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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 266/96

of 13 February 1996

repealing Regulation (EC) No 987/95 relating to the invitation to tender for the export of bread-making wheat held by the German intervention agency

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 5 thereof,

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

Whereas for economical reasons, it is appropriate to repeal the invitation to tender under Commission Regulation (EC) No 987/95⁽⁵⁾, as amended by Regulation (EC) No 41/96⁽⁶⁾;

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

Regulation (EC) No 987/95 is hereby repealed.

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, 13 February 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 10, 13. 1. 1996, p. 8.

COMMISSION REGULATION (EC) No 267/96

of 13 February 1996

amending Regulation (EEC) No 3149/92 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community ⁽¹⁾, as amended by Regulation (EC) No 2535/95 ⁽²⁾, and in particular Article 6 thereof,

Whereas, in order to deal with situations in which certain basic products are temporarily unavailable in intervention stocks at the time of adoption of an annual plan or during its implementation, Article 1 of Regulation (EEC) No 3730/87, as amended by Regulation (EC) No 2535/95, provides that the products concerned may be mobilized on the Community market, although only under conditions which do not conflict with the principle of supply from intervention stocks; whereas the rules for such mobilization must be fixed and Commission Regulation (EEC) No 3149/92 ⁽³⁾, as last amended by Regulation (EEC) No 2826/93 ⁽⁴⁾, should therefore be amended, incorporating the technical adjustments that have become necessary in the light of experience;

Whereas, in order to comply with the principle that priority should be given to intervention stocks when mobilizing products to supply to the most deprived persons in the Community, optimum distribution of existing public stocks among the Member States participating in the scheme should be ensured when the plan is adopted and intra-Community transfer operations made necessary by the non-availability of the products requested in one or more Member States should be coordinated; whereas, for the purposes of applying Article 1 of the abovementioned Council Regulation, a minimum quantity threshold should also be set beneath which, for reasons of good economic management, intra-Community transfers should not be implemented;

Whereas, in order to allow judicious management of the scheme and to organize the implementation of the annual Community plan, it is appropriate, firstly, to determine, when that plan is being adopted, for which products

temporary non-availability justifies mobilization on the market of the same product or a product in the same category, and secondly to set the financial allocation to be made available to the Member State for this purpose; whereas, to meet the abovementioned objectives, that allocation should be made on the basis of the applications submitted by the Member State for the annual plan, the quantities of the products unavailable in the intervention stocks and the allocations made during previous financial years and their effective use;

Whereas, with the same objective of giving priority to the use of intervention stocks, it should be laid down that supplies using products to be withdrawn from those stocks must be allocated before operations to mobilize products of the same category on the Community market are undertaken;

Whereas the best conditions should be obtained for carrying out the different types of supply and it should be specified that invitations to tender must be published to ensure that all operators established in the Community have equal access;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3149/92 is amended as follows:

1. Article 2 (1) is replaced by the following:

'1. Before 1 October each year the Commission shall adopt an annual plan for the distribution of food for the benefit of the most deprived persons, broken down by Member State concerned. For the purposes of allocating the resources among Member States, the Commission shall take account of the best estimates of the number of most deprived persons in the Member States concerned. It shall also take account of how operations were carried out and the uses to which resources were put in previous financial years, on the basis in particular of the reports provided for in Article 10 of this Regulation.'

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 3.

⁽³⁾ OJ No L 313, 30. 10. 1992, p. 50.

⁽⁴⁾ OJ No L 258, 16. 10. 1993, p. 11.

2. Article 2 (3) is replaced by the following :

'3. The plan shall include in particular :

1. for each of the Member States applying the measure, the following :
 - (a) the maximum financial resources available to carry out its part of the plan ;
 - (b) the quantity of each type of product to be withdrawn from the stocks held by the intervention agencies ;
 - (c) the grant made available for each product for purchase on the Community market where the product concerned is found to be temporarily unavailable among the stocks held by the intervention agencies when the annual plan is adopted.

This grant shall be determined for each product taking account firstly of the quantity indicated in the Member State notification referred to in Article 1 (2), secondly of the quantities not available in intervention stocks and thirdly of the products applied for and allocated during previous financial years and the actual use made of them.

This grant shall be expressed in ecus using the accounting value of the products not available among intervention stocks determined in accordance with Article 5 (1) ;

- (d) where appropriate, a grant for purchase on the Community market of one or more products, not available from the Member State where they are required, where the intra-Community transfer necessary to carry out the plan in that Member State would be in respect of a quantity of 60 tonnes or less of each product not available.

This grant shall be expressed in ecus using the accounting value of the products concerned determined in accordance with Article 5 (1) ;

2. the appropriations needed to cover the intra-Community transfer costs of the intervention products held by an intervention agency in Member State other than that where the product is required.'

3. Article 3 is replaced by the following :

'Article 3

1. Implementation of the plan shall run from 1 October to 30 September of the following year. With-

drawal of the products from the intervention stocks shall take place from 1 October to 31 August of the following year.

2. During the implementation period the Member States shall notify to the Commission any changes that they make to the implementation of the plan on their territory within the strict limits of the financing available to them. The notification shall be accompanied by all appropriate information. Where substantiated changes concern 5 % or more of the quantities or values entered per product in the Community distribution plan, the plan shall be revised.

3. The Member States shall inform the Commission immediately of foreseeable reductions in expenditure on applying the plan. The Commission may allocate the unused resources to other Member States on the basis of their applications and their actual use of products made available and allocations made during previous financial years.'

4. Article 4 is replaced by the following :

'Article 4

1. Implementation of the plan shall involve :

- (a) the supply of products withdrawn from intervention stocks ;
- (b) the supply of products mobilized on the Community market in application of Article 2 (3) (c) and (d).

The product mobilized on the market must belong to the same product group as the product temporarily unavailable among intervention stocks.

However, where beef and veal are unavailable among intervention stocks, any meat product may be mobilized on the market. In such cases the meat product must constitute more than 50 % of the net weight of the food supplied to the most deprived persons.

A given product may be mobilized on the market only if all the quantities of product in the same group to be withdrawn from intervention stocks for supply purposes in application of Article 2 (3) (1) (b), including quantities to be transferred in application of Article 7, have already been allocated. The competent national authority shall inform the Commission of the opening of mobilization procedures on the market.

2. Where the supply concerns :

- (a) products withdrawn from intervention stocks, the competent national authority shall issue or arrange to have issued an invitation to tender to determine the most advantageous conditions of supply. The invitation to tender shall specify precisely the nature and characteristics of the product to be supplied.

The invitation to tender shall concern :

- the charges for processing and/or packaging of the products coming from intervention stocks,
- or the quantity of processed or, where appropriate, packaged agricultural products or of foodstuffs which may be obtained by the use of products from intervention stocks supplied in payment for such products,
- or the quantity of processed agricultural products or foodstuffs available or obtainable on the market by supplying for payment products belonging to the same group of products from intervention stocks.

Where the supply involves the processing and/or packaging of the product, the invitation to tender shall refer to the obligation of the successful bidder to lodge a security to the benefit of the intervention agency in accordance with Title III of Commission Regulation (EEC) No 2220/85 (*) for an amount equal to the intervention price applicable on the day fixed for taking over the product plus 10 % of that price. For the application of Title V of that Regulation, the principle requirement is that the product should be supplied to the destination laid down ; this subparagraph does not apply where the product withdrawn from the intervention stocks is made available to the supply contractor as payment for supply already carried out ;

- (b) agricultural products or foodstuffs to be mobilized on the Community market, the competent national authority shall issue an invitation to tender to determine the most advantageous conditions of supply. The invitation to tender shall specify precisely the nature and characteristics of the product or foodstuff to be mobilized, specifications concerning packaging and marking and other obligations associated with the supply.

The invitation to tender shall concern all the supply charges and shall call for the submission of tenders concerning, according to case :

- the maximum quantity of the agricultural product or foodstuff to be mobilized on the

market for a monetary amount fixed in the notice,

- or the monetary amount needed to mobilize on the market a quantity fixed in the notice.

3. The transport costs shall be determined by an invitation to tender. Member States may specify that supply must also include the transport of products to the depots of the charitable organization. In such cases transport shall be the subject of a specific provision in the invitation to tender and shall constitute a particular item in the tender submitted.

Tenders concerning transport shall be submitted in monetary values.

The payment of transport costs may in no case be made in products.

4. Invitations to tender shall guarantee equal access to all operators established in the Community. To this end they shall be the subject of notices published in official administrative publications as well as being made available in complete form on request from interested operators.

The competent national authorities shall notify the Commission in due time and before the commencement of the implementation period the models of the invitations to tender used to allocate the different types of supply from intervention stocks and mobilization on the market.

(*) OJ No L 205, 3. 8. 1985, p. 5.

5. Article 6 (1) is replaced by the following :

'1. On duly substantiated application to the competent authority in each Member State, the charitable organizations designated to distribute the products shall be reimbursed on the basis of the rates indicated in Annex II for transport costs on the territory of the Member State between the storage depots of the charitable organizations and the places of distribution to the beneficiaries.'

6. The last sentence of the first subparagraph of Article 7 (1) is replaced by the following :

'The transfer operations shall be authorized according to the procedure provided for in Article 6 of Regulation (EEC) No 3730/87.'

7. The second subparagraph of Article 7 (1) is replaced by the following :

'The Member State applying for and receiving the product shall publish or have published an invitation to tender to establish the most favourable conditions of supply. The costs of intra-Community transport shall be the subject of a tender submitted in money value

and may not be paid for in products. The provisions of Article 4 (4) shall apply in the context of this invitation to tender.'

8. The first indent in Article 9 is replaced by the following:

— the intervention products, and, where appropriate, grants for mobilization on the market, are put to

the use and serve the purposes laid down in Article 1 of Regulation (EEC) No 3730/87'.

9. The following sentence is added to Article 10:

'The report shall be taken into account as a decisive factor when drawing up subsequent annual plans.'

Article 2

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, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 268/96

of 13 February 1996

amending Regulations (EC) No 121/94 and (EC) No 1606/94 concerning importation of certain cereal sector products from the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 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 as during the Uruguay Round Multilateral trade negotiations⁽¹⁾, and in particular Article 8 thereof,

Whereas Commission Regulation (EC) No 121/94 of 25 January 1994 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic⁽²⁾, as last amended by Regulation (EC) No 2416/95⁽³⁾, specifies the quantities originating in the Czech Republic, the Slovak Republic and the Republic of Hungary to be given preferential access under the Europe Agreements concluded with these countries;

Whereas Commission Regulation (EC) No 1606/94 of 1 July 1994 amending Regulation (EC) No 335/94 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Bulgaria and Romania⁽⁴⁾, as last amended by Regulation (EC) No 2252/95⁽⁵⁾, specifies the quantities of common wheat originating in Bulgaria or Romania to which preferential access is to be given under the Europe Agreements concluded with these countries;

Whereas pursuant to the modifications contained in Regulation (EC) No 3066/95 it is necessary to adjust Regulations (EC) No 121/94 and (EC) No 1606/94;

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

In Regulation (EC) No 121/94:

1. Article 1 is replaced by:

'Article 1

Products as specified in the Annex hereto originating in the countries in question shall qualify for importation at the reduced duty rates but subject to the quantitative limits specified therein.

Qualifying products entered for free circulation on the Community's internal market shall be accompanied by the original of the EUR. 1 certificate to be issued by the competent authorities of the exporting country.'

2. The Annex is replaced by Annex I to this Regulation.

3. The last indent of Article 5 is replaced by:

'Licences shall also show in box 24 one of the following entries:

- Derecho aplicable del 20 %
- Told: 20 %
- Anwendbarer Zollsatz 20 %
- Εφαρμοστέος δασμός 20 %
- Applicable duty 20 %
- Droit applicable de 20 %
- Dazio applicabile 20 %
- Toe te passen heffing 20 %
- Direito aplicável de 20 %
- Sovellettava tullin 20 prosenttia
- Tull: 20 %.

However for millet of CN code 1008 20 00 imported from Hungary, the licence shall carry the entry "ECU 65/tonne" and for canary seed of CN code 1008 30 00 imported from Hungary the entry "Duty exemption".

⁽¹⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽²⁾ OJ No L 21, 26. 1. 1994, p. 3.

⁽³⁾ OJ No L 248, 14. 10. 1995, p. 28.

⁽⁴⁾ OJ No L 168, 2. 7. 1994, p. 13.

⁽⁵⁾ OJ No L 230, 27. 9. 1995, p. 12.

Article 2

In Regulation (EC) No 1606/94:

1. Article 1 is replaced by:

'Article 1

Products as specified in the Annex hereto originating in the Republic of Bulgaria or Romania shall qualify for importation at the reduced duty rates but subject to the quantitative limits specified therein.

Qualifying products entered for free circulation on the Community's internal market shall be accompanied by the original of the EUR.1 certificate to be issued by the competent authorities of the exporting country.'

2. The Annex is replaced by Annex II to this Regulation.

3. The last indent of Article 5 is replaced by:

'The licence shall also carry in box 24 one of the following entries:

- Derecho aplicable del 20 %
- Told: 20 %
- Anwendbarer Zollsatz 20 %
- Εφαρμοστέος δασμός 20 %
- Applicable duty 20 %
- Droit applicable de 20 %
- Dazio applicabile 20 %
- Toe te passen heffing 20 %
- Direito aplicável de 20 %
- Sovellettava tullit 20 prosenttia
- Tull: 20 %.'

Article 3

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, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

ANNEX

I. Products originating in the Republic of Hungary

CN code	Description	Tonnage from		Duty rate (%)
		1. 7. 1995 to 30. 6. 1996	from 1. 1. 1996 to 30. 6. 1996	
1001 10 00 1001 90 99	Durum wheat Common wheat	232 000		20
1001 20 00	Millet	9 000		ECU 65/tonne
1001 30 00	Canary seed		9 000	exempt

II. Products originating in the Czech Republic

CN code	Description	Tonnage from 1. 7. 1995 to 30. 6. 1996	Duty rate (%)
ex 1003 00 90	Barley for malt production	27 400	20
1101 00 00	Wheat flour	13 500	20
1107 10 99	Unroasted malt other than of wheat	36 040	20

III. Products originating in the Slovak Republic

CN code	Description	Tonnage from 1. 7. 1995 to 30. 6. 1996	Duty rate (%)
ex 1003 00 90	Barley for malt production	13 600	20
1101 00 00	Wheat flour	13 500	20
1107 10 99	Unroasted malt other than of wheat	34 460	20

IV. Products originating in the Republic of Poland

CN code	Description	Tonnage from 1. 7. 1995 to 30. 6. 1996	Duty rate (%)
1008 10 00	Buckwheat	4 350	20'

*ANNEX II**ANNEX***I. Products originating in the Republic of Bulgaria**

CN code	Description	Tonnage from 1. 7. 1995 to 30. 6. 1996	Duty rate (%)
1001 90 99	Common wheat	2 511	20
1008 20 00	Millet	1 595	20

II. Products originating in Romania

CN code	Description	Tonnage from 1. 7. 1995 to 30. 6. 1996	Duty rate (%)
1001 90 99	Common wheat	22 840	20'

COMMISSION REGULATION (EC) No 269/96**of 13 February 1996****fixing the time limit for the submission of applications for private storage aid in respect of pigmeat**

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and in particular Article 4 (6) thereof,

Whereas private storage aid granted pursuant to Commission Regulation (EC) No 2722/95 of 24 November 1995 on special conditions for the granting of private storage aid for pigmeat⁽²⁾ has had a favourable effect on the pigmeat market; whereas an actual stabilization of prices is expected; whereas the granting of private storage aid for pigmeat should therefore be suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The time limit for the submission of applications for private storage aid for pigmeat shall be 16 February 1996.

Article 2

This Regulation shall enter into force on 14 February 1996.

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

Done at Brussels, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 283, 25. 11. 1995, p. 9.

COMMISSION REGULATION (EC) No 270/96**of 13 February 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 14 February 1996.

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

Done at Brussels, 13 February 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 13 February 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	59,6	0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	50,1
	060	80,2		204	68,8
	064	59,6		400	45,7
	066	41,7		464	100,9
	068	62,3		600	88,9
	204	74,5		624	69,9
	208	44,0		662	46,8
	212	97,0		999	67,3
	624	124,7		052	66,9
	999	71,5		204	45,8
0707 00 10	052	118,4	0805 30 20	388	67,5
	053	213,3		400	74,5
	060	61,0		512	54,8
	066	53,8		520	66,5
	068	132,2		524	100,8
	204	144,3		528	87,1
	624	178,7		600	77,6
	999	128,8		624	48,4
	220	365,3		999	69,0
	999	365,3		052	64,0
0709 10 10	052	139,0	0808 10 51, 0808 10 53, 0808 10 59	064	78,6
0709 90 73	204	77,5		388	39,2
	412	54,2		400	75,9
	624	241,6		404	57,6
	999	128,1		508	68,4
0805 10 01, 0805 10 05, 0805 10 09	052	39,8		512	51,2
	204	42,4		524	57,4
	208	68,2		528	48,0
	212	44,6		624	86,5
	220	46,7		728	107,3
	388	40,5		800	78,0
	400	42,2		804	21,0
	436	41,6		999	64,1
	448	24,4		052	86,3
	600	57,9		064	72,5
0805 20 11	624	56,0	0808 20 31	388	103,0
	999	45,8		400	100,7
	052	75,7		512	83,1
	204	75,7		528	84,1
	624	79,3		624	79,0
	999	76,9		728	115,4
				800	55,8
				804	112,9
				999	89,3

⁽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 271/96
of 13 February 1996
fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 2916/95 ⁽²⁾, and in particular the Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

Whereas Council Regulation (EEC) No 990/93 ⁽³⁾, as amended by Regulation (EC) No 1380/95 ⁽⁴⁾, 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 ⁽⁵⁾; whereas

account should be taken of this fact when fixing the refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

The list of codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 February 1996.

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

Done at Brussels, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁴⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 297, 9. 12. 1995, p. 1.

ANNEX

to the Commission Regulation of 13 February 1996 fixing the export refunds on eggs

Product code	Destination (1)	Amount of refund (2)
		ECU/100 units
0407 00 11 000	02	3,50
0407 00 19 000	05	1,60
		ECU/100 kg
0407 00 30 000	03	9,00
	04	6,00
0408 11 80 100	01	45,00
0408 19 81 100	01	20,00
0408 19 89 100	01	20,00
0408 91 80 100	01	27,00
0408 99 80 100	01	7,00

(1) The destinations are as follows :

- 01 All destinations except Switzerland,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrein, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong, Russia, South Korea, Japan, Malaysia, Thailand and Taiwan,
- 04 All destinations except Switzerland and those of 03,
- 05 All destinations except the United States of America, Poland, Hungary, Slovakia, the Czech Republic, Bulgaria, Romania and Turkey.

(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 272/96
of 13 February 1996

**amending Regulation (EC) No 1430/95 setting export refunds on products
processed from fruit and vegetables other than those granted for added sugar**

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 2314/95 ⁽²⁾, and in particular Articles 13 (8) and 14 (5) thereof,

Whereas Commission Regulation (EC) No 1430/95 ⁽³⁾ fixes the quantities eligible for export licences, other than those applied for in the context of food aid ;

Whereas Commission Regulation (EC) No 1429/95 of 23 June 1995 on implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugars ⁽⁴⁾ sets up the components for establishing the quantities on which export refunds may be paid ; whereas, for reasons of transparency, the updated situation concerning those quantities should be brought to the attention of the operators ;

Whereas in the light of the international trade situation the quantities and rates of refund should be provisionally adjusted for the coming period ;

Whereas the dates for the submission of applications for each allocation period should be specified ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EC) No 1430/95 is hereby replaced by the Annex hereto.

Article 2

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, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 233, 30. 9. 1995, p. 69.

⁽³⁾ OJ No L 141, 23. 6. 1995, p. 32.

⁽⁴⁾ OJ No L 141, 23. 6. 1995, p. 28.

ANNEX

Product (1)	Product code	Destination code (2)	Licence issuing period			
			November 1995 to February 1996		March to June 1996	
			Period for submission of applications			
			From 25 October 1995 to 22 February 1996		From 23 February to 21 June 1996	
			Refund rate (3) (ECU/t net)	Quantities provided (in tonnes)	Refund rate (3) (ECU/t net)	Quantities provided (in tonnes)
Provisionally preserved cherries	0812 10 00 100	A	125,5	2 884,396	62,4	1 952
Peeled tomatoes	2002 10 10 100	B	141,5	27 263,453	70,4	18 450
Preserved cherries	2006 00 31 000 2006 00 99 100	A	285,1	983,532	141,8	665
Prepared hazelnuts	2008 19 19 100 2008 19 99 100	C	205,6	2 841,839	102,3	1 923
Orange juice	2009 11 99 110 2009 19 99 110	C	19,8	393,649	9,8	266
	2009 11 99 120 2009 19 99 120	C	39,6	393,649	19,7	266
	2009 11 99 130 2009 19 99 130	C	59,4	310,900	29,5	210
	2009 11 99 140 2009 19 99 140	C	79,2	1 179,765	39,4	798
	2009 11 99 150 2009 19 99 150	C	99,1	4 983,858	49,3	3 372

(¹) The full definitions of the eligible products are given in the 'processed fruit and vegetables' sector of Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

(²) The destinations codes are defined as follows :

A : All destinations except the countries of North America,

B : All destinations except the United States of America,

C : All destinations.

(³) For refunds to be granted on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) the requirements of Council Regulation (EEC) No 990/93 (OJ No L 102, 28. 4. 1993, p. 14) must be met.

COMMISSION REGULATION (EC) No 273/96
of 13 February 1996
fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 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 Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2777/75 provides that from 1 July 1995 all exports for which refunds are requested, with the exception of exports of day-old chicks, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas the specific implementing rules for these arrangements are laid down in Commission Regulation (EC) No 1372/95⁽³⁾, as last amended by Regulation (EC) No 180/96⁽⁴⁾;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, 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⁽⁷⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of product codes for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto for exports to be carried out on the basis of the export licences referred to in Article 2 of Regulation (EC) No 1372/95 or on the basis of the 'ex-post' export licences referred to in Article 9 of the same Regulation.

Article 2

This Regulation shall enter into force on 14 February 1996.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 133, 17. 6. 1995, p. 26.

⁽⁴⁾ OJ No L 25, 1. 2. 1996, p. 27.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 297, 9. 12. 1995, p. 1.

⁽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, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 13 February 1996 fixing 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	1,80	0207 25 10 000	04	8,00
0105 11 19 000	01	1,80	0207 25 90 000	04	8,00
0105 11 91 000	01	1,80	0207 14 20 900	05	4,50
0105 11 99 000	01	1,80	0207 14 60 900	05	4,50
0105 12 00 000	01	0,60	0207 14 70 190	05	4,50
0105 19 20 000	01	0,60	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 274/96

of 13 February 1996

fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽³⁾, as last amended by Regulation (EC) No 2916/95, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽⁴⁾, as last amended by Regulation (EC) No 2916/95, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1484/95 ⁽⁵⁾, as last amended by Regulation (EC) No 3033/95 ⁽⁶⁾, fixes detailed rules for implementing the system of additional import duties and fixes additional import duties in the poultrymeat and egg sectors and for egg albumin;

Whereas it results from regular monitoring of the information providing the basis for the verification of the

import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices and additional duties for imports of certain products should be amended taking into account variations of prices according to origin; whereas, therefore, representative prices and corresponding additional duties should be published;

Whereas it is necessary to apply this amendment as soon as possible, given the situation on the market;

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

Annex I to amended Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 1996.

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

Done at Brussels, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽⁵⁾ OJ No L 145, 29. 6. 1995, p. 47.

⁽⁶⁾ OJ No L 316, 30. 12. 1995, p. 6.

ANNEX

ANNEX I

CN code	Description	Representative price ECU/100 kg	Additional duty ECU/100 kg	Origin (¹)
0207 14 10	Boneless cuts of fowls of the species <i>gallus domesticus</i> , frozen	169,5	45	01
		218,4	25	02
		217,9	25	03
1602 32 11 1602 39 21	Preparations uncooked, other than turkeys	179,4	35	01
		219,3	20	02
		227,1	18	03
0408 11 80	Dried egg yolk	227,29	25	04

(¹) Origin of imports :

01 China

02 Brazil

03 Thailand

04 Canada, United States of America'

COMMISSION REGULATION (EC) No 275/96**of 13 February 1996****amending representative prices and additional duties for the import of certain products in the sugar sector**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1101/95 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as amended by Regulation (EC) No 2528/95 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 ⁽⁵⁾, as last amended by Regulation (EC) No 254/96 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 1996.

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

Done at Brussels, 13 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 50.

⁽⁵⁾ OJ No L 150, 1. 7. 1995, p. 36.

⁽⁶⁾ OJ No L 31, 10. 2. 1996, p. 24.

ANNEX

to the Commission Regulation of 13 February 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,24	4,18
1701 11 90 ⁽¹⁾	24,24	9,41
1701 12 10 ⁽¹⁾	24,24	3,99
1701 12 90 ⁽¹⁾	24,24	8,98
1701 91 00 ⁽²⁾	31,11	9,68
1701 99 10 ⁽²⁾	31,11	5,16
1701 99 90 ⁽²⁾	31,11	5,16
1702 90 99 ⁽³⁾	0,31	0,34

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 November 1993

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation relating to the amendment of the Convention of 20 May 1987 on the simplification of formalities in trade in goods

(96/154/EC)

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 Article 11 (2) of the Convention between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the simplification of formalities in trade in goods⁽¹⁾ empowers the Joint Committee set up by that Convention to make recommendations for amendments to the Convention;

Whereas the Convention has been amended to allow for the accession of new Contracting Parties;

Whereas the amendments in question are set out in recommendation No 1/93 of the Joint Committee; whereas the Agreement in the form of an exchange of letters relating to that recommendation should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters between the European Community and the Republic of

Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation relating to the amendment of the Convention of 20 May 1987 on the simplification of formalities in trade in goods is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 22 November 1993.

For the Council

The President

Ph. MAYSTADT

⁽¹⁾ OJ No L 134, 22. 5. 1987, p. 2.

AGREEMENT

in the form of an exchange of letters between the European Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation relating to the amendment of the Convention of 20 May 1987 on the simplification of formalities in trade in goods

Letter No 1

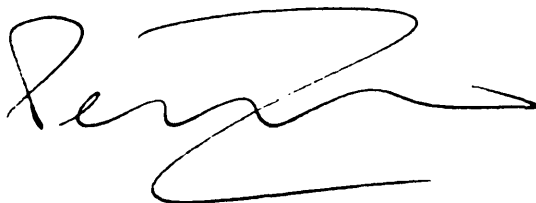
Sir,

In its recommendation No 1/93 of 23 September 1993, the EEC-EFTA Joint Committee on the simplification of formalities in trade in goods proposed a number of amendments to the EEC-EFTA Convention of 20 May 1987 on the simplification of formalities in trade in goods. The proposed amendments are set out in the Annex.

I have the honour to confirm that the Community is in agreement with those amendments and I propose that, subject to any change which may be made, they come into force on 1 July 1994. I should be obliged if you would confirm that your Government is in agreement with the amendments and the proposed date on which they are to enter into force.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

*Letter No 2*

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows :

'In its recommendation No 1/93 of 23 September 1993, the EEC-EFTA Joint Committee on the simplification of formalities in trade in goods proposed a number of amendments to the EEC-EFTA Convention of 20 May 1987 on the simplification of formalities in trade in goods. The proposed amendments are set out in the Annex.

I have the honour to confirm that the Community is in agreement with those amendments and I propose that, subject to any change which may be made, they come into force on 1 July 1994. I should be obliged if you would confirm that your Government is in agreement with the amendments and the proposed date on which they are to enter into force.'

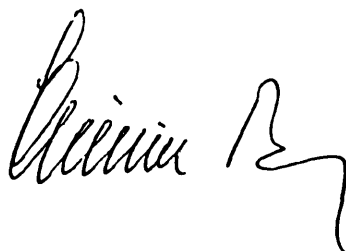
I have the honour to confirm that my Government is in agreement with the contents of your letter and the proposed date on which the amendments are to enter into force.

Please accept, Sir, the assurance of my highest consideration.

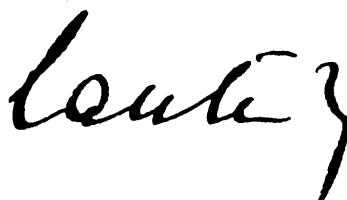
Fyrir ríkisstjórn lýðveldisins Íslands



For Kongeriket Norges Regjering



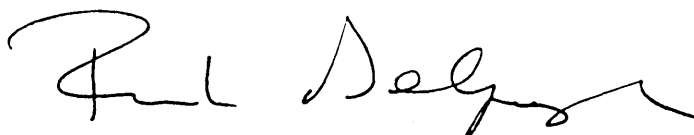
Für die Regierung der Schweizerischen Eidgenossenschaft
Pour le gouvernement de la Confédération suisse
Per il governo della Confederazione svizzera



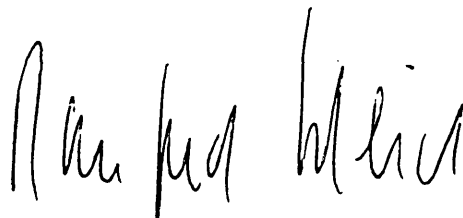
Suomen tasavallan hallituksen puolesta



För Konungariket Sveriges regering



Für die Regierung der Republik Österreich



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ANNEX

RECOMMENDATION No 1/93 OF THE EEC-EFTA JOINT COMMITTEE ON THE SIMPLIFICATION OF FORMALITIES IN TRADE IN GOODS**of 23 September 1993****for the amendment of the Convention of 20 May 1987 on the simplification of formalities in trade in goods**

THE JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on the simplification of formalities in trade in goods, and in particular Article 11 (2) (a) thereof,

Whereas the said Convention contains the rules governing use of the single administrative document in trade between the European Community and the countries of the European Free Trade Association (EFTA) and between those countries themselves ;

Whereas the Convention should be amended to allow for the accession of third countries,

HEREBY RECOMMENDS that the Contracting Parties to the Convention :

- amend it, with effect from 1 July 1994, along the lines set out in the proposal annexed to this recommendation,
- inform each other, by means of an exchange of letters, of their acceptance of this recommendation.

Done at Oslo, 23 September 1993.

For the Joint Committee

The Chairman

Jan SOLBERG

ANNEX TO THE ANNEX

Proposed amendment to the Convention between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the simplification of formalities in trade in goods

The Convention between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the simplification of formalities in trade in goods is hereby amended as follows :

A. Article 1 shall be replaced by the following text :

'Article 1

1. This Convention lays down the measures to simplify formalities in trade in goods between the Contracting Parties, in particular by introducing a single administrative document (hereinafter referred to as the single document) to be used for any procedure at export and import and for a common transit procedure (hereinafter referred to as transit), applicable to trade between the Contracting Parties regardless of the kind and origin of the goods.
2. For the purposes of this Convention, "third country" shall mean any country which is not a Contracting Party to this Convention.
3. From the date on which the accession of a new Contracting Party becomes effective in accordance with Article 11a, all references in this Convention to EFTA countries shall apply to that country *mutatis mutandis*, and solely for the purposes of this Convention.'

B. Article 11 (3) shall be replaced by the following text :

'3. The Joint Committee shall adopt, by decision, amendments to the Annexes to this Convention, facilities referred to in the last indent of Article 4 (3) and invitations to third countries within the meaning of Article 1 (2) to accede to this Convention in accordance with Article 11a. Such decisions, except invitations to third countries, shall be put into effect by the contracting parties in accordance with their own legislation.'

C. The following shall be added after Article 11 (4) :

'5. Decisions of the Joint Committee referred to in paragraph 3 inviting a third country to accede to this Convention shall be sent to the General Secretariat of the Council of the European Communities, which shall communicate it to the third country concerned, together with a text of the Convention in force on that date.

6. From the date referred to in paragraph 5, the third country concerned may be represented on the Joint Committee, subcommittees and working parties by observers.'

D. The following title and Article shall be inserted after Article 11 :

'Accession of third countries

Article 11a

1. Any third country may become a Contracting Party to this Convention if invited to do so by the depositary of the Convention following a decision of the Joint Committee.
2. A third country invited to become a Contracting Party to this Convention shall do so by lodging an instrument of accession with the General Secretariat of the Council of the European Communities. The said instrument shall be accompanied by a translation of the Convention into the official language(s) of the acceding country.
3. The accession shall become effective on the first day of the second month following the lodging of the instrument of accession.
4. The depositary shall notify all Contracting Parties of the date on which the instrument of accession was lodged and the date on which the accession will become effective.
5. Recommendations and decisions of the Joint Committee referred to in Article 11 (2) and (3) adopted between the date referred to in paragraph 1 of this Article and the date on which accession becomes effective shall also be communicated to the invited third country via the General Secretariat of the Council of the European Communities.

A declaration accepting such acts shall be inserted either in the instrument of accession or in a separate instrument lodged with the General Secretariat of the Council of the European Communities within six months of the communication. If the declaration is not lodged within that period the accession shall be considered void.'

COUNCIL DECISION**of 22 November 1993**

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation relating to the amendment of the Convention of 20 May 1987 on a common transit procedure

(96/155/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

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

Having regard to the proposal from the Commission,

Whereas Article 15 (2) of the Convention between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure⁽¹⁾, empowers the Joint Committee set up by that Convention to make recommendations for amendments to the Convention;

Whereas the Convention has been amended to allow for the accession of new Contracting Parties;

Whereas the amendments in question are set out in recommendation No 1/93 of the Joint Committee; whereas the Agreement in the form of an exchange of letters relating to that recommendation should be approved,

Article 1

The Agreement in the form of an exchange of letters between the European Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation relating to the amendment of the Convention of 20 May 1987 on a common transit procedure is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 22 November 1993.

*For the Council**The President*

Ph. MAYSTADT

⁽¹⁾ OJ No L 226, 13. 8. 1987, p. 2.

AGREEMENT

in the form of an exchange of letters between the European Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation relating to the amendment of the Convention of 20 May 1987 on a common transit procedure

Letter No 1

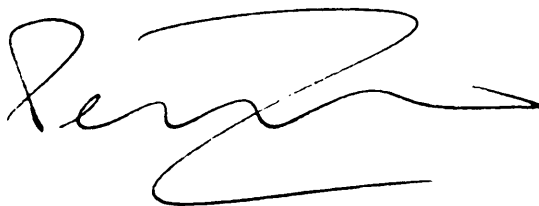
Sir,

In its recommendation No 1/93 of 23 September 1993, the EEC-EFTA Joint Committee on Common Transit proposed a number of amendments to the EEC-EFTA Convention of 20 May 1987 on a common transit procedure. The proposed amendments are set out in the Annex.

I have the honour to confirm that the Community is in agreement with those amendments and I propose that, subject to any change which may be made, they come into force on 1 July 1994. I should be obliged if you would confirm that your Government is in agreement with the amendments and the proposed date on which they are to enter into force.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

*Letter No 2*

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows :

'In its recommendation No 1/93 of 23 September 1993, the EEC-EFTA Joint Committee on Common Transit proposed a number of amendments to the EEC-EFTA Convention of 20 May 1987 on a common transit procedure. The proposed amendments are set out in the Annex.

I have the honour to confirm that the Community is in agreement with those amendments and I propose that, subject to any change which may be made, they come into force on 1 July 1994. I should be obliged if you would confirm that your Government is in agreement with the amendments and the proposed date on which they are to enter into force.'

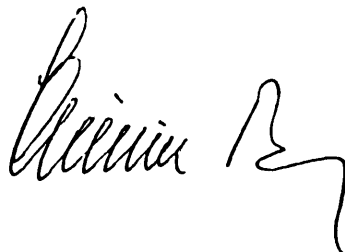
I have the honour to confirm that my Government is in agreement with the contents of your letter and the proposed date on which the amendments are to enter into force.

Please accept, Sir, the assurance of my highest consideration.

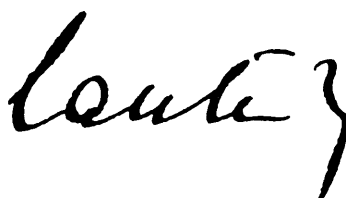
Fyrir ríkisstjórn lýðveldisins Íslands



For Kongeriket Norges Regjering



Für die Regierung der Schweizerischen Eidgenossenschaft
Pour le gouvernement de la Confédération suisse
Per il governo della Confederazione svizzera



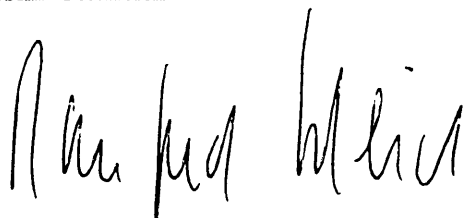
Suomen tasavallan hallituksen puolesta



För Konungariket Sveriges regering



Für die Regierung der Republik Österreich



—

ANNEX

RECOMMENDATION No 1/93 OF THE EEC-EFTA JOINT COMMITTEE ON COMMON
TRANSIT

of 23 September 1993

for the amendment of the Convention of 20 May 1987 on a common transit procedure

THE JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on a common transit procedure, and in particular 15 (2) (a) thereof,

Whereas the said Convention contains the Common Transit rules in trade between the European Community and the countries of the European Free Trade Association (EFTA) and between those countries themselves;

Whereas the Convention should be amended to allow for the accession of third countries,

HEREBY RECOMMENDS that the Contracting Parties to the Convention:

- amend it, with effect from 1 July 1994, along the lines set out in the proposal annexed to this recommendation,
- inform each other, by means of an exchange of letters, of their acceptance of this recommendation.

Done at Oslo, 23 September 1993.

For the Joint Committee

The Chairman

Jan SOLBERG

ANNEX TO THE ANNEX

Proposed amendment to the Convention between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure

The Convention between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure is hereby amended as follows :

A. Article 3 shall be replaced by the following text :

'Article 3

1. For the purposes of this Convention, the term :
 - (a) "transit" shall mean a procedure under which goods are carried under the control of the competent authorities from one office of a Contracting Party to another office of the same Contracting Party or that of another Contracting Party over at least one frontier ;
 - (b) "country", shall mean any EFTA country, any Member State of the Community or any other State which has acceded to this Convention ;
 - (c) "third country" shall mean any State which is not Contracting Party to this Convention.
2. From the date on which the accession of a new Contracting Party becomes effective in accordance with Article 15a, all references to EFTA countries shall apply to that country *mutatis mutandis*, and solely for the purposes of this Convention.
3. In the application of the rules laid down in this Convention for the T1 or T2 procedure, the EFTA countries and the Community and its Member States shall have the same rights and obligations.'

B. Article 15 (3) shall be replaced by the following :

'3. The Joint Committee shall adopt by decision :

- (a) amendments to the Appendices ;
- (b) amendments of the definition of the ecu as set out in Article 10 (3) ;
- (c) other amendments to this Convention made necessary by amendments to the Appendices ;
- (d) measures to be taken under Article 28 (2) of Appendix 1 ;
- (e) transitional measures required in the case of the accession of new Member States to the Community ;
- (f) invitations to third countries within the meaning of Article 3 (1) (c) to accede to this Convention in accordance with Article 15a.

Decisions taken under subparagraphs (a) to (e) shall be put into effect by the Contracting Parties in accordance with their own legislation.'

C. The following shall be added after Article 15 :

'5. Decisions of the Joint Committee referred to in paragraph 3 (f) inviting a third country to accede to this Convention shall be sent to the General Secretariat of the Council of the European Communities, which shall communicate it to the third country concerned, together with a text of the Convention in force on that date.

6. From the date referred to in paragraph 5, the third country concerned may be represented on the Joint Committee, subcommittees and working parties by observers.'

D. The following title and Article shall be inserted after Article 15 :

'Accession of third countries*Article 15a*

1. Any third country may become a Contracting Party to this Convention if invited to do so by the depositary of the Convention following a decision of the Joint Committee.

2. A third country invited to become a Contracting Party to this Convention shall do so by lodging an instrument of accession with the General Secretariat of the Council of the European Communities. The said instrument shall be accompanied by a translation of the Convention into the official language(s) of the acceding country.

3. The accession shall become effective on the first day of the second month following the lodging of the instrument of accession.

4. The depositary shall notify all Contracting Parties of the date on which the instrument of accession was lodged and the date on which the accession will become effective.

5. Recommendations and decisions of the Joint Committee referred to in Article 15 (2) and (3) adopted between the date referred to in paragraph 1 of this Article and the date on which accession becomes effective shall also be communicated to the invited third country via the General Secretariat of the Council of the European Communities.

A declaration accepting such acts shall be inserted either in the instrument of accession or in a separate instrument lodged with the General Secretariat of the Council of the European Communities within six months of the communication. If the declaration is not lodged within that period the accession shall be considered void.'

Information on the entry into force of the Interim Agreement on trade and trade-related matters with Ukraine⁽¹⁾

The Interim Agreement on trade and trade-related matters which the Council decided to conclude on 4 December 1995 with Ukraine will enter into force on 1 February 1996, as the notifications of completion of the procedures provided for in Article 36 of the Agreement were made by both parties on 29 December 1995.

⁽¹⁾ OJ No L 311, 23. 12. 1995.

Information relating to the entry into force of the Additional Protocol to the Europe Agreement with the Czech Republic (opening-up of Community programmes)⁽¹⁾

The Additional Protocol to the Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, which the Council decided to conclude on 4 December 1995 will enter into force on 1 February 1996, as the exchange of notifications of completion of the necessary procedures, provided for in Article 4 of the Protocol was completed on 21 December 1995.

⁽¹⁾ OJ No L 317, 30. 12. 1995, p. 44.

Information relating to the entry into force of the Additional Protocol to the Europe Agreement with the Republic of Hungary (opening-up of Community programmes)⁽¹⁾

The Additional Protocol to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, which the Council decided to conclude on 4 December 1995 will enter into force on 1 February 1996, as the exchange of notifications of completion of the necessary procedures, provided for in Article 4 of the Protocol was completed on 21 December 1995.

⁽¹⁾ OJ No L 317, 30. 12. 1995, p. 29.

Information concerning the date of entry into force of the Agreement in the form of an exchange of letters between the European Community and the Republic of Iceland concerning certain agricultural products⁽¹⁾

Since the procedures necessary for the entry into force of the Agreement in the form of an exchange of letters between the European Community and the Republic of Iceland concerning certain agricultural products were completed on 12 January 1996, the Agreement entered into force on that same date.

⁽¹⁾ OJ No L 327, 30. 12. 1995, p. 18.

Information concerning the date of entry into force of the Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway concerning certain agricultural products ⁽¹⁾

Since the procedures necessary for the entry into force of the Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway concerning certain agricultural products were completed on 20 December 1995, the Agreement entered into force on that same date.

⁽¹⁾ OJ No L 327, 30. 12. 1995, p. 21.

Information concerning the date of entry into force of the Agreement in the form of an exchange of letters between the European Community and the Swiss Confederation concerning certain agricultural products ⁽¹⁾

Since the procedures necessary for the entry into force of the Agreement in the form of an exchange of letters between the European Community and the Swiss Confederation concerning certain agricultural and fishery products were completed on 18 January 1996, the Agreement entered into force on that same date.

⁽¹⁾ OJ No L 327, 30. 12. 1995, p. 29.

COMMISSION

COMMISSION DECISION

of 24 November 1995

amending the overall quantities of food aid under the 1995 programme

(96/156/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food aid policy and food aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 5 thereof,

Whereas the list of products to be supplied as food aid for 1995 was established by Commission Decision 95/371/EC ⁽³⁾; that at the time of taking the Decision, the Commission had not been aware of some vital data with regard to the allocation of the products for the year 1995;

Whereas the quantities of products used as a basis for establishing the overall quantities proposed by Decision 95/371/EC should be amended in order better to take account of the developing countries' needs;

Whereas the measures provided for in the present Decision are in line with the opinion of the Food Aid Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The overall quantity of 'legumes' to be supplied under the 1995 food aid programme shall be 80 000 tonnes.
2. The amount of 'other products' to be supplied under the 1995 food aid programme shall be ECU 43 170 000.

Done at Brussels, 24 November 1995.

For the Commission

João DE DEUS PINHEIRO

Member of the Commission

⁽¹⁾ OJ No L 370, 30.12.1986, p. 1; Corrigendum: OJ No L 42, 12. 2. 1987.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 220, 16. 9. 1995, p. 20.

COMMISSION DECISION

of 31 January 1996

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potatoes for human consumption originating in Cuba

(96/157/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 95/66/EC⁽²⁾, and in particular Article 14 (1) thereof,

Having regard to the request made by Germany and the Netherlands,

Whereas, under the provisions of Directive 77/93/EEC, potato tubers other than those officially certified as seed potatoes pursuant to other Community provisions, originating in Cuba may in principle not be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas the early growing in Cuba of potatoes for human consumption from seed potatoes supplied by Member States has become an established practice; whereas part of the early supply of potatoes for human consumption in the Community has been ensured by imports of such material from Cuba;

Whereas by Decisions 87/306/EEC⁽³⁾, 88/223/EEC⁽⁴⁾, 89/152/EEC⁽⁵⁾, 91/593/EEC⁽⁶⁾, 93/36/EEC⁽⁷⁾ and 95/96/EC⁽⁸⁾, the Commission authorized derogations under special technical conditions in respect of potatoes for human consumption originating in Cuba, in the 1987, 1988, 1989, 1990, 1991, 1992, 1993 and 1994 seasons;

Whereas there have never been confirmed findings of diseases and pests on samples drawn from imports pursuant to the said Decisions;

Whereas the circumstances justifying the authorization still obtain;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The Member States are hereby authorized to provide, under the conditions laid down in paragraph 2, for exceptions to Article 4 (1) with regard to the prohibitions referred to in Part A, point 12 of Annex III to Directive 77/93/EEC, for potatoes for human consumption originating in Cuba.
2. The following specific conditions shall be satisfied:
 - (a) the potatoes shall be potatoes for human consumption;
 - (b) they shall either be immature potatoes, i.e. 'unsuberized' potatoes with loose skin, or they shall have been treated for the suppression of their faculty of germination;
 - (c) they shall have been grown in the province 'Pinar del Río' in areas where *Pseudomonas solanacearum* (Smith) Smith is not known to occur;
 - (d) they shall belong to varieties the seed potatoes of which were imported into Cuba only from Member States;
 - (e) they shall be the direct progeny of either seed potatoes officially certified in the previous year as 'basic seed' or 'certified seed' in Member States having supplied Cuba, or of the progeny of such seed potatoes, officially certified in the year before the previous one, if this progeny was produced in the province 'Pinar del Río' and qualified as seed potatoes in accordance with the current rules applicable in Cuba;
 - (f) they shall have been grown either on farms which have not grown potatoes of varieties other than those specified in (d) over the previous five years, or, in the case of State farms, on land sections which are kept separate from other land where potatoes of varieties other than those specified in (d) have been grown over the last five years;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 308, 21. 12. 1995, p. 77.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 41.

⁽⁴⁾ OJ No L 100, 19. 4. 1988, p. 44.

⁽⁵⁾ OJ No L 59, 2. 3. 1989, p. 29.

⁽⁶⁾ OJ No L 316, 16. 11. 1991, p. 47.

⁽⁷⁾ OJ No L 16, 25. 1. 1993, p. 40.

⁽⁸⁾ OJ No L 75, 4. 4. 1995, p. 22.

- (g) they shall have been handled by machinery which is reserved for them or which has been disinfected in an appropriate manner after each use for other purposes ;
- (h) they shall not have been in storehouses where potatoes of varieties other than those specified in (d) have been stored ;
- (i) they shall be free from soil, subject to a tolerance of 0,5 % by weight, and free from leaves and other plant debris ;
- (j) they shall be packed :
 - either in new bags,
 - or in containers which have been disinfected in an appropriate manner,
 and an official label shall be applied to each bag or container, bearing the information specified in the Annex ;

- (k) the official plant health certificate required pursuant to Article 12 (1) (b) of Directive 77/93/EEC shall indicate :

- under the section 'Disinfestation and/or disinfection treatment', all information related to the possible treatments referred to in (b) second option and/or (j), second indent,
- under the section 'Additional declaration' :
 - name of variety,
 - identification number or name of the farm where the potatoes have been grown and its location,
 - reference allowing the identification of seed lot used in accordance with (e) ;

- (l) the potatoes shall be introduced through points of entry designated for the purposes of this derogation by the Member State making use of this derogation ;

- (m) prior to introduction into the Community, the importer shall notify each introduction sufficiently in advance to the responsible official bodies in the Member State of introduction and that Member State shall then convey the details of the notification to the Commission, indicating :

- the type of material,
- the quantity,
- the declared date of introduction and confirmation of the point of entry,
- the premises referred to in (o).

He shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (p) ;

- (n) the inspections required pursuant to Article 12 of Directive 77/93/EEC shall be made by the responsible official bodies referred to in the said Directive.

Without prejudice to the monitoring referred to in Article 19a (3) second indent, first possibility, the Commission shall determine to which extent the inspections referred to in Article 19a (3) second indent, second possibility of the said Directive shall be integrated into the inspection programme in accordance with Article 19a (5) (c) of that Directive ;

- (o) the potatoes shall be packed and repacked only at premises which have been authorized and registered by the said responsible official bodies ;
- (p) the potatoes shall be packed or repacked in closed packages that are ready for direct delivery to retailers or to final consumers, and that do not exceed a weight common in the Member State of introduction for that purpose, up to a maximum of 25 kilograms ; the packaging shall bear the number of the registered premises referred to in (o), as well as the Cuban origin ;
- (q) Member States making use of this derogation shall, where appropriate, in cooperation with the Member State of introduction ensure that at least two samples of 200 tubers shall be drawn from each consignment of 50 tonnes or part thereof, of imported potatoes pursuant to this Decision, for official examination in respect of *Pseudomonas solanacearum* in accordance with quarantine procedure No 26 for *Pseudomonas solanacearum* as established by the European and Mediterranean Plant Protection Organization (EPPO) ⁽¹⁾, or by some other procedure approved in accordance with the procedure laid down in Article 16a of Directive 77/93/EEC, and in the case of *Clavibacter michiganensis* spp. *sepedonicus*, in accordance with the Community established method for the detection and diagnosis of *Clavibacter michiganensis* spp. *sepedonicus* ; in the case of suspicion the lots shall remain separate under official control and may not be marketed or used until it has been established that the presence of *Clavibacter michiganensis* spp. *sepedonicus* or *Pseudomonas solanacearum* was not suspected or detected in those examinations.

Article 2

Member States shall inform the other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 July 1996, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (q) ; copies of each phytosanitary certificate shall be transmitted to the Commission.

⁽¹⁾ *Bulletin OEPP/EPPO*, 20, 255-262 (1990).

Article 3

1. The authorization granted in Article 1 shall apply in the period between 1 March 1996 and 30 April 1996.

2. The authorization shall be revoked if it is established that the conditions laid down in Article 1 (2) have been insufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 31 January 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***Information required on the label***(referred to in Article 1 (2) (j))*

1. Name of the authority issuing the label.
 2. Name of the exporters' organization.
 3. Indication 'Cuban potatoes for human consumption'.
 4. Variety.
 5. Province of production.
 6. Size.
 7. Declared net weight.
 8. Indication 'In accordance with EC requirements 1996'.
 9. A mark printed or stamped on behalf of the Cuban plant protection organization.
-

CORRIGENDA

Corrigendum to Commission Decision 95/302/EC of 13 July 1995 amending Decision 94/984/EC laying down animal health conditions and veterinary certificates for the importation of fresh poultrymeat from certain third countries

(Official Journal of the European Communities No L 185 of 4 August 1995)

On page 51, in Article 1 (1) (a), against BR-1 :

for: '... Panama, ...',

read: '.... Parana,'
