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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 295/96

of 16 February 1996

laying down detailed rules for the application of Council Regulation (EEC) No 1892/87 as regards the recording of market prices of adult bovine animals, on the basis of the Community scale for the classification of carcasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1892/87 of 2 July 1987 on the recording of market prices in the beef and veal sector⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 563/82⁽²⁾, as last amended by Regulation (EEC) No 2090/93⁽³⁾, lays down detailed rules for the application of Council Regulation (EEC) No 1208/81⁽⁴⁾, as amended by Regulation (EEC) No 1026/91⁽⁵⁾, by establishing the market prices of adult bovine animals on the basis of the Community scale for the classification of carcasses;

Whereas, in order to ensure that prices established are representative of national production, it is necessary to make price-reporting compulsory in relation to slaughterhouses which slaughter, or persons who send for slaughter, substantial numbers of adult bovine animals, so as to ensure that at least 25 % of slaughterings in the main production regions and at least 30 % of slaughterings in each Member State are covered, and to weight the prices reported from different regions in order to reflect their importance in relation to beef and veal production;

Whereas it is for Member States to decide whether their territory should be divided, and if so, into how many regions; whereas, however, as intervention for beef in the United Kingdom is separate for Great Britain and for Northern Ireland, the regions decided upon in the United Kingdom should cover exclusively Great Britain or Northern Ireland;

Whereas some Member States have established regional committees to determine prices; whereas, where their membership ensures a balanced and objective approach,

the prices determined by them should be taken into account in the national price calculation;

Whereas prices reported are likely, unless corrected to take into account supplementary payments made in relation to the beef sector by those required to record prices under this Regulation, to distort the calculation of the national price;

Whereas Commission Regulation (EEC) No 3310/86 of 30 October 1986 on the Community recording of market prices on the basis of the scale for the classification of carcasses of adult bovine animals⁽⁶⁾, as last amended by Regulation (EEC) No 2089/93⁽⁷⁾, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. National and Community recording of market prices on the basis of the scale for the classification of carcasses of adult bovine animals shall be carried out each week and shall relate to the following conformation and fatness classes for the five categories specified in Article 3 (1) of Regulation (EEC) No 1208/81:

- (a) carcasses of uncastrated young male animals of less than two years of age: U2, U3, R2, R3, O2, O3;
- (b) carcasses of other uncastrated male animals: R3;
- (c) carcasses of castrated male animals: U2, U3, U4, R3, R4, O3, O4;
- (d) carcasses of female animals that have calved: R3, R4, O2, O3, O4, P2, P3;
- (e) carcasses of other female animals: U2, U3, R2, R3, R4, O2, O3, O4.

⁽¹⁾ OJ No L 182, 3. 7. 1987, p. 29.

⁽²⁾ OJ No L 67, 11. 3. 1982, p. 23.

⁽³⁾ OJ No L 190, 30. 7. 1993, p. 9.

⁽⁴⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽⁵⁾ OJ No L 106, 26. 4. 1991, p. 2.

⁽⁶⁾ OJ No L 305, 31. 10. 1986, p. 28.

⁽⁷⁾ OJ No L 190, 30. 7. 1993, p. 8.

2. Member States shall decide whether their territory is to comprise a single region or whether to divide it into more than one region. This decision shall be taken on the basis of:

- the size of their territory,
- the existence, if any, of administrative decisions,
- geographical variations in prices.

However, the United Kingdom shall comprise at least two regions, namely Great Britain and Northern Ireland, which may be subdivided on the basis of the criteria referred to in the first subparagraph.

Article 2

1. The following shall be required to record prices:

- (a) the operator of any slaughterhouse which annually slaughters 20 000 or more adult bovine animals reared by it or on its behalf and/or adult bovine animals purchased by it;
- (b) the operator of any slaughterhouse which is designated by the Member State and which annually slaughters less than 20 000 adult bovine animals reared by it or on its behalf and/or adult bovine animals purchased by it;
- (c) any natural or legal person who sends 10 000 or more adult bovine animals for slaughter annually to a slaughterhouse; and
- (d) any natural or legal person who is designated by the Member State and who sends less than 10 000 adult bovine animals for slaughter annually to a slaughterhouse.

The Member State must ensure that prices are recorded for at least:

- 25 % of the slaughterings in those of its regions which together cover at least 75 % of the total slaughterings in that Member State, and
- 30 % of the adult bovine animals slaughtered within its territory.

2. Member States in which no one is required to record prices under paragraph 1 (a) and (c) may apply to the Commission for a derogation from paragraph 1. The Commission shall decide whether to grant such derogation taking into account the evolution of the structure of the slaughter industry in the Member State concerned; the throughput of animals in its slaughterhouse; and the objective of harmonization of the price recording and reporting system. Any derogation granted shall be for a limited period only.

3. The prices recorded under paragraph 1 shall be those which relate to adult bovine animals slaughtered during the recording period concerned, on a deadweight basis.

In the case of a slaughterhouse which slaughters adult bovine animals reared by it or on its behalf, the price recorded shall be the average price paid for carcasses of the equivalent category and class, slaughtered during the same week in that slaughterhouse.

The prices recorded for each class referred to in Article 1 (1) shall indicate the average carcass weight to which they relate and whether or not they have been corrected to take into account each of the elements referred to in Article 1 of Regulation (EEC) No 563/82.

Article 3

1. The prices, and the details referred to in the third subparagraph of Article 2 (3), recorded under Article 2 in the period from Monday to Sunday, shall:

- be reported to the competent authority of the Member State in writing by the operator of the slaughterhouse or natural or legal person concerned by such time on the following Wednesday at the latest as is fixed by the Member State, or
- at the option of the Member State, be made available to its competent authority at the slaughterhouse or the premises of the natural or legal person.

However, where a Member State has established a committee to determine prices for a region, and where the membership of such committee is divided equally between buyers and sellers of adult bovine animals and their carcasses, the chairman being employed by the competent authority, that Member State may direct that the prices and details be sent direct to the chairman of the committee in the relevant region. In the event that the Member State does not so direct, the competent authority shall send them to the chairman of that committee. The chairman shall ensure that the origin of each price cannot be identified when communicated to the members of the committee.

2. The prices reported shall be the average price per class and shall be expressed in national currency.

3. Any slaughterhouse or natural or legal person referred to in Article 2 (1) which makes supplementary payments to suppliers of adult bovine animals or their carcasses, such payments not being taken into account in the prices reported, shall notify the competent authority of its Member State of the last supplementary payment made by it, and the period to which it relates. Thereafter it shall notify the Member State of the amount of any supplementary payments each time such payment is made.

4. (a) The competent authority of the Member State shall determine average regional prices for each class referred to in Article 1 (1) from the prices reported to it under paragraph 1 of this Article.

(b) The committees referred to in paragraph 1 shall determine average regional prices for each class referred to in Article 1 (1) from the prices reported to them under paragraph 1 of this Article and shall report them to the competent authority of the Member State.

(c) In the case of flat rate purchases, where the carcasses in a consignment relate to not more than three consecutive conformation classes and three consecutive fatness classes in the same category, the price shall be taken into account in the determination of prices under points (a) and (b) for the conformation class in which the largest number of carcasses is classified or, if they are equally divided amongst the classes, for the middle of those classes, where such class exists. In all other cases the price shall not be taken into account.

However, where flat rate purchases account for less than 35 % of total slaughterings of adult bovine animals in the Member State, it may decide not to take the prices for such purchases into account in the calculations under points (a) and (b).

(d) An initial national price for each class shall then be calculated by the competent authority by weighting the regional prices to take into account the importance of the slaughterings in the region to which they relate for the category concerned in relation to the overall number of slaughterings for the category concerned in the Member State.

(e) The competent authority shall correct the initial national price per class:

- to take into account each of the elements referred to in Article 1 of Regulation (EEC) No 563/82 where such correction has not already been made, and
- to take into account supplementary payments made, as referred to in paragraph 3, if the correction would amount to at least 1 % of the price for the class in question.

The competent authority, in making the correction under the second indent, shall divide the total supplementary payments made in relation to the beef sector in the Member State concerned in the previous financial year, by the total annual throughput in tonnes of adult bovine animals for which prices are reported.

5. Where, in the opinion of the competent authority of the Member State, the prices reported to it:

- relate to an insignificant number of carcasses, it shall not take these prices into account,

- appear to be unreliable, it shall only take them into account if and when it has satisfied itself that they are reliable.

Article 4

1. Member States shall communicate to the Commission the prices calculated in accordance with Article 3 (4), in relation to the period from the previous Monday to Sunday between 2 p.m. on Tuesday and midnight on Wednesday of each week, at the latest. They shall not communicate those prices to any other body before they have communicated them to the Commission.

2. Where, in exceptional circumstances or for reasons of seasonality of supply, prices relating to a significant number of carcasses of one or more classes referred to in Article 1 (1) cannot be recorded in a Member State or region, the Commission may use the last prices recorded for the said class or classes before such occurrence; where such a situation continues for more than two consecutive weeks, the Commission may decide on the temporary elimination of the class or classes in question for price reporting purposes and on the temporary redistribution of the weighting or weightings allocated to those classes.

Article 5

1. For a given category:

- (a) the average Community price for each of the conformation and fatness classes listed in Article 1 (1) shall be the weighted average of the national market prices recorded for the class. Weighting shall be based on the proportion of quantities of that class slaughtered in each Member State to total Community slaughterings of that class;
- (b) the average Community price for each conformation class shall be the weighted average of the average Community prices for the fatness classes which constitute that conformation class; weighting shall be based on the proportion of slaughterings of each fatness class to total slaughterings of that conformation class in the Community;
- (c) the average Community price shall be the weighted average of the average Community prices referred to in point (a); weighting shall be based on the proportion of the quantities slaughtered in each class referred to in point (a) to total Community slaughterings in the category.

2. The average Community price for all categories together shall be the weighted average of the average prices referred to in paragraph 1 (c); that weighing shall be based on the proportion of each category to total slaughterings of adult bovine animals in the Community.

3. The weighting factors shall be revised periodically to take into account trends recorded at national and Community levels.

Article 6

The Member States shall forward to the Commission by 1 July 1996 and thereafter before 15 April each year:

- (a) a confidential list of slaughterhouses which record prices, whether under Article 2 (1) (a) or (b), indicating the throughput of adult bovine animals for each slaughterhouse, expressed in numbers and, if possible, in tonnes deadweight, in the previous calendar year;
- (b) a confidential list of natural or legal persons who record prices, whether under Article 2 (1) (c) or (d), indicating the number of adult bovine animals, if possible expressed also in tonnes deadweight, sent for slaughter by them in the previous calendar year; and
- (c) a list of the regions for which prices are recorded and the weighting attached to each under Article 3 (4), (d).

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

Done at Brussels, 16 February 1996.

Article 7

Member States shall take all necessary measures:

- to ensure the accuracy of the prices reported;
- to ensure that the provisions of this Regulation are applied; and
- to penalize breaches of any of the provisions of this Regulation.

Article 8

Regulation (EEC) No 3310/86 shall be repealed with effect from 1 July 1996.

Article 9

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

It shall apply to prices recorded from the week beginning 1 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 296/96

of 16 February 1996

on data to be forwarded by the Member States and the monthly booking of expenditure financed under the Guarantee Section of the Agricultural Guidance and Guarantee Fund (EAGGF) and repealing Regulation (EEC) No 2776/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EC) No 1287/95⁽²⁾, and in particular Articles 4 and 5 thereof,

Having regard to Council Decision 94/729/EC of 31 October 1994 on budgetary discipline⁽³⁾, and in particular Article 13 thereof,

Whereas Article 4 (5) of Regulation (EEC) No 729/70 stipulates that the Member States must themselves mobilize the funds to cover the expenditure of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund, hereafter referred to as the 'EAGGF Guarantee Section'; whereas under the same Regulation, the Commission grants only monthly advances against booking of the expenditure effected by the Member States;

Whereas, with a view to ensuring the proper management of the appropriations entered in the budget of the Communities for the EAGGF Guarantee Section, each paying agency must keep accounts relating exclusively to expenditure to be financed by the EAGGF Guarantee Section;

Whereas the transmission by the Member States to the Commission of all data relating to the expenditure to be financed by the EAGGF Guarantee Section must be organized; whereas, in this respect, it is appropriate to recognize that the communication of data relating to quantities should benefit from a certain margin of imprecision which may be explained, among other things, by administrative difficulties linked to their establishment; whereas, this applies also to the estimates of expenditure which, while they must be reliable, are by their nature of an approximative character; whereas, furthermore, it is inappropriate to request the communication of data relating to recoveries where this would constitute a heavy administrative burden;

Whereas the common agricultural regulations include deadlines for payment of aids to beneficiaries by Member States; whereas all payments effected after those deadlines,

and for which the delay in payment is unjustified, must be regarded as ineligible, and therefore cannot, in principle be the subject of an advance on the booking of expenditure; whereas, however, in order to modulate the financial impact in proportion to the delay incurred in payment, the reduction in the advances should be graduated as a function of the size of the delay recorded;

Whereas, where Member States fail to meet the deadlines agreed for the notification of data relating to expenditure or to ensure the consistency of such data, the Commission may, pursuant to Article 13 of Decision 94/729/EC defer accordingly the payment of the advances against booking;

Whereas Article 4 of Council Regulation (EEC) No 1883/78 of 2 August 1978 on general rules on the financing of EAGGF Guarantee Section intervention⁽⁴⁾, as last amended by Regulation (EC) No 1571/93⁽⁵⁾, stipulates that where an intervention measure entails buying-in and storage of products, the amount financed is to be determined by the annual accounts established by the intervention agencies; whereas Council Regulation (EEC) No 3492/90⁽⁶⁾ laid down rules and conditions governing these accounts; whereas the procedures according to which the financing of such measures fits into the system of advances against booking should be made clear;

Whereas the last subparagraph of Article 5 (2) (a) of Regulation (EEC) No 729/70 stipulates that expenditure for October is related to October if made between 1 and 15 October and to November if made from 16 to 31 October; whereas it is preferable to avoid the division of the accounts provided for in Article 4 of Regulation (EEC) No 1883/78, in view of their complexity; whereas, accordingly, it should be stipulated that expenditure deriving from September operations is to be treated in the accounts by the paying agencies on the basis of 50 % in respect of the first 15 days of October, and the rest, including any adjustments or corrections, in respect of the last 16 days of October;

Whereas Article 5a of Regulation (EEC) No 729/70 authorizes remuneration of the funds mobilized by certain Member States; whereas procedures for declaration by these Member States of interest chargeable to the Community should be laid down;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 125, 8. 6. 1995, p. 1.

⁽³⁾ OJ No L 293, 12. 11. 1994, p. 14.

⁽⁴⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁵⁾ OJ No L 154, 25. 6. 1993, p. 46.

⁽⁶⁾ OJ No L 337, 4. 12. 1990, p. 3.

Whereas the concept of expenditure to be declared monthly by the paying agencies should be properly defined;

Whereas a uniform presentation of documents to be sent in by the Member States is needed; whereas in view of the need for frequent adaptation of such documents to changes in management requirements, the Commission must be in a position to adopt and adapt without delay, under a simplified procedure, the forms to be used;

Whereas in order to facilitate the application of the provisions in this matter it is advisable to replace Commission Regulation (EEC) No 2776/88⁽¹⁾, as last amended by Regulation (EEC) No 775/90⁽²⁾, with a new Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee of the European Agricultural Guidance and Guarantee Fund (EAGGF),

HAS ADOPTED THIS REGULATION:

Article 1

1. After approval of the advances, in accordance with the last subparagraph of Article 5 (2) (a) of Regulation (EEC) No 729/70, the Commission shall place at the disposal of the Member States, within the framework of the budget appropriations, the funds needed to cover expenditure to be financed by the EAGGF Guarantee Section, on an account opened for that purpose by each Member State with its Treasury or any other financial institution.

2. The name and number of this account shall be notified by each Member State to the Commission.

Article 2

Each paying agency shall keep accounts covering only the use of the funds made available to it to defray the expenditure referred to in Article 1 (2) of Regulation (EEC) No 729/70.

Article 3

1. Not later than the second working day of each week, the Member States shall notify the Commission by fax of the total expenditure effected from the beginning of the month until the end of the preceding week.

Two notifications shall be made where the week runs over two months.

2. The final notification of each month shall include, in addition to details of expenditure, any information

explaining any substantial difference between the estimates drawn up pursuant to paragraph 5 and expenditure actually incurred.

3. For the 10th day of each month, the Member States shall communicate to the Commission, by telecopy, details of the total amount of expenditure effected during the preceding month.

However, the communication in relation to the expenditure effected between 1 and 15 October must be notified for the 25th day of the same month at the latest.

4. The notification referred to in paragraph 3 shall include a breakdown by chapters of the nomenclature of the budget of the European Communities.

However, where budgetary monitoring is subject to exceptional conditions, the Commission may request a more detailed breakdown.

5. For the 20th day of each month, the Member States shall transmit to the Commission, electronically and in two paper copies, a set of documents permitting the booking to the Community budget of expenditure effected during the preceding month.

However, the set of documents permitting the booking of expenditure effected between 1 and 15 October is to be submitted by 10 November, at the latest.

6. The set of documents referred to in paragraph 5 shall consist of:

(a) a statement, established by each paying agency, broken down according to the nomenclature of the budget of the European Communities and by type of expenditure, of:

- expenditure effected during the preceding month,
- total expenditure effected from the beginning of the year until the end of the preceding month,
- the quantities (tonnes, hectolitres, hectares, head, etc.) to which the expenditure referred to in the second indent relates, where mentioned in the detailed budgetary nomenclature,
- estimates of expenditure in accordance with a list drawn up by the Commission after discussions in the EAGGF Committee. The estimates may cover, as appropriate:
 - the current month and the following two months,
 - the current month, the following two months and to the end of the year,

(b) where appropriate, a summary of the data referred to in (a);

(c) where appropriate, justification for the difference between expenditure effected during the preceding month as indicated in the current communication and as indicated in the communication referred to in paragraph 3.

⁽¹⁾ OJ No L 249, 9. 9. 1988, p. 9.

⁽²⁾ OJ No L 83, 30. 3. 1990, p. 85.

7. Expenditure for October shall be related to October if effected from 1 to 15 October and to November if effected from 16 to 31 October.

Article 4

1. On the basis of data sent in accordance with Article 3, the Commission shall adopt decisions and make the monthly advances against booking of expenditure, without prejudice to the provisions Article 13 of Decision 94/729/EC.

2. Advances against booking shall be reduced for expenditure effected after the deadlines laid down as follows:

- (a) where expenditure effected after the deadlines is equal to 4 % or less of the expenditure effected before the deadlines, no reduction shall be made, irrespective of the number of months' delay,
- (b) above the threshold of 4 %, all further expenditure effected with a delay of up to:
 - one month shall be reduced by 10 %,
 - two months shall be reduced by 25 %,
 - three months shall be reduced by 45 %,
 - four months shall be reduced by 70 %,
 - five months or more shall be reduced by 100 %.

However, the Commission will apply a different time scale and/or lower reductions or none at all, if exceptional management conditions are encountered for certain measures, or if well-founded justifications are introduced by the Member States.

The reductions referred to in this Article shall be made in accordance with the rules laid down in Article 13 of Decision 94/729/EC.

3. Checks on compliance with the deadlines for the purposes of the payment of advances against booking shall be made three times each budget year:

- on expenditure effected by 31 January,
- on expenditure effected by 30 April,
- on expenditure effected by 31 August.

Any overrun of deadlines during September and October shall be taken into account in the accounts clearance decision except where noted before the final decision of the financial year relating to advances.

4. Any reductions made pursuant to Article 13 of Decision 94/729/EC and particularly those resulting from

overruns of deadlines shall be made without prejudice to the subsequent accounts clearance decision.

5. The Commission, having informed the Member States concerned, may defer payment of the advances to the Member States as provided for in Article 5 (2) (a) of Regulation (EEC) No 729/70 where the notifications referred to in Article 3 arrive late or contain discrepancies which necessitate supplementary verification.

Article 5

1. The expenditure referred to in Article 4 (1) of Regulation (EEC) No 1883/78 shall be determined according to the provisions of Regulation (EEC) No 3492/90.

This expenditure, that arising from the application of Council Regulation (EEC) No 3730/87⁽¹⁾, and that referred to in Article 37 of Council Regulation (EEC) No 822/87⁽²⁾, must be calculated on the basis of supporting statements according to a uniform method established by the Commission pursuant to Article 8.

2. The amounts of expenditure referred to in paragraph 1 shall be entered in the accounts by the paying agencies during the month following that to which the operations refer. The operations to be covered in the accounts adopted at the end of each month shall be those occurring between the beginning of the financial year and the end of that month.

However, for the operations carried out in September, 50 % of the expenditure shall be entered in the accounts in respect of October, the balance in respect of November.

Supporting statements concerning the operations shall be attached to the sets of documents to be sent to the Commission for 10 November and for 20 December.

3. For the overall depreciation amounts established in accordance with Article 8 (5) of Regulation (EEC) No 1883/78, paragraph 2 shall not apply, and such amounts shall be entered in the accounts on dates determined by the regulation providing for them.

Article 6

Those Member States for which the charging of interest has been approved pursuant to Article 5a of Regulation (EEC) No 729/70 shall enter such interest into the accounts, in accordance with the rules fixed in Commission Regulation (EEC) No 2775/88 of 7 September 1988, laying down detailed rules of application of Article 5a of Council Regulation (EEC) No 729/70⁽³⁾.

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽³⁾ OJ No L 249, 8. 9. 1988, p. 8.

Article 7

1. Expenditure claimed in respect of a given month must fall with payments and receipts actually effected during this month. It may include corrections to the data reported in respect of previous months of the same year.

For a year 'n', account shall be taken of expenditure effected by the Member States from 16 October of year 'n-1' to 15 October of year 'n'.

2. For the purposes of the first subparagraph of paragraph 1, and without prejudice to the specific provisions of Community rules, the following dates shall be referred to:

(a) for expenditure referred to in Article 5 (1), the dates on which the paying agency enters them into the accounts in accordance with paragraph 2 of that Article;

(b) for the amounts referred to in Article 10 (6) of Commission Regulation (EEC) No 3813/89⁽¹⁾:

- for expenditure to be booked under the first year, the date on which the capitalized payments were made,
- for expenditure to be booked under following years, the sixth month of the financial year;

(c) for all other types of expenditure:

- the date on which the account of the agency has been debited, or,
- the date on which the agency concerned has issued and sent the payment document to a financial institute or to the beneficiary.

3. Payment orders not executed and payments debited to the account and then re-credited shall be shown in the accounts as deductions from expenditure in respect of the month during which the failure to execute or the cancellation is reported to the paying agency.

4. Where payments due under the EAGGF Guarantee Section are encumbered by claims, they shall be deemed to have been effected in their entirety within the meaning of paragraph 1:

- on the date of the payment of the sum still due to the beneficiary, if the claim is less than the expenditure settled,
- on the date of the settlement of the expenditure, if the latter is less than or equal to the claim.

5. Cumulative data relating to expenditure that can be referred to a specific year, to be submitted to the Commission by 10 November, may be corrected only in the annual accounts to be sent to the Commission in accordance with Article 5 (1) (b) of Regulation (EEC) No 729/70.

6. However, corrections effected by the Commission to data referred to in Article 5 concerning the full year shall be notified to the EAGGF Committee and indicated in an annex to a decision relating to advances and shall be entered into the accounts by the agencies during the month indicated by the said decision.

Article 8

The form of the documents referred to in Article 3 (6) and Article 5 (1) shall be determined by Commission decision taken after consultation of the Committee.

Article 9

Regulation (EEC) No 2776/88 is hereby repealed with effect from 16 October 1995.

Article 10

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

It shall apply for the first time to the expenditure for the second half of October 1995.

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

Done at Brussels, 16 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 371, 20. 12. 1989, p. 17.

COMMISSION REGULATION (EC) No 297/96

of 16 February 1996

establishing final regional reference amounts for producers of soya beans, rape seed, colza seed and sunflower seed for the 1995/96 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain agricultural crops⁽¹⁾, as last amended by Council Regulation (EC) No 2989/95⁽²⁾, and in particular Article 12 thereof,

Whereas Article 5 (1) (d) of Regulation (EEC) No 1765/92 specifies that the Commission must calculate a final regional reference amount based on the observed reference price for oil seeds by substituting the observed reference price for the projected reference price; whereas the Commission has determined the observed price using the information supplied pursuant to Commission Regulation (EC) No 3405/93⁽³⁾;

Whereas the area mentioned in Article 5 (1) (f) of Regulation (EEC) No 1765/92 for which the oilseeds compensatory payment is paid, does not exceed, after the application of Article 2 (6), the maximum guaranteed area; whereas, in accordance with Article 5 (1) (f) of Regulation (EEC) No 1765/92, there is no need to reduce the final regional reference amounts;

Whereas the ceiling applicable for irrigated soya in France, as fixed in Article 2 of Commission Regulation (EC) No 2715/94⁽⁴⁾, as last amended by Commission Regulation (EC) No 1799/95⁽⁵⁾, has not been exceeded; whereas in accordance with the first sentence of the sixth subparagraph of Article 3 (1) of Regulation (EEC) No 1765/92, there is no need to reduce the final regional reference amounts;

Whereas the maximum guaranteed area has not been exceeded for the 1995/96 marketing year; whereas the Commission, in accordance with Article 5 (1) (h) of Regulation (EEC) No 1765/92, has decided not to apply the sanctions applicable in the 1994/95 marketing year in the current marketing year;

Whereas in accordance with Article 3 of Commission Regulation (EC) No 240/95⁽⁶⁾ certain producers received an advance payment based on an estimated projected

regional reference amount before the Commission had established the Regional Reference Amounts for the 1995/96 marketing year pursuant to Article 1 (2) of Commission Regulation (EC) No 1747/95⁽⁷⁾; whereas all other producers received an advance payment at the level established in Article 2 of Regulation (EC) No 1747/95;

Whereas Article 8 (1) of Commission Regulation (EEC) No 2294/92 of 31 July 1992 on detailed rules for the application of the support system for producers of the oil seeds referred to in Council Regulation (EEC) No 1765/92⁽⁸⁾, as last amended by Regulation (EC) No 2989/95⁽⁹⁾, specifies that the agricultural conversion rate valid on the first day of the marketing year in question must be used for all payments made in the course of that year;

Whereas the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. A succinct explanation of the calculation of the final regional reference amounts, as required by Article 5 (3) of Regulation (EEC) No 1765/92, is set out in Annex I.

2. The final regional reference amounts for the 1995/96 marketing year shall be as set out in Annex II.

3. In calculating the final compensatory payment to be made to the producers of oil seeds referred to in Article 11 (4) of Regulation (EEC) No 1765/92, the competent authority shall take account of:

- (a) any reduction of the eligible area and of the level of the compensatory payment; and
- (b) any advance payment made in accordance with Article 3 of Regulation (EC) No 240/95 or Article 2 of Regulation (EC) No 1747/95.

Article 2

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.
⁽²⁾ OJ No L 312, 23. 12. 1995, p. 5.
⁽³⁾ OJ No L 310, 14. 12. 1993, p. 10.
⁽⁴⁾ OJ No L 288, 9. 11. 1994, p. 11.
⁽⁵⁾ OJ No L 174, 26. 7. 1995, p. 22.
⁽⁶⁾ OJ No L 29, 8. 2. 1995, p. 2.

⁽⁷⁾ OJ No L 169, 19. 7. 1995, p. 6.
⁽⁸⁾ OJ No L 221, 6. 8. 1992, p. 22.
⁽⁹⁾ OJ No L 312, 23. 12. 1995, p. 5.

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

Done at Brussels, 16 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

**A SUCCINCT EXPLANATION OF THE CALCULATION OF THE FINAL REGIONAL
REFERENCE AMOUNT FOR PRODUCERS OF OIL SEEDS FOR THE 1995/96 MARKETING
YEAR**

**Adjustment of support payments pursuant to the terms of Article 5 (1) (d) of Regulation (EEC) No
1765/92 — Final regional reference amounts**

1. The observed reference price for oil seeds, which represents the average price recorded on representative markets during the 1995/96 marketing year, has been assessed at ECU 222,268 per tonne. This observed reference price has been calculated using offers and prices reported by Member States in accordance with the terms of Regulation (EC) No 3405/93.
 2. The level of the observed reference price is such that it is necessary to reduce the projected level of the compensatory payments made to oil seed producers pursuant to the terms of Article 5 of Regulation (EEC) No 1765/92 by 4 %. The final regional reference amounts shall be established at a level 4 % lower than the Projected Regional Reference Amounts established by Regulation (EC) No 1747/95.
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ANNEX II

Final regional reference amounts - 1995/96

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
België/Belgique:	Polders/Polders	Oilseeds	2,40	423,21
	Leemstreek/Limoneuse	Oilseeds	3,31	583,68
	Zandleemstreek/Sablo-limoneuse	Oilseeds	3,12	550,18
	Condroz/Condroz	Oilseeds	3,07	541,36
	Weidestreek/Herbagère	Oilseeds	3,03	534,31
	Zandstreek/Sablonneuse	Oilseeds	2,85	502,57
	Kempen/Campine	Oilseeds	2,72	479,64
	Famenne/Famenne	Oilseeds	2,97	523,73
	Fagnes/Fagnes	Oilseeds	3,15	555,47
	Ardenne/Ardenne	Oilseeds	2,99	527,25
	Jurastreek/Jurassique	Oilseeds	3,38	596,03
	Hen. Kempen/Campine-Hennuyère	Cereals	6,44	582,62
	Hoge Ardenne/Haute Ardenne	Cereals	3,77	341,07
Danmark:		Oilseeds	2,700	476,12
Deutschland:	Schleswig-Holstein	Oilseeds	3,380	596,03
	Hamburg	Oilseeds	3,070	541,36
	Bremen	Oilseeds	3,130	551,94
	Niedersachsen:			
	— Regions 1 to 9	Oilseeds	3,060	539,60
	— Region 10	Oilseeds	3,440	606,61
	Nordrhein-Westfalen	Oilseeds	3,110	548,41
	Hessen	Oilseeds	3,100	546,65
	Rheinland-Pfalz	Oilseeds	2,850	502,57
	Baden-Württemberg	Oilseeds	2,970	523,73
	Bayern	Oilseeds	3,180	560,76
	Saarland	Oilseeds	2,700	476,12
	Berlin	Oilseeds	2,680	472,59
	Brandenburg:			
	— Region 1	Oilseeds	3,440	606,61
	— Region 2	Oilseeds	2,680	472,59
	Mecklenburg-Vorpommern	Oilseeds	3,440	606,61
	Sachsen	Oilseeds	2,960	521,96
	Sachsen-Anhalt	Oilseeds	2,670	470,83
	Thüringen	Oilseeds	2,870	506,09
Ελλάδα:	— Region 1	Oilseeds	1,900	335,04
	— Region 2	Oilseeds	2,200	387,95
España:	Non-irrigated:	1 Cereals	0,900	81,42
		2 Cereals	1,200	108,56
		3 Cereals	1,500	135,70
		4 Cereals	1,800	162,85
		5 Cereals	2,000	180,94
		6 Cereals	2,200	199,03
		7 Cereals	2,500	226,17
		8 Cereals	2,700	244,27
		9 Cereals	3,200	289,50
		10 Cereals	3,700	334,74
		11 Cereals	4,100	370,93

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
	Irrigated:	1 Cereals	2,900	262,36
		2 Cereals	3,000	271,41
		3 Cereals	3,100	280,46
		4 Cereals	3,200	289,50
		5 Cereals	3,500	316,64
		6 Cereals	3,600	325,69
		7 Cereals	3,700	334,74
		8 Cereals	3,800	343,78
		9 Cereals	3,900	352,83
		10 Cereals	4,000	361,88
		11 Cereals	4,100	370,93
		12 Cereals	4,200	379,97
		13 Cereals	4,300	389,02
		14 Cereals	4,400	398,07
		15 Cereals	4,500	407,11
		16 Cereals	4,600	416,16
		17 Cereals	4,700	425,21
		18 Cereals	4,800	434,25
		19 Cereals	4,900	443,30
		20 Cereals	5,000	452,35
		21 Cereals	5,100	461,39
		22 Cereals	5,200	470,44
		23 Cereals	5,300	479,49
		24 Cereals	5,400	488,54
		25 Cereals	5,500	497,58
		26 Cereals	5,600	506,63
		27 Cereals	5,700	515,68
		28 Cereals	5,800	524,72
		29 Cereals	5,900	533,77
		30 Cereals	6,000	542,82
		31 Cereals	6,100	551,86
		32 Cereals	6,200	560,91
		33 Cereals	6,300	569,96
		34 Cereals	6,400	579,01
		35 Cereals	6,500	588,05
		36 Cereals	6,800	615,19
		37 Cereals	6,900	624,24
		38 Cereals	7,000	633,29
		39 Cereals	7,100	642,33
		40 Cereals	7,200	651,38
		41 Cereals	7,300	660,43
		42 Cereals	7,400	669,47
		43 Cereals	7,500	678,52
		44 Cereals	7,600	687,57
		45 Cereals	7,700	696,62
		46 Cereals	8,200	741,85
		47 Cereals	8,400	759,94
		48 Cereals	10,500	949,93
		49 Cereals	10,600	958,98
France:	Zone I: — Soya: Non-irrigated Irrigated — Rapeseed/sunflower seed	Cereals Cereals Cereals	5,930 8,120 6,023	536,48 734,61 544,90
	Zone II: — Soya: Non-irrigated Irrigated — Rapeseed/sunflower seed	Cereals Cereals Cereals	4,680 8,770 5,554	423,40 793,42 502,47
Ireland:		Oilseeds	3,300	581,92

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
Italia:	Torino montagna interna	Cereals	2,224	201,20
	Torino collina interna	Oilseeds	3,612	636,94
	Torino pianura	Oilseeds	4,257	750,68
	Vercelli montagna interna	Cereals	4,853	439,05
	Vercelli collina interna	Oilseeds	4,233	746,44
	Vercelli pianura	Oilseeds	4,826	851,01
	Novara montagna interna	Cereals	3,731	337,54
	Novara collina interna	Oilseeds	3,744	660,21
	Novara pianura	Oilseeds	4,343	765,84
	Cuneo montagna interna	Oilseeds	3,762	663,39
	Cuneo collina interna	Oilseeds	3,877	683,67
	Cuneo pianura	Oilseeds	4,052	714,53
	Asti collina interna	Oilseeds	3,254	573,81
	Asti pianura	Oilseeds	3,409	601,14
	Alessandria montagna interna	Oilseeds	3,550	626,00
	Alessandria collina interna	Oilseeds	3,384	596,73
	Alessandria pianura	Oilseeds	3,359	592,32
	Aosta montagna interna	Cereals	2,328	210,61
	Varese montagna interna	Oilseeds	3,950	696,54
	Varese collina interna	Oilseeds	3,437	606,08
	Varese pianura	Oilseeds	3,244	572,04
	Como montagna interna	Cereals	6,652	601,80
	Como collina interna	Oilseeds	3,541	624,42
	Como pianura	Oilseeds	4,033	711,18
	Sondrio montagna interna	Cereals	4,793	433,62
	Milano collina interna	Oilseeds	4,349	766,90
	Milano pianura	Oilseeds	4,512	795,64
	Bergamo montagna interna	Cereals	3,817	345,32
	Bergamo collina interna	Oilseeds	4,375	771,48
	Bergamo pianura	Oilseeds	5,000	881,69
	Brescia montagna interna	Cereals	5,469	494,78
	Brescia collina interna	Oilseeds	5,000	881,69
	Brescia pianura	Oilseeds	5,000	881,69
	Pavia montagna interna	Oilseeds	3,377	595,50
	Pavia collina interna	Oilseeds	3,578	630,94
	Pavia pianura	Oilseeds	4,059	715,76
	Cremona pianura	Oilseeds	4,584	808,34
	Mantova collina interna	Oilseeds	4,620	814,69
	Mantova pianura	Oilseeds	4,864	857,71
	Bolzano montagna interna	Cereals	1,848	167,19
	Trento montagna interna	Cereals	4,374	395,71
	Verona montagna interna	Oilseeds	5,000	881,69
	Verona collina interna	Oilseeds	4,715	831,44
	Verona pianura	Oilseeds	4,972	876,76
	Vicenza montagna interna	Oilseeds	4,439	782,77
	Vicenza collina interna	Oilseeds	5,000	881,69
	Vicenza pianura	Oilseeds	4,817	849,42
	Belluno montagna interna	Oilseeds	3,499	617,01
	Treviso collina interna	Oilseeds	4,422	779,77
	Treviso pianura	Oilseeds	4,490	791,76
	Venezia pianura	Oilseeds	4,537	800,05
	Padova collina interna	Oilseeds	4,044	713,11
	Padova pianura	Oilseeds	4,161	733,75
	Rovigo pianura	Oilseeds	4,357	768,31
	Udine montagna interna	Cereals	4,320	390,83
	Udine collina interna	Oilseeds	4,159	733,39
	Udine pianura	Oilseeds	4,405	776,77
	Gorizia collina interna	Oilseeds	4,049	714,00
	Gorizia pianura	Oilseeds	4,371	770,78
	Trieste pianura	Cereals	4,879	441,40
	Pordenone montagna interna	Oilseeds	3,012	531,13
	Pordenone collina interna	Oilseeds	3,570	629,53
	Pordenone pianura	Oilseeds	4,016	708,18
	Imperia montagna interna	Cereals	3,372	305,06
	Imperia collina interna	Cereals	3,372	305,06
	Imperia collina litoranea	Cereals	3,372	305,06

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
	Savona montagna interna	Cereals	3,372	305,06
	Savona montagna litoranea	Cereals	3,372	305,06
	Savona collina interna	Cereals	3,372	305,06
	Savona collina litoranea	Cereals	3,372	305,06
	Genova montagna interna	Cereals	3,372	305,06
	Genova montagna litoranea	Cereals	3,372	305,06
	Genova collina interna	Cereals	3,372	305,06
	Genova collina litoranea	Cereals	3,372	305,06
	La Spezia montagna interna	Cereals	3,372	305,06
	La Spezia collina interna	Cereals	3,372	305,06
	La Spezia collina litoranea	Cereals	3,372	305,06
	Piacenza montagna interna	Cereals	3,676	332,57
	Piacenza collina interna	Oilseeds	3,607	636,05
	Piacenza pianura	Oilseeds	3,769	664,62
	Parma montagna interna	Oilseeds	3,631	640,29
	Parma collina interna	Oilseeds	3,693	651,22
	Parma pianura	Oilseeds	3,685	649,81
	Reggio Emilia montagna interna	Cereals	3,188	288,42
	Reggio Emilia collina interna	Oilseeds	2,989	527,08
	Reggio Emilia pianura	Oilseeds	3,991	703,77
	Modena montagna interna	Cereals	3,834	346,86
	Modena collina interna	Oilseeds	3,599	634,64
	Modena pianura	Oilseeds	4,073	718,23
	Bologna montagna interna	Cereals	4,360	394,45
	Bologna collina interna	Oilseeds	3,277	577,86
	Bologna pianura	Oilseeds	3,765	663,92
	Ferrara pianura	Oilseeds	4,442	783,30
	Ravenna collina interna	Oilseeds	3,366	593,56
	Ravenna pianura	Oilseeds	3,527	621,95
	Forlì montagna interna	Cereals	2,828	255,85
	Forlì collina interna	Oilseeds	3,190	562,52
	Forlì collina litoranea	Oilseeds	3,125	551,06
	Forlì pianura	Oilseeds	3,426	604,14
	Massa Carrara montagna interna	Cereals	5,659	511,97
	Massa Carrara montagna litoranea	Cereals	7,970	721,04
	Massa Carrara collina interna	Cereals	5,952	538,47
	Lucca montagna litoranea	Cereals	5,320	481,30
	Lucca montagna interna	Cereals	3,437	310,94
	Lucca pianura	Oilseeds	3,135	552,82
	Pistoia montagna interna	Oilseeds	3,536	623,53
	Pistoia collina interna	Oilseeds	3,495	616,30
	Firenze montagna interna	Oilseeds	2,971	523,90
	Firenze collina interna	Oilseeds	2,695	475,23
	Firenze pianura	Oilseeds	2,873	506,62
	Livorno collina litoranea	Oilseeds	3,089	544,71
	Pisa collina interna	Oilseeds	2,850	502,57
	Pisa collina litoranea	Oilseeds	2,848	502,21
	Pisa pianura	Oilseeds	2,947	519,67
	Arezzo montagna interna	Oilseeds	2,967	523,20
	Arezzo collina interna	Oilseeds	2,816	496,57
	Siena montagna interna	Oilseeds	2,560	451,43
	Siena collina interna	Oilseeds	3,027	533,78
	Grosseto montagna interna	Oilseeds	2,478	436,97
	Grosseto collina interna	Oilseeds	3,013	531,31
	Grosseto collina litoranea	Oilseeds	2,961	522,14
	Grosseto pianura	Oilseeds	3,040	536,07
	Perugia montagna interna	Oilseeds	2,964	522,67
	Perugia collina interna	Oilseeds	3,003	529,55
	Terni montagna interna	Oilseeds	3,837	676,61
	Terni collina interna	Oilseeds	3,103	547,18
	Pesaro Urbino montagna interna	Oilseeds	2,979	525,31
	Pesaro Urbino collina interna	Oilseeds	3,005	529,90
	Pesaro Urbino collina litoranea	Oilseeds	3,066	540,66
	Ancona montagna interna	Oilseeds	3,099	546,47
	Ancona collina interna	Oilseeds	3,122	550,53
	Ancona collina litoranea	Oilseeds	3,160	557,23
	Macerata montagna interna	Oilseeds	3,075	524,24

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
	Macerata collina interna	Oilseeds	3,218	567,46
	Macerata collina litoranea	Oilseeds	3,207	565,52
	Ascoli Piceno montagna interna	Cereals	3,446	311,76
	Ascoli Piceno collina interna	Oilseeds	3,054	538,54
	Ascoli Piceno collina litoranea	Oilseeds	3,067	540,83
	Viterbo collina interna	Oilseeds	3,027	533,78
	Viterbo pianura	Oilseeds	3,239	571,16
	Rieti montagna interna	Oilseeds	3,352	591,09
	Rieti collina interna	Oilseeds	3,186	561,82
	Roma montagna interna	Oilseeds	3,016	531,84
	Roma collina interna	Oilseeds	3,114	549,12
	Roma collina litoranea	Oilseeds	3,138	553,35
	Roma pianura	Oilseeds	3,133	552,47
	Latina montagna interna	Oilseeds	2,662	469,41
	Latina collina interna	Oilseeds	3,637	641,34
	Latina collina litoranea	Cereals	4,697	424,94
	Latina pianura	Oilseeds	3,398	599,20
	Frosinone montagna interna	Oilseeds	2,401	423,39
	Frosinone collina interna	Oilseeds	3,305	582,80
	L'Aquila montagna interna	Oilseeds	3,038	535,72
	Teramo montagna interna	Oilseeds	2,849	502,39
	Teramo collina interna	Oilseeds	3,003	529,55
	Teramo collina litoranea	Oilseeds	3,104	547,36
	Pescara montagna interna	Cereals	3,323	300,63
	Pescara collina interna	Oilseeds	2,976	524,78
	Pescara collina litoranea	Oilseeds	3,108	548,06
	Chieti montagna interna	Cereals	2,443	221,02
	Chieti collina interna	Oilseeds	2,850	502,57
	Chieti collina litoranea	Oilseeds	3,098	546,30
	Campobasso montagna interna	Oilseeds	2,875	506,97
	Campobasso collina interna	Oilseeds	2,981	525,67
	Campobasso collina litoranea	Oilseeds	2,983	526,02
	Isernia montagna interna	Cereals	3,005	271,86
	Isernia collina interna	Cereals	3,788	342,70
	Caserta montagna interna	Oilseeds	4,000	705,36
	Caserta collina interna	Oilseeds	2,712	478,23
	Caserta collina litoranea	Oilseeds	3,237	570,81
	Caserta pianura	Oilseeds	3,176	560,05
	Benevento collina interna	Oilseeds	2,763	487,22
	Benevento montagna interna	Oilseeds	2,941	518,61
	Napoli collina interna	Oilseeds	3,560	627,77
	Napoli collina litoranea	Cereals	5,316	480,94
	Napoli pianura	Cereals	8,209	742,66
	Avellino montagna interna	Oilseeds	2,901	511,56
	Avellino collina interna	Cereals	3,809	344,60
	Salerno montagna interna	Cereals	1,842	166,64
	Salerno collina interna	Oilseeds	3,760	663,03
	Salerno collina litoranea	Cereals	2,087	188,81
	Salerno pianura	Oilseeds	3,656	644,70
	Foggia montagna interna	Oilseeds	2,898	511,03
	Foggia collina interna	Oilseeds	2,897	510,85
	Foggia collina litoranea	Cereals	2,485	224,82
	Foggia pianura	Oilseeds	2,901	511,56
	Bari collina interna	Oilseeds	2,916	514,20
	Bari pianura	Cereals	1,535	138,87
	Taranto collina litoranea	Oilseeds	3,121	550,35
	Taranto pianura	Oilseeds	2,783	490,75
	Brindisi collina litoranea	Cereals	1,154	104,40
	Brindisi pianura	Oilseeds	3,970	700,07
	Lecce pianura	Oilseeds	3,637	641,34
	Potenza montagna interna	Cereals	1,611	145,75
	Potenza montagna litoranea	Cereals	1,601	144,84
	Potenza collina interna	Oilseeds	2,458	433,44
	Matera montagna interna	Oilseeds	2,444	430,97
	Matera collina interna	Oilseeds	2,508	442,26
	Matera pianura	Oilseeds	2,788	491,63
	Cosenza montagna interna	Oilseeds	4,000	705,36

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
	Cosenza montagna litoranea	Cereals	1,632	147,65
	Cosenza collina interna	Oilseeds	2,758	486,34
	Cosenza collina litoranea	Cereals	1,451	131,27
	Cosenza pianura	Oilseeds	3,185	561,64
	Catanzaro montagna interna	Oilseeds	3,375	595,14
	Catanzaro collina interna	Cereals	2,074	187,63
	Catanzaro collina litoranea	Cereals	1,861	168,36
	Catanzaro pianura	Cereals	1,664	150,54
	Reggio Calabria montagna interna	Cereals	1,702	153,98
	Reggio Calabria montagna litoranea	Cereals	1,612	145,84
	Reggio Calabria collina litoranea	Cereals	1,697	153,53
	Reggio Calabria pianura	Cereals	2,678	242,28
	Trapani collina interna	Cereals	1,706	154,34
	Trapani collina litoranea	Cereals	1,606	145,29
	Trapani pianura	Cereals	1,606	145,29
	Palermo montagna interna	Cereals	1,918	173,52
	Palermo montagna litoranea	Cereals	1,610	145,66
	Palermo collina interna	Cereals	1,584	143,30
	Palermo collina litoranea	Cereals	1,556	140,77
	Palermo pianura	Cereals	1,507	136,34
	Messina montagna interna	Cereals	1,278	115,62
	Messina montagna litoranea	Cereals	1,222	110,55
	Messina collina litoranea	Cereals	1,289	116,62
	Agrigento montagna interna	Cereals	1,669	150,99
	Agrigento collina interna	Cereals	1,512	136,79
	Agrigento collina litoranea	Cereals	1,333	120,60
	Agrigento pianura	Cereals	1,667	150,81
	Caltanissetta collina interna	Cereals	1,333	120,60
	Caltanissetta collina litoranea	Cereals	1,080	97,71
	Caltanissetta pianura	Cereals	1,027	92,91
	Enna montagna interna	Cereals	1,100	99,52
	Enna collina interna	Oilseeds	2,397	422,68
	Catania montagna interna	Oilseeds	2,922	515,26
	Catania montagna litoranea	Cereals	5,000	452,35
	Catania collina interna	Oilseeds	2,326	410,16
	Catania collina litoranea	Oilseeds	2,575	454,07
	Catania pianura	Oilseeds	2,509	442,43
	Ragusa collina interna	Cereals	2,200	199,03
	Ragusa collina litoranea	Cereals	2,584	233,77
	Ragusa pianura	Cereals	3,590	324,79
	Siracusa collina interna	Cereals	1,362	123,22
	Siracusa collina litoranea	Oilseeds	2,700	476,12
	Siracusa pianura	Oilseeds	2,625	462,89
	Sassari montagna interna	Cereals	1,750	158,32
	Sassari collina interna	Cereals	1,667	150,81
	Sassari collina litoranea	Cereals	1,752	158,50
	Sassari pianura	Oilseeds	3,999	705,18
	Nuoro montagna interna	Cereals	1,350	122,13
	Nuoro collina interna	Cereals	1,536	138,96
	Nuoro collina litoranea	Cereals	1,772	160,31
	Cagliari collina interna	Oilseeds	4,000	705,36
	Cagliari collina litoranea	Oilseeds	4,000	705,36
	Cagliari pianura	Oilseeds	3,904	688,43
	Oristano collina interna	Oilseeds	2,991	527,43
	Oristano pianura	Oilseeds	4,000	705,36
Luxembourg:		Oilseeds	2,700	476,12
Nederland:				
		1 Cereals	7,110	643,24
		2 Cereals	5,060	457,78
Österreich:		Oilseeds	2,74	483,17

Member State	Region	Reference	Yield (tonnes/ha)	Final reference amount (ECU/ha)
Portugal:	Non-irrigated	1 Cereals	1,800	162,85
		2 Cereals	1,400	126,66
		3 Cereals	2,500	226,17
		4 Cereals	4,000	361,88
		5 Cereals	3,500	316,64
		6 Cereals	3,000	271,41
		7 Cereals	1,000	90,47
		Madeira Cereals	2,000	180,94
	Irrigated	Açores Cereals	3,800	343,78
		1 Cereals	10,000	904,70
		2 Cereals	8,500	768,99
		3 Cereals	8,000	723,76
		4 Cereals	7,000	633,29
		5 Cereals	5,000	452,35
		6 Cereals	3,000	271,41
		Madeira Cereals	4,500	407,11
Suomi:		Oilseeds	1,59	280,38
Sverige:	Zone 1	Oilseeds	2,674	471,53
	Zone 2	Oilseeds	2,259	398,35
	Zone 3	Cereals	4,147	375,18
	Zone 4	Cereals	3,626	328,04
	Zone 5	Cereals	2,875	260,10
United Kingdom:	England	Oilseeds	3,080	543,12
	Wales	Oilseeds	3,140	553,70
	Northern Ireland	Oilseeds	2,920	514,91
	Scotland (LFA)	Oilseeds	2,840	500,80
	Scotland (remainder)	Oilseeds	3,450	608,37

COMMISSION REGULATION (EC) No 298/96

of 16 February 1996

amending Regulation (EEC) No 920/89 laying down quality standards for carrots, citrus fruit and dessert apples and pears as regards the list of apple varieties and repealing in part Regulation (EC) No 3064/94 as regards the varieties of typically Swedish apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 2 (2) thereof,

Whereas Annex III to Commission Regulation (EEC) No 920/89⁽³⁾, as last amended by Regulation (EEC) No 2611/93⁽⁴⁾, lays down quality standards for dessert apples and pears;

Whereas the varieties of typically Swedish apples, Alice, Aroma and Kim, are considered as varieties of mixed red colouring within the meaning of Table 1, Group B of the said Annex; whereas that provision was laid down by Article 2 of Commission Regulation (EC) No 3064/94⁽⁵⁾ for a transitional period expiring on 1 January 1997;

Whereas, in response to a recent request from the Swedish authorities, the Aroma variety should be considered as a striped variety, slightly coloured and the Aroma amorosa variety as a variety of mixed red colouring; whereas, therefore, the varieties of Swedish apples should be permanently entered in Table 1 of Annex III to Regulation (EEC) No 920/89;

Whereas Article 2 of Regulation (EC) No 3064/94 should be deleted to avoid any contradiction with the provisions of this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EEC) No 920/89 is hereby amended as follows:

In Table 1 'Colouring criteria for apples',

— in Group B 'Varieties of mixed red colouring':

(a) after '— Akane (Prime Rouge, Tohoku 3)', insert the following two indents:

— Alice,'

— Aroma amorosa,';

(b) after '— Katy', insert the following indent:

— Kim,';

— in Group C 'Striped varieties, slightly coloured', the following indent is added after '— Arlet,':

— Aroma,'.

Article 2

Article 2 of Regulation (EC) No 3064/94 is hereby deleted.

Article 3

This Regulation shall enter into force on the 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, 16 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 19.

⁽⁴⁾ OJ No L 239, 24. 9. 1993, p. 17.

⁽⁵⁾ OJ No L 323, 16. 12. 1994, p. 23.

COMMISSION REGULATION (EC) No 299/96
of 16 February 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 273/96 ⁽³⁾;

Whereas it follows from foreseen criteria contained in Article 8 of Regulation (EEC) No 2777/75 to the information 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 Regulation (EC) No 273/96 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 February 1996.

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

Done at Brussels, 16 February 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 36, 14. 2. 1996, p. 18.

ANNEX

to the Commission Regulation of 16 February 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	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
		ECU/100 kg	0207 14 70 190	05	4,50
0207 12 10 900	02	30,00	0207 14 70 290	05	4,50
	03	8,00	0207 27 10 990	04	15,00
0207 12 90 190	02	33,00	0207 27 60 000	04	6,50
	03	8,00	0207 27 70 000	04	6,50

⁽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 300/96
of 16 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 17 February 1996.

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

Done at Brussels, 16 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 16 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	43,7	0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	61,0
	060	80,2		204	85,7
	064	59,6		400	45,7
	066	41,7		464	235,1
	068	62,3		600	94,2
	204	76,8		624	65,4
	208	44,0		662	46,8
	212	97,0		999	90,6
	624	133,0		052	74,7
	999	70,9		204	88,8
0707 00 10	052	118,4	0805 30 20	388	67,5
	053	196,5		400	74,5
	060	61,0		512	54,8
	066	53,8		520	66,5
	068	69,3		524	100,8
	204	144,3		528	82,6
	624	182,1		600	80,3
	999	117,9		624	94,2
0709 10 10	220	365,3	0808 10 51, 0808 10 53, 0808 10 59	999	78,5
	999	365,3		052	64,0
0709 90 73	052	129,4	0808 20 31	064	78,6
	204	77,5		388	39,2
	412	54,2		400	78,9
	624	241,6		404	59,3
	999	125,7		508	68,4
				512	51,2
0805 10 01, 0805 10 05, 0805 10 09	052	38,2		524	57,4
	204	42,7		528	48,0
	208	68,2		624	86,5
	212	40,3		728	107,3
	220	47,8		800	78,0
	388	40,5		804	21,0
	400	42,2		999	64,4
	436	41,6		039	98,1
	448	37,2		052	86,3
	600	54,6		064	72,5
	624	53,9		388	90,3
	999	46,1		400	98,7
	052	75,7		512	73,0
	204	81,0		528	89,4
0805 20 11	624	79,3		624	79,0
	999	78,7		728	115,4
				800	55,8
				804	112,9
				999	88,3

(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'.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 February 1996

on the carrying out of Community trials and tests on propagating and planting material of certain species pursuant to Article 20 (2) of Council Directive 92/34/EEC

(96/164/EC)

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

Having regard to Council Directive 92/34/EEC of 28 April 1992 on the marketing of fruit plant propagating and fruit plants intended for fruit production⁽¹⁾, as last amended by Decision 95/26/EC⁽²⁾, and in particular Article 20 (2) thereof,

Whereas pursuant to this Directive trials, or, where appropriate, tests shall be carried out in the Member States on samples to check that propagating material or fruit plants of genera and species listed therein comply with the requirements and conditions of the said Directive;

Whereas to this end, it is essential, in particular in the early stages of the Directive's implementation, to ensure adequate representation of the samples participating in the trials or tests for the different origins of production in the entire Community, at least for certain selected crops;

Whereas it is therefore necessary to carry out Community trials and tests in 1996 on propagating and planting material of strawberries and currants;

Whereas these trials and tests will be used to harmonize, in the first instance, the technical methods of examination of propagating and planting material of these species;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Propagating Material and Plants of Fruit Genera and Species,

HAS ADOPTED THIS DECISION:

Article 1

Community trials and tests shall be carried out during 1996 on propagating and planting material of *Fragaria* × *ananassa* and *Ribes*.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 157, 10. 6. 1992, p. 10.

⁽²⁾ OJ No L 36, 16. 2. 1995, p. 36.

COMMISSION DECISION

of 7 February 1996

amending Decision 92/164/Euratom, EEC authorizing Portugal not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the Portuguese text is authentic)

(96/165/Euratom, EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax ⁽¹⁾, and in particular Article 13 thereof,Whereas pursuant to Article 28 (3) of Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT own resources base;Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1, point 1, first paragraph and point 2(a) of Directive 89/465/EEC ⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;Whereas, in the case of Portugal, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 92/164/Euratom, EEC ⁽⁴⁾, authorizing Portugal, with effect from 1989, not to take into account certain

categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 7 January 1993, Portugal has taxed the transactions referred to in point 9 of Annex F to the Sixth VAT Directive; whereas the authorization granted in this connection should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 (3) of Decision 92/164/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 7 January 1993.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 7 February 1996.

For the Commission

Erkki LIIKANEN

Member of the Commission⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 23.

COMMISSION DECISION

of 12 February 1996

amending Decision 94/278/EC, drawing up a list of third countries from which
Member States authorize imports of certain products subject to Council
Directive 92/118/EEC

(Text with EEA relevance)

(96/166/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Directive 92/118/EEC of 17
December 1992 laying down animal health and public
health requirements governing trade in and imports into
the Community of products not subject to the said re-
quirements laid down in specific Community rules
referred to in Annex A Chapter I to Directive
89/662/EEC and as regards pathogens to Directive
90/425/EEC⁽¹⁾, as last amended by Commission Decision
96/103/EC⁽²⁾, and in particular Article 10 (2) (a) thereof,

Whereas Commission Decision 94/278/EC⁽³⁾, as
amended by Decision 95/444/EC⁽⁴⁾, establishes a list of
third countries from which Member States authorize
imports of certain products referred to by Directive
92/118/EEC;

Whereas this list includes the third countries from which
Member States authorize imports of fish meal and other
meals derived from sea animals (except mammals) and
snails and frog legs;

Whereas, following the receipt of requests from the
Seychelles, Peru and Argentina, it is appropriate to add
the Seychelles to the list for fish meal and other meals,
Peru and Argentina to the list for snails and Argentina to
the list for frog legs;

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex of Decision 94/278/EC is amended as follows:

1. in Part II, B the following line is inserted in
accordance with the alphabetical order of the ISO
code:
'(SC) Seychelles';
2. in Part XI, the following lines are inserted in accord-
ance with the alphabetical order of the ISO code:
'(AR) Argentina',
'(PE) Peru';
3. in Part XII, the following line is inserted in accordance
with the alphabetical order of the ISO code:
'(AR) Argentina'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽²⁾ OJ No L 24, 31. 1. 1996, p. 28.

⁽³⁾ OJ No L 120, 11. 5. 1994, p. 44.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 67.

CORRIGENDA

Corrigendum to 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

(Official Journal of the European Communities No L 36 of 14 February 1996)

On page 8, Annex I, III. Products originating in the Slovak Republic, CN code 1107 10 99, in the column "Tonnage from 1. 7. 1995 to 30. 6. 1996":

for: '34 460',

read: '14 460'.
