences shall be issued for a number equal to or greater than 50 head.

If, because of the numbers applied for, the percentage reduction results in fewer than 50 head per import licence, the Member States shall, by drawing lots, allocate licences covering 50 head.

If the remaining balance is less than 50 head, a single licence shall cover that quantity.

7. Licences issued shall be valid throughout the Community.

Article 4

Without prejudice to the provisions of this Regulation, Regulations (EEC) No 3719/88 and (EC) No 1445/95 shall apply.

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

Article 5

By derogation from Article 3 of Commission Regulation (EC) No 1445/95, the term of validity of import licences issued shall expire on 30 June 1996.

Article 6

The animals shall be put into free circulation on presentation of a movement certificate EUR.1 issued by the exporting country in accordance with Protocol 4 annexed to the Europe Agreements.

Article 7

1. Each animal imported under the arrangements referred to in Article 1 shall be identified by either:

- an indelible tattoo, or
- an official ear tag or an ear tag officially approved by the Member State on at least one of its ears.

2. The said tattoo or tags shall be so designed as to enable the date when the animal was put into free circulation and the identity of the importer to be established, by means of a record made when the animal is put into free circulation.

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 from 1 January 1996.

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

EC fax No : (32 2) 296 60 27

Application of Regulation (EC) No 39/96

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

IMPORT LICENCE APPLICATION

Date : Period :

Member State :

Serial No	Applicant (name and address)	Quantity (head)
Total		

Member State : Fax No :

Tel. :

*ANNEX II***List of third countries**

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

COMMISSION REGULATION (EC) No 40/96

of 12 January 1996

updating and amending regulations in the sheepmeat and goatmeat sectors fixing before 1 February 1995 certain prices and amounts whose values in ecus have been adjusted because of the abolition of the corrective factor in agricultural conversion

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion runs to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, and in particular Article 13 (1) thereof,

Whereas with effect from 1 February 1995, Article 13 (2) of Regulation (EEC) No 3813/92 alters the value in Ecus of certain prices and amounts in order to neutralize the effects of the abolition of the corrective factor of 1,207509 which until 31 January 1995 affected the conversion rates used for agriculture ;

Whereas the new values in Ecu of the prices and amounts concerned have been established as of 1 February 1995 according to the rules laid down in Article 13 (2) of Regulation (EEC) No 3813/92 and Article 18 (1) of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾, as last amended by Regulation (EC) No 2853/95⁽⁴⁾;

Whereas, in accordance with Article 18 (2) of Regulation (EEC) No 1068/93, in order to avoid confusion and facilitate the application of the common agricultural policy, it is necessary to replace the value in Ecus of the prices and amounts concerned where they are not of periodic application, and where they are applicable at least from :

- 1 January 1996 in respect of the amounts not concerned by a marketing year,
- the beginning of the 1996 marketing year in the case of the prices or amounts for which that marketing year starts in January 1996,
- the beginning of the 1995/96 marketing year in the other cases,

which appear in regulations that came into force before 1 February 1995; whereas the Regulations concerned should therefore be amended ;

Whereas in the interests of clarity the new values in Ecu in respect of rates of aid and/or securities required under Council Regulation (EEC) No 1323/90⁽⁵⁾, as last amended by Regulation (EEC) No 363/93⁽⁶⁾, and Commission Regulation (EEC) No 3447/90⁽⁷⁾, as last amended by Regulation (EC) No 879/95⁽⁸⁾, Commission Regulation (EEC) No 510/93⁽⁹⁾ and Commission Regulation (EEC) No 1123/93⁽¹⁰⁾, should be rounded to the nearest whole number,

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

As a consequence of the adjustment of certain prices and amounts in Ecu in the sheepmeat and goatmeat sector coming into effect from 1 February 1995, pursuant to Article 13 (2) of Regulation (EEC) No 3813/92 and of Article 18 (1) of Regulation (EEC) No 1068/93, the legal instruments referred to in Article 2 shall be amended as laid down therein.

Article 2

1. Regulation (EEC) No 1323/90 is modified as follows :

- in the first indent of Article 1, 'ECU 5,5' is replaced by 'ECU 6,641',
- in the second indent of Article 1, 'ECU 3,8' is replaced by 'ECU 4,589',
- in the third indent of Article 1, 'ECU 3,8' is replaced by 'ECU 4,589'.

2. Regulation (EEC) No 3447/90 is modified as follows :

- in Article 2 (2), 'ECU 1,2' is replaced by 'ECU 1,45',
- in Article 4, 'ECU 120' is replaced by 'ECU 145'.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 299, 12. 12. 1995, p. 1.

⁽⁵⁾ OJ No L 132, 23. 5. 1990, p. 17.

⁽⁶⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽⁷⁾ OJ No L 333, 30. 11. 1990, p. 46.

⁽⁸⁾ OJ No L 91, 22. 4. 1995, p. 2.

⁽⁹⁾ OJ No L 55, 6. 3. 1993, p. 35.

⁽¹⁰⁾ OJ No L 114, 8. 5. 1993, p. 16.

3. Regulation (EEC) No 510/93 is modified as follows :

- in the Annex, part 1, the amount of 'ECU 380' is replaced by the amount of 'ECU 459' and the amount of 'ECU 110' by the amount of 'ECU 133',
- in the Annex, part 2, the amount of 'ECU 380' is twice replaced by the amount of 'ECU 459' and the amount of 'ECU 110' twice by the amount of 'ECU 133'.

4. Regulation (EEC) No 1123/93 is modified as follows :

- in the Annex, the amount of 'ECU 440' is replaced by the amount of 'ECU 531' and the amount of 'ECU 170' by the amount of 'ECU 205'.

Article 3

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

Article 2 (1) shall apply for each amount in question, from the date on which an agricultural conversion rate fixed on or after 1 February 1995 is first applied.

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 41/96

of 12 January 1996

amending Regulations (EC) No 987/95, (EC) No 1071/95, (EC) No 1072/95 and (EC) No 2372/95 opening standing invitations to tender for the sale of cereals held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedure and conditions for the sale of cereals held by intervention agencies;

Whereas Commission Regulations (EC) No 987/95⁽⁵⁾, (EC) No 1071/95⁽⁶⁾, as amended by Regulation (EC) No 1213/95⁽⁷⁾, (EC) No 1072/95⁽⁸⁾, as last amended by Regulation (EC) No 2683/95⁽⁹⁾, and (EC) No 2372/95⁽¹⁰⁾ provide that the intervention agency, the storer and the successful tenderer are, by common agreement, either before or at the moment of removal from storage, as the successful tenderer chooses, to take reference samples; whereas, in cases where samples are taken before removal from storage, the cereals may have to be transferred to another silo; whereas in such cases the Regulations should stipulate that the transsilage costs must be borne by the successful tenderer;

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

Article 1

The last sentence of Article 7 (4) of Regulations (EC) No 987/95, (EC) No 1071/95 and (EC) No 1072/95 is hereby replaced by the following :

'The cost of transsilage and of any additional analyses requested by the successful tenderer shall be borne by him.'

Article 2

The last sentence of Article 6 (4) of Regulation (EC) No 2372/95 is hereby replaced by the following :

'The cost of transsilage and of any additional analyses requested by the successful tenderer shall be borne by him.'

Article 3

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

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 100, 3. 5. 1995, p. 9.

⁽⁶⁾ OJ No L 108, 13. 5. 1995, p. 38.

⁽⁷⁾ OJ No L 120, 31. 5. 1995, p. 6.

⁽⁸⁾ OJ No L 108, 13. 5. 1995, p. 43.

⁽⁹⁾ OJ No L 279, 22. 11. 1995, p. 1.

⁽¹⁰⁾ OJ No L 242, 11. 10. 1995, p. 3.

COMMISSION REGULATION (EC) No 42/96
of 12 January 1996
on issuing export licences for fruit and vegetables without advance fixing of the refund

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 2702/95 ⁽²⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EC) No 1489/95 ⁽³⁾, as last amended by Regulation (EC) 3019/95 ⁽⁴⁾, fixes the indicative quantities laid down for the issue of export licences without advance fixing of the refund, other than those requested in the context of food aid;

Whereas in the light of the information now available to the Commission, the indicative quantities have been exceeded for oranges and lemons;

Whereas a refund rate should be accordingly fixed for these products below the indicative rate for the licences without advance fixing of the refund applied for in the period 1 November to 31 December 1995,

HAS ADOPTED THIS REGULATION:

Article 1

The refund rates for export licences without advance fixing of the refund as referred to in Article 5 of Regulation (EC) No 1488/95 and applied for between 1 November and 31 December 1995 are fixed in the Annex hereto.

The above subparagraph shall not apply to licences applied for in connection with food aid operations as provided for in Article 10 (4) of the Agreement on Agriculture concluded during the Uruguay Round of multi-lateral trade negotiations.

Article 2

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

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽²⁾ OJ No L 280, 23. 11. 1995, p. 30.

⁽³⁾ OJ No L 145, 29. 6. 1995, p. 75.

⁽⁴⁾ OJ No L 314, 28. 12. 1995, p. 65.

ANNEX

**Refund rates for licences without advance fixing of the refund applied for between 1 November
and 31 December 1995**

Product	Refund rate (ECU/tonne net)
Tomatoes	
Shelled almonds	109,30
Hazelnuts in shell	127,70
Shelled hazelnuts	246,30
Walnuts in shell	158,30
Oranges	58,65
Lemons	39,28
Table grapes	
Apples	
Peaches and nectarines	

COMMISSION REGULATION (EC) No 43/96

of 12 January 1996

on the transport for the free supply to Georgia and Azerbaijan of wheat flour

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Regulation (EC) No 1975/95 of 4 August 1995 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 thereof,

Whereas, Commission Regulation (EC) No 2009/95⁽²⁾, established the detailed rules applicable to the free supply of agricultural products provided for by Regulation (EC) No 1975/95; whereas, it is appropriate to open a tendering procedure for the supply of 14 000 tonnes of wheat flour intended for Georgia and Azerbaijan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products in two lots;

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

1. A tendering procedure is hereby initiated for the supply costs of 14 000 tonnes (net) of wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2009/95, and in particular Article 2 (1) (b) thereof. The invitation to tender relates to two lots.

2. The supply costs shall relate to the take-over at the stage laid down in paragraph 3 and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

3. The flour will be made available for loading, free on board, stowed on the ship or wagon, during a maximum period of 10 days from the dates indicated in the following manner:

Lot No 1:

7 000 tonnes (net) destined for Azerbaijan of which:

— 3 500 tonnes made available in the port of Trieste with effect from 8 February 1996,

— 3 500 tonnes made available in the port of Venice (Porto Marghera) with effect from 16 February 1996;

Lot No 2:

7 000 tonnes (net) destined for Georgia of which:

— 3 500 tonnes made available in the port of Antwerp with effect from 8 February 1996,

— 3 500 tonnes made available in the port of Venice (Porto Marghera) with effect from 12 February 1996.

After the expiry of ten days following the dates mentioned above, the successful tenderer shall be required to reimburse to the Commission the costs which it will have borne to cover the costs (waiting, insurance, security, guarantees, etc.) referred to at Article 6 (1) (e) (4) of Regulation (EC) No 2009/95.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2009/95 the offers shall be presented to the following address:

Commission of the European Communities,
EAGGF-Guarantee Fund,
Division VI/G.2 (Office 10/05 or 10/08),
Rue de la Loi/Wetstraat 130,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 22 January 1996 at 5 p.m. (Brussels time).

In the case of non-acceptance of offers on 22 January, a second closing date for the lodgement of offers shall be 1 February 1996 at 12 noon (Brussels time).

In this case all of the dates referred to in Article 1 and Annex I shall be carried forward by 10 days.

2. The offer shall relate to the supply of the total of the quantities of a lot referred to in Article 1 (3).

Tenderers, where appropriate, shall take account of the unloading and transit prices referred to in Annex V.

⁽¹⁾ OJ No L 191, 12. 8. 1995, p. 2.

⁽²⁾ OJ No L 196, 19. 8. 1995, p. 4.

In the case of transport by rail, the tenderer must submit a letter of guarantee issued by the rail authorities of the country of first entry into the CIS (except in the case of Georgia) certifying the availability of the means of transport as well as the wagons necessary for the proper execution of the operation. Article 12 (2) of Regulation (EC) No 2009/95 is applicable also in the case of non payment to the railway authorities of the different republics of the CIS crossed.

3. The tendering security referred to in Article 6 (1) (f) of Regulation (EC) No 2009/95 is fixed at ECU 25 per tonne of flour.

4. The security referred to in Article 8 (2) of Regulation (EC) No 2009/95 is fixed at ECU 380 per tonne of flour.

Article 3

The take-over certificate referred to in the second indent of Article 10 (1) (a) of Regulation (EC) No 2009/95 shall be established at the places and by the authorities referred

to in Annex II, on the basis of the model in Annex IV and, where applicable, Annex IV (a).

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2009/95, the designated control agency shall deliver, upon completion of that operation, a certificate certifying the total removal of the quantities for each destination, countersigned by the producer of the flour or his representative, in accordance with the model in Annex III.

Article 5

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

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***Lot No 1**

AZERBAIJAN : 7 000 tonnes (net) of wheatflour.

Delivery stage :

Beiuk-Kesik (via the ports of Poti or Batumi) or a frontier point to be designated by the tenderer (Goods not unloaded).

Final delivery date at the port or frontier point :

- 3 500 tonnes by 8 March 1996,
- 3 500 tonnes by 19 March 1996.

Lot No 2

GEORGIA : 7 000 tonnes (net) of wheatflour.

Delivery stage :

Poti or Batumi (Goods unloaded).

Final delivery date at the port :

- 3 500 tonnes by 8 March 1996,
- 3 500 tonnes by 15 March 1996.

The choice of the port of Poti or Batumi shall be managed by the Commission in accordance with the availability of quays.

*ANNEX II***(a) Place of take-over in Georgia :**

1. Port of Poti or Batumi — goods unloaded.
2. Authority entitled to deliver the take-over certificate :
Gossudarstvenaya Corporatziya Chleboproductov,
Ul. Didi Cheivani No 6,
Tbilisi,
Mr Anzar Burdjanadze
Tel. : (7-88 32) 99 86 98. Fax : (7-88 32) 99 67 40.

(b) Place of take-over in Azerbaijan :

1. Beiuk-Kesik (or a frontier point to be designated by the tenderer) — Goods not unloaded.
The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.
 2. Authority entitled to deliver the take-over certificate :
Gossudarstvenaya Companija Chleboproductov,
370033 Baku,
Ul. Usif Zaade No 13,
Mr F.R. Mamedov — President
Tel. : (7-89 22) 66 74 51/66 38 20.
-

ANNEX III

Regulation (EC) No 43/96

CERTIFICATE OF REMOVAL

I, the undersigned
 (name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net): (gross):		
Number	of sacks :	
	of 'Big Bags' :	
Place and date of takeover :		
Name of boat :		
Name and address of transport company :		

Name and address of the monitoring agency :

.....

Name and signature of its on-the-spot representative :

.....

Observations or remarks :

.....

Signature and stamp
 of the producer

.....

ANNEX IV

Regulation (EC) No 43/96

TAKE-OVER CERTIFICATE AT THE PORT OF POTI/BATUMI

I, the undersigned
 (name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
Number	of sacks :	
	of 'Big Bags' :	
Place and date of take-over :		
Name of boat :		
Name and address of transport company :		

Name and address of monitoring agency :

.....

Name and signature of its on-the-spot representative :

.....

Observations or remarks :

.....

Signature and stamp
 of the Georgian authorities

Signature and stamp
 of the authorities

.....

ANNEX IV (a)

Regulation (EC) No 43/96

Train No

TAKE-OVER CERTIFICATE ON THE ARRIVAL OF THE RAIL-WAGONS IN THE COUNTRIES OF DESTINATION

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product :

Place and date of takeover :

Wagon Nos	Seal Nos	Quantity (net weight)	Number of packets	Date frontier crossed	Quantities ⁽¹⁾ Signature and remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

⁽¹⁾ To be completed only for the wagons which have been the subject of a check, inserting the weight found.

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :

.....

Representative of monitoring agency
Name, signature and stamp

Name, signature and stamp of the beneficiary

.....

.....

.....

.....

ANNEX V

Transit prices on Georgian territory

AZERBAIJAN

(in US dollars)

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain				
— grab	4	15,1	16,5	120
— vacuvator	5,5			
General cargo in covered wagons	6	15,1	16,5	120
Thermos wagons	7	30,8	33,8	120

ARMENIA

(in US dollars)

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain				
— grab	4	15	17	120
— vacuvator	5,5			
General cargo in covered wagons	6	15	17	120
Thermos wagons	7	31	35	120

GEORGIA

(in US dollars)

Products	Grain — grab	Grain — vacuvator	General cargo in covered wagons
Discharging cost (per tonne)	3	3,5	5

COMMISSION REGULATION (EC) No 44/96

of 12 January 1996

on the transport for the free supply to Georgia, Armenia and Azerbaijan of rye flour

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1975/95 of 4 August 1995 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 thereof,

Whereas, Commission Regulation (EC) No 2009/95⁽²⁾, established the detailed rules applicable to the free supply of agricultural products provided for by Regulation (EC) No 1975/95; whereas, it is appropriate to open a tendering procedure for the supply of 14 500 tonnes of rye flour intended for Georgia, Armenia and Azerbaijan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products in two lots;

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

1. A tendering procedure is hereby initiated for the supply costs of 14 500 tonnes (net) of rye flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2009/95, and in particular Article 2 (1) (b) thereof. The invitation to tender relates to two lots.

2. The supply costs shall relate to the take-over at the stage laid down in paragraph 3 and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

3. The flour will be made available for loading, free on board, stowed on the ship or wagon, during a maximum period of 10 days from the dates indicated in the following manner:

Lot No 1:

7 500 tonnes (net) destined for Azerbaijan of which:

— 2 500 tonnes made available in the port of Antwerp with effect from 8 February 1996,

— 2 500 tonnes made available in the port of Antwerp with effect from 20 February 1996,

— 2 500 tonnes made available in the port of Antwerp with effect from 24 February 1996;

Lot No 2:

7 000 tonnes (net) destined for Georgia and Armenia of which:

— 2 500 tonnes destined for Armenia made available in the port of Antwerp with effect from 12 February 1996,

— 2 500 tonnes destined for Georgia made available in the port of Antwerp with effect from 16 February 1996,

— 1 000 tonnes destined for Armenia made available in the port of Kalundborg with effect from 28 February 1996,

— 1 000 tonnes destined for Georgia made available in the port of Kalundborg with effect from 28 February 1996.

After the expiry of 10 days following the dates mentioned above, the successful tenderer shall be required to reimburse to the Commission the costs which it will have borne to cover all the costs (waiting, insurance, security, guarantees, etc.) referred to at Article 6 (1) (e) (4) of Regulation (EC) No 2009/95.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2009/95 the offers shall be presented to the following address:

Commission of the European Communities,
EAGGF-Guarantee,
Division VI/G.2 (Office 10/05 or 10/08),
Rue de la Loi/Wetstraat 130,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 22 January 1996 at 5 p.m. (Brussels time).

In the case of non-acceptance of offers on 22 January 1996, a second closing date for the lodgement of offers shall be 1 February 1996 at 12 noon (Brussels time).

In this case all of the dates referred to in Article 1 and Annex I shall be carried forward by 10 days.

2. The offer shall relate to the supply of the total of the quantities of a lot referred to in Article 1 (3).

Tenderers, where appropriate, shall take account of the unloading and transit prices referred to in Annex V.

⁽¹⁾ OJ No L 191, 12. 8. 1995, p. 2.

⁽²⁾ OJ No L 196, 19. 8. 1995, p. 4.

In the case of transport by rail, the tenderer must submit a letter of guarantees issued by the rail authorities of the country of first entry into the CIS (except in the case of Georgia) certifying the availability of the means of transport as well as the wagons necessary for the proper execution of the operation. Article 12 (2) of Regulation (EC) No 2009/95 is applicable also in the case of non payment to the railway authorities of the different republics of the CIS crossed.

3. The tendering security referred to in Article 6 (1) (f) of Regulation (EC) No 2009/95 is fixed at ECU 25 per tonne of flour.

4. The security referred to in Article 8 (2) of Regulation (EC) No 2009/95 is fixed at ECU 230 per tonne of flour.

Article 3

The take-over certificate referred to in the second indent of Article 10 (1) (a) of Regulation (EC) No 2009/95 shall be established at the places and by the authorities referred

to in Annex II, on the basis of the model in Annex IV and, where applicable, Annex IV (a).

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2009/95, the designated control agency shall deliver, upon completion of that operation, a certificate certifying the total removal of the quantities for each destination, countersigned by the producer of the flour or his representative, in accordance with the model in Annex III.

Article 5

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

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***Lot No 1**

AZERBAIJAN : 7 500 tonnes (net) of rye flour.

Delivery stage :

Beiuk-Kesik (via the ports of Poti or Batumi) or a frontier point to be designated by the tenderer (Goods not unloaded).

Final delivery date at the port or frontier point :

- 2 500 tonnes by 13 March 1996,
- 2 500 tonnes by 25 March 1996,
- 2 500 tonnes by 29 March 1996.

Lot No 2

ARMENIA : 3 500 tonnes (net) of rye flour.

Delivery stage :

Airum via the ports of Poti or Batumi (Goods not unloaded).

Final delivery date at the port :

- 2 500 tonnes by 17 March 1996,
- 1 000 tonnes by 3 April 1996.

GEORGIA : 3 500 tonnes (net) of rye flour.

Delivery stage :

Poti or Batumi (Goods unloaded).

Final delivery date at the port :

- 2 500 tonnes by 21 March 1996,
- 1 000 tonnes by 3 April 1996.

The choice of the port of Poti or Batumi shall be managed by the Commission in accordance with the availability of quays.

*ANNEX II***(a) Place of take-over in Georgia :**

1. Port of Poti or Batumi — goods unloaded.
2. Authority entitled to deliver the take-over certificate :
Gossudarstvenaya Corporatziya Chleboproductov,
Ul. Didi Cheivani No 6,
Tbilisi,
Mr Anzar Burdjanadze
Tel. : (7-8832) 99 86 98. Fax : (7-8832) 99 67 40.

(b) Place of take-over in Armenia :

1. Airum — Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.
2. Authority entitled to deliver the take-over certificate :
Ministry of Agriculture and Food,
375010 Yerevan,
Dom Pravitelstva,
Ploschad Respubliki 1.

(c) Place of take-over in Azerbaijan :

1. Beiuk-Kesik (or a frontier point to be designated by the tenderer) — Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.
 2. Authority entitled to deliver the take-over certificate :
Gossudarstvenaya Companija Chleboproductov,
370033 Baku,
Ul. Usif Zaade No 13,
Mr F.R. Mamedov — President,
Tel. : (7-8922) 66 74 51/66 38 20.
-

ANNEX III

Regulation (EC) No 44/96

CERTIFICATE OF REMOVAL

I, the undersigned
 (name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
Number	of sacks :	
	of 'Big-Bags' :	
Place and date of takeover :		
Name of boat :		
Name and address of transport company :		

Name and address of the monitoring agency :

.....

Name and signature of its on-the-spot representative :

.....

Observations or remarks :

.....

Signature and stamp
 of the producer

.....

ANNEX IV

Regulation (EC) No 44/96

TAKE-OVER CERTIFICATE AT THE PORT OF POTI/BATUMI

I, the undersigned
 (name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
Number	of sacks :	
	of 'Big Bags' :	
Place and date of take-over :		
Name of boat :		
Name and address of transport company :		

Name and address of monitoring agency :

.....

Name and signature of its on-the-spot representative :

.....

Observations or remarks :

.....

Signature and stamp
 of the Georgian authorities

Signature and stamp
 of the authorities

.....

ANNEX IV (a)

Regulation (EC) No 44/96

Train No

TAKE-OVER CERTIFICATE ON THE ARRIVAL OF THE RAIL-WAGONS IN THE COUNTRIES OF DESTINATION

I, the undersigned
 (name/first name/position)

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product :

Place and date of takeover :

Wagon Nos	Seal Nos	Quantity (net weight)	Number of packets	Date frontier crossed	Quantities ⁽¹⁾ Signature and remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

⁽¹⁾ To be completed only for the wagons which have been the subject of a check, inserting the weight found.

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :

.....

Representative of monitoring agency
 Name, signature and stamp

.....

Name, signature and stamp of the beneficiary

.....

ANNEX V

Transit prices on Georgian territory

AZERBAIJAN

(in US dollars)

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain				
— grab	4	15,1	16,5	120
— vacuvator	5,5			
General cargo in covered wagons	6	15,1	16,5	120
Thermos wagons	7	30,8	33,8	120

ARMENIA

(in US dollars)

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain				
— grab	4	15	17	120
— vacuvator	5,5			
General cargo in covered wagons	6	15	17	120
Thermos wagons	7	31	35	120

GEORGIA

(in US dollars)

Products	Grain — grab	Grain — vacuvator	General cargo in covered wagons
Discharging cost (per tonne)	3	3,5	5

COMMISSION REGULATION (EC) No 45/96

of 12 January 1996

on the issuing of import licences for bananas under the tariff quota for the first quarter of 1996 (second period)

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community ⁽³⁾, as last amended by Regulation (EC) No 1164/95 ⁽⁴⁾, and in particular Article 9 (3) thereof,

Having regard to Commission Regulation (EC) No 478/95 of 1 March 1995 on additional rules for the application of Council Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, and in particular Article 4 (3) thereof,

Whereas Article 2 of Commission Regulation (EC) No 2913/95 of 18 December 1995 on the issuing of import licences for bananas under the tariff quota for the first quarter of 1996 and on the submission of new applications ⁽⁷⁾, fixes the quantities available for new licence applications under the tariff quota during the first quarter of 1996; whereas Article 4 (3) of Regulation (EC) No 478/95 lays down that the quantities for which licences may be issued for the origin(s) concerned must be determined without delay;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that, where, in the case of a given quarter and

origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators exceed the quantity available, a reduction percentage is to be applied to applications for that origin;

Whereas the quantities applied for Colombia category B and Côte d'Ivoire exceed the quantity available and a reduction coefficient should therefore be applied; whereas import licences may be issued for the quantity referred to in all other new applications;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas during the first quarter 1996 against new applications as referred to in Article 4 (1) of Regulation (EC) No 478/95:

- (a) for the quantity indicated in the new licence application multiplied by a reduction coefficient of 0,694982 for Colombia category B and of 0,814055 for Côte d'Ivoire;
- (b) for the quantity indicated in the new licence application where it refers to an origin other than those referred to in point (a) above.

Article 2

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

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 14.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 305, 19. 12. 1995, p. 20.

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

Done at Brussels, 12 January 1996.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 46/96
of 12 January 1996
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 13 January 1996.

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

Done at Brussels, 12 January 1996.

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 12 January 1996 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 15	052	64,5	0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	58,2
	060	80,2		464	55,2
	064	59,6		624	90,5
	066	41,7		999	68,0
	068	62,3		052	70,0
	204	38,9	0805 30 20	204	45,8
	208	44,0		388	67,5
	212	117,9		400	42,9
	624	76,9		512	54,8
	999	65,1		520	66,5
0707 00 10	052	111,6		524	100,8
	053	166,9		528	94,7
	060	61,0		600	76,2
	066	53,8		624	41,6
	068	60,4		999	66,1
	204	144,3	0808 10 51, 0808 10 53, 0808 10 59	052	64,0
	624	135,0		064	78,6
0709 10 10	999	104,7		388	39,2
	220	125,7		400	76,6
	999	125,7		404	68,0
0709 90 71	052	126,9		508	68,4
	204	77,5		512	51,2
	412	54,2		524	57,4
	624	209,5		528	48,0
	999	117,0		728	107,3
0805 10 01, 0805 10 05, 0805 10 09	052	39,8		800	78,0
	204	56,6		804	21,0
	208	68,2	0808 20 31	999	63,1
	212	32,3		052	86,3
	388	40,5		064	72,5
	448	37,4		388	79,6
	600	58,4		400	94,2
	624	75,5		512	89,7
	999	51,1		528	84,1
0805 20 11	052	67,2		624	79,0
	204	73,6		728	115,4
	624	86,6		800	55,8
	999	75,8		804	112,9
				999	86,9

⁽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 REGULATION (EC) No 47/96
of 12 January 1996
amending the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 8 (3) thereof,

Whereas the export refunds on poultrymeat were fixed by Commission Regulation (EC) No 2864/95 ⁽³⁾, as last amended by Regulation (EC) No 18/96 ⁽⁴⁾;

Whereas it follows from foreseen criteria contained in Article 8 of Regulation (EEC) No 2777/75 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 paragraph 1 of Regulation (EEC) No 2777/75, exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 2864/95 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 January 1996.

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 300, 13. 12. 1995, p. 9.

⁽⁴⁾ OJ No L 4, 6. 1. 1996, p. 5.

ANNEX

to the Commission Regulation of 12 January 1996 altering the export refunds on poultrymeat

Product code	Destination of refund ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination of refund ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units			ECU/100 kg
0105 11 11 000	01	2,00	0207 25 10 000	04	8,00
0105 11 19 000	01	2,00	0207 25 90 000	04	8,00
0105 11 91 000	01	2,00	0207 14 20 900	05	4,50
0105 11 99 000	01	2,00	0207 14 60 900	05	4,50
0105 12 00 000	01	3,00	0207 14 70 190	05	4,50
0105 19 20 000	01	3,00	0207 14 70 290	05	4,50
		ECU/100 kg	0207 27 10 990	04	15,00
0207 12 10 900	02	30,00	0207 27 60 000	04	6,50
	03	8,00	0207 27 70 000	04	6,50
0207 12 90 190	02	33,00			
	03	8,00			

⁽¹⁾ The destinations are as follows :

- 01 All destinations except the United States of America,
- 02 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Yemen, Lebanon, Iran, Armenia, Azerbaijan, Georgia, Russia, Uzbekistan and Tajikistan,
- 03 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia, the Czech Republic and those of 02 above,
- 04 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia and the Czech Republic,
- 05 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia, the Czech Republic, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Lithuania, Estonia and Latvia.

⁽²⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 2815/95 are observed.

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

COMMISSION REGULATION (EC) No 48/96

of 12 January 1996

determining the percentage of quantities covered by applications for export
licences for poultrymeat which may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Commission Regulation (EC) No
1372/95 of 16 June 1995 laying down detailed rules for
implementing the system of export licences in the poul-
trymeat sector ⁽¹⁾, as last amended by Regulation (EC) No
2841/95 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Regulation (EC) No 1371/95 provides for
specific measures where applications for export licences
concern quantities and/or expenditure which exceed the
normal trade patterns or where there is a risk that they
will be exceeded, taking account of the limit referred to in
Article 8 (12) of Council Regulation (EEC) No 2777/75 ⁽³⁾,
as last amended by Commission Regulation (EC) No
2916/95 ⁽⁴⁾, and/or the corresponding expenditure during
the period in question ;

Whereas the market for certain poultrymeat products is
affected by uncertainties ; whereas the refunds currently
applicable for these products could lead to applications
being made for export licences for speculative purposes ;
whereas there is a risk that the issue of certificates for the
quantities applied for from 8 to 10 January 1996 may
lead to the quantities corresponding to the normal trade
patterns for the products concerned being exceeded ;

whereas applications for which export licences have not
yet been granted should be rejected for the products
concerned and acceptance coefficients applying to the
quantities requested should be fixed,

HAS ADOPTED THIS REGULATION :

Article 1

Applications for export licences for poultrymeat
submitted pursuant to Regulation (EC) No 1372/95 shall
be dealt with as follows :

1. for applications from 8 to 10 January 1996, 100 % of
the quantities applied for in the case of categories 3, 4,
5, 7 and 8 referred to in Annex I to the abovementioned
Regulation shall be accepted ;
2. no further action shall be taken in respect of applica-
tions pending for certificates which should have been
issued from 15 January 1996 for category 6 referred to
in Annex I to the abovementioned Regulation.

Article 2

This Regulation shall enter into force on 15 January
1996.

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 133, 17. 6. 1995, p. 26.

⁽²⁾ OJ No L 296, 9. 12. 1995, p. 8.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽⁴⁾ OJ No L 305, 19. 12. 1995, p. 49.

COMMISSION REGULATION (EC) No 49/96

of 12 January 1996

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of large-flowered roses originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 3057/95⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days

during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 2524/95⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 2853/95⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for large-flowered roses originating in Morocco; whereas the Common Customs Tariff duty should be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Morocco, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 13 January 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 326, 30. 12. 1995.

⁽⁵⁾ OJ No L 258, 28. 10. 1995, p. 42.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 299, 12. 12. 1995, p. 1.

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 50/96

of 12 January 1996

fixing the maximum export refunds on olive oil for the fourth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2544/95⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽⁵⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 2815/95⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EC) No 2544/95 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION :

Article 1

The maximum export refunds for olive oil for the fourth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 January 1996.

Article 2

This Regulation shall enter into force on 13 January 1996.

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

Done at Brussels, 12 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 260, 31. 10. 1995, p. 38.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 297, 9. 12. 1995, p. 1.

ANNEX

to the Commission Regulation of 12 January 1996 fixing the maximum export refunds on olive oil for the fourth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	45,35
1509 10 90 900	—
1509 90 00 100	54,10
1509 90 00 900	—
1510 00 90 100	12,00
1510 00 90 900	—

(1) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 2815/95 are observed.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 December 1995

concerning the tax on production and imports ('arbitrio sobre la producción y sobre las importaciones', APIM), pursuant to Article 5 (2), (4), (5) and (6) of Council Regulation (EEC) No 1911/91 on the application of the provisions of Community law to the Canary Islands (Kingdom of Spain)

(Only the Spanish text is authentic)

(96/34/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

II

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands⁽¹⁾, and in particular Article 5, paragraph 6 thereof,

Having consulted the Spanish authorities pursuant to that Article,

Whereas :

I

On account of their geographical situation, the Canary Islands are faced with very considerable difficulties, which are more serious than in most other regions of the Community. The term 'most remote region' applied to the islands covers a number of handicaps with economic and social consequences in particular due to remoteness, the presence of many islands, the volcanic terrain unsuited to agricultural and industrial production, the scarcity of energy resources and raw materials.

The European Community has recognized this situation and incorporated the appropriate measures in the Act of Accession of Spain and Portugal⁽²⁾, which also reflects the historical economic and tax arrangements in the archipelago. At the request of the Spanish authorities, and since experience had shown that the development of the islands would be better served by fuller integration into the common policies and the process of completing the single market, the Council adopted a series of measures in Regulation (EEC) No 1911/91 on the application of the provisions of Community law to the Canary Islands.

Referring to the tax on production and imports (APIM), Article 5 (6) of the said Regulation states that during 1995, the Commission, after consulting the Spanish authorities, is to examine the impact of the measures taken on the economy of the Canary Islands and the prospects for their integration into the Community's customs territory. On the basis of this examination, the Spanish authorities may be authorized to maintain the exemptions in force, in whole or in part, until 31 December 2000 at the latest.

In addition, paragraph 2 of the said Article provides that as from 1 January 1996 the rate for the tax is to be reduced by 20 % each year so that the tax will disappear by 31 December 2000.

⁽¹⁾ OJ No L 171, 29. 6. 1991, p. 1.

⁽²⁾ OJ No L 302, 15. 11. 1985.

III

The APIM constitutes one of the measures provided for by Regulation (EEC) No 1911/91 which were recommended with a view to making it possible gradually to integrate the Canary Islands more fully into the Community. As a temporary tax it helps to adjust local production to the requirements of the single market through a system of exemptions, which thus contributes to the promotion of local activities without, however, affecting trading conditions to an extent contrary to the common interest.

The Commission has examined the impact of the tax in the economic and social context of the archipelago and the potential effect on the public finances of local municipalities. The Commission's detailed study highlights certain features:

- the key sector is tourism, which is expanding strongly, as to a lesser extent is construction, which is dependent on it. Compared with the rest of Spain, this situation has had a positive effect on the economy, although the effect on prices has been unfavourable,
- since 1991, imports have been affected by the APIM and also by the business cycle and the customs measures included in Regulation (EEC) No 1911/91, although these apply only to extra-Community trade. It is estimated that the decline in imports due solely to the APIM may not last for long,
- analysis of the impact of the APIM shows that the tax burden is greatest in the electricity industry and, generally, in the industries dependent on imports,
- abolition of the APIM will cause prices to fall a little in all sectors, but slightly more so in those which are directly dependent on imports,
- taken in isolation, abolishing the APIM will increase imports by 2,5 %. In some sectors, however, particularly textiles and timber, the increase is more significant,
- production and employment on the islands are likewise affected. The forecast average decline in production is 2 % and in employment about 1 %. The reduction is very unevenly distributed, however: thus, textile production may disappear and other industrial sectors, such as 'other manufacturers' (jewellery, musical instruments, photography and toys), timber, metals and mining, may be significantly affected.

IV

The introduction of the APIM in 1991, with the rates of tax and the exemptions for local products laid down in Regulation (EEC) No 1911/91, has made it possible to adjust, in a generally positive way, the efforts in the face of certain difficulties to adapt the economy of the Canary Islands to the rest of the Community.

Consequently, at the request of the Spanish authorities and having consulted them,

HAS DECIDED AS FOLLOWS:

Article 1

The rate of tax on production and imports (APIM), applied pursuant to Article 5 of Regulation (EEC) No 1911/91 on the application of the provisions of Community law to the Canary Islands, shall be reduced by 20 % of the initial rate on 31 December each year and for the first time on 31 December 1996, so that the tax will disappear on 31 December 2000.

Article 2

The Spanish authorities are authorized, up to 31 December 2000 at the latest, to maintain all the exemptions in force. The exemptions must contribute to the economic and social development of the Canary Islands, taking account of the Community support framework, though they must not be such as to affect trading conditions to an extent contrary to the common interest.

Article 3

Spain shall communicate to the Commission as soon as possible the legal provisions applying this Decision.

Article 4

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 20 December 1995.

For the Commission

Mario MONTI

Member of the Commission

COMMISSION DECISION

of 20 December 1995

amending Decision 95/357/EC drawing up a list of border inspection posts agreed for veterinary checks on products and animals from third countries detailed rules concerning the checks to be carried out by the veterinary experts of the Commission and repealing Decision 94/24/EC

(Text with EEA relevance)

(96/35/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by the Treaty of Accession of Austria, Finland and Sweden, and in particular Article 9 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽²⁾, as last amended by the Treaty of Accession of Austria, Finland and Sweden, and in particular Article 6 thereof,

Whereas Commission Decision 95/357/EC⁽³⁾ draws up a list of border inspection posts agreed for veterinary checks on products and animals from third countries;

Whereas certain border inspection posts have been inspected by the Commission's departments; whereas, in addition, the Member States may propose that posts included in the list be withdrawn or that new posts be included therein, these new posts having to be inspected before inclusion in the list;

Whereas, in view of the results of the inspections and the proposals by the competent authorities of Member States, Decision 95/357/EC must be amended accordingly;

Whereas the measures provided for by this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex of Decision 95/357/EC is amended as follows:

1. in the part concerning Denmark, the references relating to the border inspection post Ålborg are replaced by the following:

1	2	3	4	5	6	7	8	9	10	11
	Ålborg	Port	×	×	×	×				

2. in the part concerning Germany, the references relating to the border inspection post Weil/Rhein are replaced by the following:

1	2	3	4	5	6	7	8	9	10	11
	Weil/Rhein Mannheim	Rail Road	×	×	×	×	×	×	×	

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽³⁾ OJ No L 211, 6. 9. 1995, p. 43.

3. in the part concerning the Netherlands, the references relating to all the border inspection posts are replaced by the following :

1	2	3	4	5	6	7	8	9	10	11
	'Amsterdam	Airport	×	×	×	×	×	×	×	Semen only'
		Port	×	×	×	×				
	Eemshaven	Port	×	×						
	Harlingen	Port	×	×						
	Maastricht	Airport	×	×	×		×	×		
	Moerdijk	Port		×						
	Rotterdam	Airport	×							
		Port	×	×	×	×				
	Vlissingen	Port	×	×		×				

4. in the part concerning Portugal, the following inspection post is added in the alphabetical order :

1	2	3	4	5	6	7	8	9	10	11
	'Figueira da Foz	Port	×							frozen packed fishery products only'

5. in the part concerning the United Kingdom :

- the border inspection posts of Boston and Keadby Wharf, Howdendyke Wharf and Mistley and the relating references are deleted,
- the references relating to the border inspection post of Harwich are replaced by the following :

1	2	3	4	5	6	7	8	9	10	11
	'Harwich	Port	×	×						

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 20 December 1995

amending Decision 95/357/EC drawing up a list of border inspection posts agreed for veterinary checks on products and animals from third countries detailed rules concerning the checks to be carried out by the veterinary experts of the Commission and repealing Decision 94/24/EC

(Text with EEA relevance)

(96/36/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by the Treaty of Accession of Austria, Finland and Sweden, and in particular Article 9 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽²⁾, as last amended by the Treaty of Accession of Austria, Finland and Sweden, and in particular Article 6 thereof,

Whereas Commission Decision 95/357/EC⁽³⁾, as last amended by Decision 96/35/EC⁽⁴⁾, draws up a list of border inspection posts agreed for veterinary checks on products and animals from third countries;

Whereas certain border inspection posts have been inspected by the Commission's departments; whereas, in addition, the Member States may propose that posts included in the list be withdrawn or that new posts be included therein, these new posts having to be inspected before inclusion in the list;

Whereas, in view of the results of the inspections and the proposals by the competent authorities of Member States, Commission Decision 95/357/EC must be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex of Decision 95/357/EC is amended as follows:

1. in the part concerning Germany, the references relating to the border inspection post of Rügen are replaced by the following:

1	2	3	4	5	6	7	8	9	10	11
	'Rügen	Port	x	x	x	x'				

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽³⁾ OJ No L 211, 6. 9. 1995, p. 43.

⁽⁴⁾ See page 40 of this Official Journal.

2. in the part concerning Greece, the references relating to the border inspection posts are replaced by the following :

1	2	3	4	5	6	7	8	9	10	11
	Evzoni	Road	x	x	x	x	x	x	x	Until 30 June 1996
	Hellenikon-Athina	Airport	x	x	x	x			x	
	Idomeni	Rail					x	x		
	Igoumenitsa	Port	x	x	x	x	x	x	x	Until 30 June 1996
	Kakavia	Road	x	x	x	x	x	x	x	
	Neos Kafkassos	Road	x	x	x	x	x	x	x	
		Rail	x	x	x	x	x	x	x	Until 30 June 1996
	Ormenion	Road	x	x	x	x	x	x	x	
	Patra	Port	x	x	x	x				
	Peplos	Road		x		x	x	x	x	Other animals Until 30 June 1996
	Pireas	Port	x	x	x	x				
	Promachonas	Road	x	x	x	x	x	x	x	
		Rail					x	x	x	Until 30 June 1996
	Thessaloniki	Port	x	x	x	x	x	x	x	Until 30 June 1996
		Airport	x	x	x	x			x	Until 30 June 1996'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION**of 20 December 1995****adopting specific measures to temporarily prohibit use of the comprehensive guarantee for certain transit procedures****(Only the German text is authentic)****(Text with EEA relevance)****(96/37/EC)**

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

Having regard to 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⁽¹⁾, as last amended by Regulation (EC) No 1762/95⁽²⁾, and in particular Article 360 thereof,

Whereas the customs administration of the Federal Republic of Germany by letter dated 6 September 1995, indicated its wish to apply the abovementioned Article 360 in order to prevent temporary use of the comprehensive guarantee for external Community transit operations involving the goods listed in the Annex to this Decision and for which it seeks the agreement of the Commission;

Whereas external Community transit operations involving the goods are made the subject of specific information with particular reference to the provisions of Council Regulation (EEC) No 1468/81⁽³⁾;

Whereas as a result of information supplied by the customs administration of the Federal Republic of Germany and also as a result of information compiled by the Commission, fraud involving the goods in the context of the external Community transit regime appears to have reached significant proportions;

Whereas such external Community transit operations present an exceptionally high risk of fraud which can pose a considerable threat to Community and national budgets as well as to concerned economic operators;

Whereas the fight against fraud in transit makes it necessary to adopt measures within a Community strategy to ensure greatest effectiveness;

Whereas the request of the customs administration of the Federal Republic of Germany is well-founded,

HAS ADOPTED THIS DECISION:

Article 1

The Commission authorizes the customs administration of the Federal Republic of Germany to take specific measures, in conformity with Article 360 of Regulation (EEC) No 2454/93, with effect from a date to be fixed by that administration, to temporarily forbid the use of the comprehensive guarantee for external Community transit operations involving goods in the Annex to this Decision.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 20 December 1995.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽²⁾ OJ No L 171, 21. 7. 1995, p. 8.

⁽³⁾ OJ No L 144, 2. 6. 1981, p. 1.

ANNEX

Harmonized system heading No	Description
ex 01.02	Live bovine animals, other than pure bred breeding animals
ex 02.02	Meat of bovine animals, frozen
04.02	Milk and cream, concentrated or containing added sugar or other sweetening matter
04.05	Butter and other fats and oils derived from milk
04.06	Cheese and curd
08.03	Bananas, including plantains, fresh or dried
10.01	Cereals (wheat) and meslin
10.02	Rye
17.01	Sugar
ex 22.07	Undenaturated ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher
ex 22.08	Spirits, liqueurs and other spirituous beverages

COMMISSION DECISION**of 20 December 1995****amending for the third time Decision 95/32/EC approving the Austrian programme for the implementation of Article 138 of the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden****(Only the German text is authentic)**

(96/38/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 138 thereof,

Whereas on 8 November 1994 Austria notified the Commission, pursuant to Article 143 of the Act of Accession, of the Austrian programme for the implementation of its Article 138 aid for a number of products for the period 1995 to 1999 inclusive ;

Whereas this programme, as modified by letter dated 16 December 1994, was approved by Commission Decision 95/32/EC ⁽¹⁾ whereas that Decision was amended by Commission Decisions 95/209/EC ⁽²⁾ and 95/416/EC ⁽³⁾ ; whereas by letter dated 16 November 1995 Austria notified the Commission, pursuant to Article 143 of the Act of Accession, of a request for Commission authorization to further amend that programme ; whereas that request was the subject of amendments by letter dated 13 December 1995 ;

Whereas the request involves aid for fruit and vegetables ; whereas this request involves some products not included in Decision 95/32/EC ; whereas that Decision, in its Article 3, refers to possible further Decisions for products not covered by it ; whereas certain fruit and vegetables are arable crops included in Decision 95/32/EC, but for which the rate of aid in that Decision is inadequate to attain the objectives of Article 138 of the Act of Acces-

sion ; whereas the requests for aid for all products are in accordance with the provisions of the Act of Accession, and in particular Article 138 thereof ; whereas the form of the aid on the basis of area reflects principles of the reformed common agricultural policy and so may be deemed to be appropriate ; whereas, for fruits and certain vegetables, the maximum levels of aid from 1996 onwards can best be determined at a later stage,

HAS ADOPTED THIS DECISION :

Article 1

The Annex to Decision 95/32/EC is replaced by the Annex to the present Decision.

Article 2

This Decision is addressed to the Republic of Austria.

Done at Brussels, 20 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 43, 25. 2. 1995, p. 53.⁽²⁾ OJ No L 131, 15. 6. 1995, p. 34.⁽³⁾ OJ No L 242, 11. 10. 1995, p. 21.

ANNEX

(in öS)

Product	Maximum rate of aid for products produced in each of the years shown					
	1995	1996	1997	1998	1999	2000
Arable crops (1)	3 700/ha	65 % of rate in 1995	40 % of rate in 1995	15 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
Fodder grain	2 400/ha					
Durum wheat	6 000/ha					
Protein plants	2 400/ha					
Linseed for crushing	6 000/ha					
Set-aside :						
— normal	1 000/ha					
— renewable resources	2 000/ha					
Cow's milk :	1 070/tonne					
Potatoes for starch (2) :						
— price category A1	362/tonne	90 % of rate in 1995	80 % of rate in 1995	70 % of rate in 1995	60 % of rate in 1995	0 % of rate in 1995
— price category A2	362/tonne					
— price category B	200/tonne					
Hops	8 500/ha					
Fattening pigs	80/animal					
Sows	1 400/animal					
Sows undergoing performance testing	2 500/animal					
Young bovine animals	3 000/animal					
Broiler chickens	1,10/bird	100 % of rate in 1995	61,5 % of rate in 1995	23,1 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
Turkeys	5,00/bird					
Chicks	0,08/bird					
Parent birds for fattening	2,30/bird					
Young laying hens	7,50/bird					
Adult laying birds	63,40/bird					
Layer chicks	2,40/bird					
Fodder seeds (3) :						
— purple clover, red clover	4 951/ha					
— lucerne, purple medick	6 144/ha					
— French rye-grass	5 481/ha	80 % of rate in 1995	50 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
— golden/yellow oat grass	8 500/ha					
— meadow foxtail	8 500/ha					
— cocksfoot	5 195/ha					
— Timothy, common cat's-tail	4 715/ha					
— meadow fescue	4 924/ha					
— Italian rye-grass	3 480/ha					
— bastard rye-grass	3 192/ha					
— California bluebell	7 500/ha					
— <i>poa alpina</i>	8 500/ha					

(in öS)

Product	Maximum rate of aid for products produced in each of the years shown					
	1995	1996	1997	1998	1999	2000
Other seeds :						
— large-grained leguminosae seed (*)	6 000/ha	65 % of rate in 1995	40 % of rate in 1995	15 % of rate in 1995	0 % of rate in 1995	0 % of rate in 1995
— fodder rape	6 500/ha					
— flower seeds	6 000/ha					
Pumpkins						
— thick skinned	6 000/ha	maximum aid rate for 1996 to 1999 to be determined at a later stage				0 % of rate in de 1995
— thin skinned	4 700/ha					
Other vegetables for processing	13 200/ha (*)					
Other vegetables not for processing						
— open air	35 400/ha (*)					
— other						
— high intensity	480 000/ha (*)					
— low intensity	142 000/ha (*)					
Pomaceous	25 900/ha (*)					
Other fruit	31 000/ha (*)					

(*) Excluding fodder grain, durum wheat, protein plants, linseed for crushing, potatoes for starch, and all seed crops.

(*) Starch content 18 % basis.

(*) Austria shall take all steps necessary to ensure that on an annual average basis the quantities of seed subject to aid for each species do not exceed that recorded in normal years prior to accession.

(*) Excluding leguminosae already promoted under Regulations (EEC) No 1765/92 and (EEC) No 762/85.

(*) Weighted average : the aid rate for each product will be set to respect this average. Within this constraint the Austrian authorities shall ensure that for no product the aid exceeds the reduction in support since 1994.

COMMISSION DECISION

of 20 December 1995

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(96/39/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

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

Having regard to Commission Regulation (EC) No
1636/95 of 5 July 1995 temporarily adapting the special
import arrangements in the beef sector provided for in
Regulation (EEC) No 715/90 with the view to the imple-
mentation of the Agreement on Agriculture concluded
during the Uruguay Round of multilateral trade negotia-
tions ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 1 of Regulation (EC) No 1636/95
provides for the possibility of issuing import licences for
beef and veal products; whereas, however, imports must
take place within the limits of the quantities specified for
each of these exporting third countries;

Whereas the applications for import licences submitted
between 1 and 10 December 1995, expressed in terms of
boned meat, in accordance with Regulation (EC) No
1636/95, do not exceed, in respect of products originating
from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe
and Namibia the quantities available from these States;
whereas it is therefore possible to issue import licences in
respect of the quantities requested;

Whereas the quantities in respect of which licences may
be applied for from 1 January 1996, should be fixed
within the scope of the total quantity of 39 100 tonnes;

Whereas it seems expedient to recall that this Decision is
without prejudice to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine, ovine and caprine
animals and swine, fresh meat or meat products from
third countries ⁽⁴⁾, as last amended by the Act of Acces-
sion of Austria, Finland and Sweden,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 December
1995 import licences for beef and veal products, expressed
as boned meat, originating in certain African, Caribbean
and Pacific States, in respect of the following quantities
and countries of origin:

Germany:

- 100,000 tonnes originating in Botswana,
- 90,000 tonnes originating in Madagascar;

Italy:

- 210,000 tonnes originating in Madagascar;

United Kingdom:

- 100,000 tonnes originating in Botswana,
- 100,000 tonnes originating in Swaziland,
- 224,760 tonnes originating in Zimbabwe,
- 100,000 tonnes originating in Namibia.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽³⁾ OJ No L 155, 6. 7. 1995, p. 25.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28.

Article 2

Licence applications may be submitted, pursuant to Article 3 (3) of Regulation (EC) No 1636/95 during the first 10 days of January 1996 for the following quantities of boned beef and veal :

— Botswana :	18 916 tonnes,
— Kenya :	142 tonnes,
— Madagascar :	7 579 tonnes,
— Swaziland :	3 363 tonnes,
— Zimbabwe :	9 100 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 December 1995.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1870/95 of 26 July 1995 amending Regulation (EEC) No 334/93 laying down detailed implementing rules for the use of land set aside for the provision of materials for the manufacture within the Community of products not primarily intended for human or animal consumption and repealing Regulation (EEC) No 2595/93 laying down detailed rules for implementing Council Regulation (EEC) No 1765/92 as regards the use of land set aside for the production of multiannual raw materials for the manufacture within the Community of products not intended for human or animal consumption

(Official Journal of the European Communities No L 179 of 29 July 1995)

On page 43, in Article 1 (8) (b) :

for: '(b) in paragraph (3) :

in the first subparagraph, "end products" is deleted, and the following endorsements are added :',

read: '(b) in paragraph (3) :

in the first subparagraph, "and/or end products" is deleted, and the following endorsements are added :'.
