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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 481/96
of 19 March 1996**

**fixing the rates of the refunds applicable to eggs and egg yolks exported in the
form of goods not covered by Annex II to the Treaty**

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 Commission Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 8 (3) thereof,

Whereas Article 8 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1 (1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 229/96 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the

export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

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 462/96 ⁽⁷⁾; whereas account should be taken of this fact when fixing the refunds;

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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex I to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

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 462/96 are observed.

Article 2

This Regulation shall enter into force on 20 March 1996.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 19 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 19 March 1996 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)

CN code	Description	Destination (¹)	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	a) On exportation of ovalbumin of CN code 3502 10	02	9,00
		03	15,00
		04	6,00
	b) On exportation of other goods	01	6,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption: not sweetened	01	45,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid: not sweetened	01	20,00
ex 0408 19 89	– – – – Frozen: not sweetened	01	20,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption: not sweetened	01	35,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption: not sweetened	01	9,00

(¹) The destinations are as follows:

01 Third countries,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Hong Kong, Russia and South Korea,

03 Japan, Malaysia, Thailand and Taiwan,

04 All destinations except those of 02.

COMMISSION REGULATION (EC) No 482/96

of 19 March 1996

amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 249 thereof,

Whereas it is necessary to define specifically the cases where certain documents need not be required to accompany the customs declarations;

Whereas where the declarant refuses to be present at the taking of samples or to designate a representative, or else fails to render the customs authorities all necessary assistance, the customs authorities should have the option of deeming the declaration invalid;

Whereas Articles 325 to 340 of Commission Regulation (EEC) No 2454/93⁽²⁾, as last amended by Regulation (EC) No 1762/95⁽³⁾, establish a special method of administrative cooperation for the purpose of proving the Community status of products of sea-fishing caught by Member States' vessels and of goods obtained on board such vessels from the products caught;

Whereas, in view of the particular way in which such products are caught, in which the goods are obtained and in which both are routed to the Community, a separate section setting out the specific conditions applying to such products and goods should be added to Part II, Title II, Chapter 3 — Community status of goods — of Regulation (EEC) No 2454/93;

Whereas the Community status of such products and goods should be assessed independently of their tariff treatment and classification, the nationality and means of transport used or the Member State through which they enter the Community;

Whereas fishing vessels and Community factory ships should be strictly defined;

Whereas to avoid excessive paperwork, customs authorities may allow exceptions to the procedure for landing such products and goods from fishing vessels;

Whereas, to improve checks on the way the procedure is used, T2M forms should be endorsed by the authority responsible for registering the vessels for which the forms were issued; whereas any certification by a third party should be included in the forms and the customs authority which issued them should be informed of how they have been used;

Whereas because of a continuous problem of fraudulent operations under the Community transit procedure, provisions should be introduced which allow for the prescription of binding itineraries and prohibit the change of an office of destination as regards, in particular, the movement of goods for which the comprehensive guarantee is suspended; whereas it is necessary to strengthen the system for the use of the comprehensive guarantee and to introduce further flexibility in the provisions for suspension of the comprehensive guarantee by amending these provisions; whereas, for reasons of clarity, Articles 360, 361 and 362 of Regulation (EEC) No 2454/93 need to be rearranged; whereas it is necessary to align the corresponding provisions of Article 368 and Article 376 of the abovementioned Regulation;

Whereas it is appropriate to introduce more flexibility in supplying alternative proof permitting the discharge of Community transit operations in the case of non-return of Copy 5 of the single administrative document;

Whereas the Community customs territory constitutes a single territory for the purposes of the rules governing the use of the TIR carnet;

Whereas the increasing incidence of fraud related to the transport of goods under the TIR procedure can lead the competent authorities to adopt, on the basis of Article 38 of the TIR Convention, exclusion measures;

Whereas the rules governing the application of Article 38 of the TIR Convention should be harmonized at Community level;

Whereas, the economic conditions that are provided for in the context of the inward processing procedure should be applied uniformly throughout the Community;

Whereas it has become apparent that the customs offices of the Member States have difficulties in authorizing temporary importation of goods referred to in Article 684 of Regulation (EEC) No 2454/93; whereas when a high amount is involved they must ask for a written declaration making the provision of a security equal to the precise amount of the customs debt in question obligatory; whereas this leads in many cases to the undesirable obstruction of travellers at the frontiers of the Community

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 171, 21. 7. 1995, p. 8.

or, on the other hand, to the authorization of temporary importation without security though a high of amount of duties is involved; whereas a pertinent solution of these difficulties requires that, in such cases, the authorization of temporary importation and the entry of goods referred to in Article 684 for the procedure can be accomplished by an oral customs declaration; whereas this requires the adaption of the corresponding rules;

Whereas where import goods previously entered for the procedure of temporary importation are released for free circulation, compensatory interest is levied; whereas for reasons of equality of treatment, compensatory interest should also be levied where a customs debt is incurred for other reasons than because of release for free circulation; whereas customs debts incurred through the placing of goods under the temporary importation procedure with partial relief from import duties should be exempted herefrom, because no financial advantage is acquired; whereas the same reasons prevail where a security is provided by a cash deposit equal to one of the amounts of customs debt set out in Article 192 (1) of Regulation (EEC) No 2913/93; whereas to achieve a greater level of legal certainty it is necessary to strive for maximum coherence in the legal provisions concerning the levying of compensatory interest; whereas this requires a modification of Article 709 of Regulation (EEC) No 2454/92 and its adaption to the provisions of Article 589; whereas in the course of this modification and adaption it is appropriate to carry out some editorial corrections to Article 709;

Whereas the single administrative document must be adopted to take account of the provisions of Council Regulation (EC) No 1172/95 of 22 May 1995 on the statistics relating to the trading in goods by the Community and its Member States with non-member countries⁽¹⁾ and any regulation laying down provisions for its application;

Whereas it is appropriate to align the provisions for the completion of box 33 of the control copy T5, copy T5 a and the column entitled 'Commodity' of the T5 loading list with the provisions relating to the single administrative document;

Whereas the list of compensating products in the framework of the inward processing procedure to which specific duties may apply should be extended;

Whereas for economic reasons it appears appropriate to extend the list contained in Annex 87 of Regulation (EEC) No 2454/93;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2454/93 is amended as follows:

1. Article 218 (3) is replaced by the following:

'3. Where goods qualify for the flat rate of duty referred to in Section II (D) of the preliminary provisions of the combined nomenclature or where goods qualify for relief from import duties, the documents referred to in paragraph 1 (a), (b) and (c) need not be required unless the customs authorities consider it necessary for the purposes of applying the provisions governing the release of the goods in question for free circulation.'

2. Article 243 (2) is replaced by the following:

'2. Where the declarant refuses to be present at the taking of samples or to designate a person to attend, or where he fails to render the customs authorities all the assistance needed to facilitate the operation, the provisions of the second sentence of Article 241 (1) and of Article 241 (2), (3) and (4) shall apply.'

3. In Part II, Title II, Chapter 3, the following sub-heading is inserted after the chapter heading 'Community status of goods':

'Section 1

General provisions'

4. The following sub-heading is inserted after Article 324:

'Section 2

Specific provisions concerning products of sea-fishing and other products taken from the sea by boats'

5. Articles 325 and 326 are replaced by the following:

'Article 325

1. For the purposes of this section:

(a) *Community fishing vessel* means a vessel which is listed and registered in a part of a Member State's territory forming part of the customs territory of the Community, flies the flag of a Member State, catches products of sea-fishing and, as the case may be, processes them on board;

⁽¹⁾ OJ No L 118, 25. 5. 1995, p. 10.

(b) *Community factory ship* means a vessel which is listed or registered in a part of a Member State's territory forming part of the customs territory of the Community, flies the flag of a Member State and does not catch products of sea-fishing but does process such products on board.

2. A T2M form, made out in accordance with Articles 327 to 337, shall be produced to prove the Community status:

(a) of the products of sea-fishing caught by a Community fishing vessel, in waters other than the territorial waters of a country or territory outside the customs territory of the Community;

and

(b) of the goods obtained from such products on board that vessel or a Community factory ship, in the production of which other products having Community status may have been used,

which may be in packaging having Community status and are to be brought into the customs territory of the Community in the circumstances set out in Article 326.

3. Proof of the Community status of the sea-fishing products and other products taken or caught in waters other than the territorial waters of a country or territory outside the customs territory of the Community by vessels flying the flag of a Member State and listed or registered in a part of a Member State's territory forming part of the customs territory of the Community, or of such products taken or caught in territorial waters within the customs territory of the Community by vessels of a non-member country, must be provided by means of the logbook or any other means which establishes the said status.

Article 326

1. A T2M form shall be presented in respect of the products and goods referred to in Article 325 (2) which are transported directly to the customs territory of the Community:

- (a) by the Community fishing vessel which caught the products and, where applicable, processed them; or
- (b) by another Community fishing vessel or by the Community factory slip which processed the products following their transshipment from the vessel referred to in point (a); or
- (c) by any other vessel onto which the said products and goods were transhipped from the vessels referred to in points (a) and (b), without any further changes being made; or

(d) by a means of transport covered by a single transport document made out in the country or territory not forming part of the customs territory of the Community where the products or goods were landed from the vessels referred to in points (a), (b) and (c).

Thereafter the T2M form may no longer be used as proof of the Community status of the products or goods to which it refers.

2. The customs authorities which are responsible for the port where products and/or goods are landed from a vessel referred to in point (a) of paragraph 1 may waive the application of paragraph 1 where there is no doubt about the origin of those products and/or goods, or where the attestation referred to in Article 8 (1) of Council Regulation (EEC) No 2847/93 (*) is applicable.

(*) OJ No L 261, 20. 10. 1993, p. 1.

6. Articles 328 to 337 are replaced by the following:

Article 328

The booklet of T2M forms shall be issued at the request of the appropriate person by the Community customs office responsible for supervising the base port of the Community fishing vessel for which the booklet is intended.

The booklet shall be issued only when the person concerned has completed boxes 1 and 2 in the language of the form, and has completed and signed the declaration in box 3 of all the originals and copies of the forms contained in the booklet. When issuing the booklet, the customs office shall complete box B of all the originals and copies of the forms in the booklet.

The booklet shall be valid for two years from the date of issue shown on page 2 of its cover. In addition, the validity of the forms shall be guaranteed by the presence in box A of each original and copy of a stamp applied by the authority responsible for registering the Community fishing vessel for which the booklet is issued.

Article 329

The master of the Community fishing vessel shall complete box 4 and, if the catch has been processed on board, box 6, and shall complete and sign the declaration in box 9 of the original and copy of one of the forms in the booklet whenever he:

- (a) tranships products to one of the vessels referred to in point (b) of Article 326 (1) which processes those products;

- (b) tranships products or goods to any other vessel which will not process them but take them directly either to a port in the customs territory of the Community or to another port for subsequent consignment to that territory;
- (c) without prejudice to Article 326 (2), lands products or goods in a port in the customs territory of the Community;
- (d) lands products or goods in a port outside the customs territory of the Community for subsequent consignment to that territory.

Any processing of such products shall be recorded in the vessel's logbook.

Article 330

The master of a vessel referred to in point (b) of Article 326 (1) shall complete box 6 and complete and sign the declaration in box 11 of the original of the T2M form whenever he lands goods either in a port in the customs territory of the Community or in a port outside the said territory for subsequent consignment to that territory, or whenever he tranships goods onto another vessel for that purpose.

Processing of products transhipped to the vessel shall be recorded in its logbook.

Article 331

When the products or goods referred to in point (a) or point (b) of Article 329 are transhipped for the first time, box 10 of the original and the copy of a T2M form shall be completed; if a further transshipment, of the type referred to in Article 330, takes place, box 12 of the original of that T2M form shall also be completed. The transshipment declaration shall be signed by both the masters concerned and the original of the T2M form shall be given to the master of the vessel to which the products or goods are transhipped. Any transshipment operation shall be recorded in the logbooks of both the vessels involved.

Article 332

1. Where products or goods covered by a T2M form go to a country or territory not forming part of the customs territory of the Community, the said form shall be valid only if the certification in box 13 of the form has been completed and endorsed by the customs authorities of that country or territory.
2. Where some of the products or goods do not come to the customs territory of the Community, the name, kind, gross mass and treatment or use assigned

to those consignments shall be entered in the "Remarks" box of the T2M form.

Article 333

1. Where products or goods covered by a T2M form go to country or territory not forming part of the customs territory of the Community for subsequent despatch in split consignments to that territory, the person concerned or his representative shall:

- (a) enter in the "Remarks" box of the initial T2M form the number of kind of packages, the gross mass, the treatment or use to which the consignment has been assigned and the number of the "Extract" referred to in point (b);
- (b) make out a T2M "Extract", using for this purpose an original form taken from a booklet of T2M forms issued in accordance with the provisions of Article 328.

Each "Extract", and its copy which shall remain in the T2M booklet, shall include a reference to the initial T2M form referred to in point (a) and shall be clearly marked with one of the following words:

- Extracto,
- Udskrift,
- Auszug,
- Απόσπασμα,
- Extract,
- Extrait,
- Estratto,
- Uittreksel,
- Extracto,
- Ote,
- Utdrag.

The T2M "Extract" accompanying the split consignment to the customs territory of the Community shall state in boxes 4, 5, 6, 7 and 8 the name, kind, CN code and quantity of products or goods making up that consignment. In addition, the certification in box 13 shall be completed and endorsed by the customs authorities of the country or territory where the products or goods remained while in transit.

2. When all the products and goods covered by the initial T2M form referred to in point (a) of paragraph 1 have been sent to the customs territory of the Community, the certification in box 13 of the form shall be completed and endorsed by the authorities referred to in that paragraph. The form shall then be sent to the customs office referred to in Article 328.

3. Where some of the products or goods do not come to the customs territory of the Community, the name, kind, gross mass and treatment or use assigned to the products or goods shall be entered in the "Remarks" box of the initial T2M form.

Article 334

All T2M forms, whether initial or "Extract", shall be presented at the customs office where the products or goods to which they refer are brought into the customs territory of the Community. However, where the products or goods are brought in under a transit procedure commencing outside that territory, the forms shall be presented at the customs office of destination for that procedure.

The authorities of the office may request a translation of the form. In addition, with a view to checking the accuracy of the particulars given in the T2M form, they may require the production of all relevant documents, including the vessels' papers where necessary. The office shall complete box C of each T2M form, a copy of which shall be sent to the customs office referred to in Article 328.

Article 335

By way of derogation from Articles 332, 333 and 334, where products or goods covered by a T2M form go to a third country that is a contracting party to the Convention on a common transit procedure, for reconsignment in full or split consignments to the customs territory of the Community under "T2" procedure, the particulars of the said procedure shall be entered in the "Remarks" box of the T2M form.

When all the products and/or goods covered by this T2M form have been sent to the customs territory of the Community, the certification in box 13 of the form shall be completed and endorsed by the customs authorities. A completed copy of the form, shall be sent to the customs office referred to in Article 328.

The provisions of Article 332 (2) shall apply as appropriate.

Article 336

The booklet containing the T2M forms shall be produced whenever the customs authorities so require.

When a vessel for which a booklet of T2M forms as referred to in Article 327 has been issued ceases to satisfy the conditions laid down, before all the forms have been used, or when all the forms in the booklet have been used or its period of validity has expired, the booklet shall be returned immediately to the customs office of issue.

Article 337

The provisions of Article 324 apply *mutatis mutandis*.

7. Articles 338, 339 and 340 are deleted.

8. In Article 348 the following paragraphs 1a and 1b are inserted:

'1a. In cases where the provisions of Article 362 are applied, or whenever the customs authorities consider it necessary, the office of departure may prescribe an itinerary for the consignment. The itinerary shall be changed, upon application by the principal, only by the customs authorities of the Member State in which the consignment is located in the course of its prescribed movement. The customs authorities shall record the relevant details on the T1 document and inform the customs authorities of the office of departure without delay.

Member States shall take the necessary measures to deal with any offence or irregularity and to impose effective penalties.

1b. In the case of *force majeure* the carrier may diverge from the prescribed itinerary. The consignment and the T1 document shall be presented without delay to the nearest customs authorities of the Member State in which the consignment is located. The customs authorities shall inform without delay the office of departure of the diversion and record the relevant details on the T1 document.'

9. In Article 356 the following paragraph 3a is inserted:

'3a. Whenever the customs authorities consider it necessary, or in cases where the provisions of Article 362 are applied, the office of destination may be changed, upon application by the principal, only by the customs authorities of the Member State in which the consignment is located and with the agreement of the office of departure. The customs authorities shall inform the previously intended office of destination and record the relevant details on the T1 document.'

10. Articles 360, 361 and 362 are replaced by the following:

Article 360

1. The use of the comprehensive guarantee shall be granted only to persons:

- (a) who are established in the Member State where the guarantee is furnished;
- (b) who have been regular users, either as principals or as consignors, of the Community transit system during the previous six months or are known by the customs authorities to have a good financial standing which is sufficient to fulfil their commitments; and
- (c) who have not committed any serious or repeated infringement of customs or tax laws.

2. A comprehensive guarantee shall be lodged with an office of guarantee.

3. The office of guarantee shall determine the amount of the guarantee, accept the guarantor's undertaking and issue an authorization allowing the principal to carry out, within the limits of the amounts guaranteed, any Community transit operation irrespective of the office of departure.

4. Each person who has obtained authorization shall, subject to the conditions laid down in Articles 363 to 366, be issued with one or more guarantee certificates made out on a form conforming to the specimen contained in Annex 51.

5. Reference to the guarantee certificate shall be made on each T1 document.

6. The office of guarantee shall revoke the authorization for the use of the comprehensive guarantee if the conditions referred to in paragraph 1 no longer obtain.

Article 361

1. The amount of the guarantee shall be set at least at 30 % of the duties and other charges payable, subject to a minimum level of ECU 7 000 in accordance with the procedures laid down in paragraph 2.

2. The office of guarantee shall make an evaluation over a period of a week of:

- (a) consignments made;
- (b) the duties and other charges payable taking account of the highest level of taxation applicable in one of the countries concerned.

This evaluation shall be made on the basis of the commercial and accounting documentation of the person concerned in respect of goods transported during the past year, the amount obtained then being divided by 52.

In the case of applicants for the use of the comprehensive guarantee the office of guarantee shall, in collaboration with the person concerned estimate the quantity, value and taxes applicable to the goods being transported over a given period based on data already available. The office of guarantee shall, by extrapolation, determine the likely value of and taxes on the goods to be transported during a period of one week.

3. The office of guarantee shall carry out an annual review of the amount of the comprehensive guarantee, in particular on the basis of information from the office of departure, and shall if appropriate adjust the amount.

Article 362

1. Either upon initiative of the Commission or following a request of a Member State, the use of the comprehensive guarantee shall be temporarily forbidden, when it is intended to cover external Community transit operations concerning goods which are the subject of a decision of the Commission, in accordance with the committee procedure, by which these goods are considered to present an increased risk of fraud.

2. The Commission shall publish, when necessary but at least once a year, the list of the goods to which the provisions of paragraph 1 apply, in the *Official Journal of the European Communities*, C series.

3. Periodically, but at least once a year, the Commission shall decide, in accordance with the committee procedure, whether or not the measures taken under paragraph 1 need to be continued.

Article 362a

For external Community transit operations concerning goods for which the provisions of Article 362 are applied the following measures shall apply:

- (a) the CN code shall be entered in the T1 document;
- (b) one of the following mentions in red should be marked diagonally across all copies of the T1 document and should occupy a space of not less than 100 mm by 10 mm:
 - Artículo 362 del Reglamento (CEE) n° 2454/93
 - Forordning (EØF) nr. 2454/93, artikel 362
 - Artikel 362 der Verordnung (EWG) Nr. 2454/93
 - Άρθρο 362 του κανονισμού (ΕΟΚ) αριθ. 2454/93
 - Article 362 of Regulation (EEC) No 2454/93
 - Article 362 du règlement (CEE) n° 2454/93
 - Articolo 362 del regolamento (CEE) n. 2454/93
 - Artikel 362 van Verordening (EEG) nr. 2454/93
 - Artigo 362º do Regulamento (CEE) nº 2454/93
 - Asetuksen (ETY) N:o 2454/93 362 artikla
 - Förordning (EEG) nr 2454/93 artikel 362;
- (c) return copies of T1 documents bearing this statement must be returned to the office of departure no later than the working day following the day that the consignment and the T1 form were presented at the office of destination.

11. In Article 368 (2) the second subparagraph is replaced by the following:

'In particular, a transport operation shall be considered as involving increased risks when it concerns goods to which, with respect to the use of the comprehensive guarantee, the provisions of Article 362 are applicable.'

12. Article 376 (2) is replaced by the following:

'2. The guarantee waiver shall not apply where, in accordance with the provisions of Article 362, the use of the comprehensive guarantee is forbidden.'

13. Article 380 is replaced by the following:

Article 380

Proof of the regularity of a transit operation within the meaning of Article 378 (1) shall be furnished to the satisfaction of the customs authorities:

- (a) by the production of a customs or commercial document certified by the customs authorities establishing that the goods in question were presented at the office of destination or, where Article 406 applies, to the authorized consignee. That document shall contain enough information to enable the said goods to be identified; or
- (b) by the production of a customs document placing the goods under a customs procedure in a third country or by a copy or photocopy thereof; such copy or photocopy must be certified as being a true copy by the organization which certified the original document, by the authorities of the third country concerned, or by the authorities of one of the Member States. The document shall contain enough information to enable the goods in question to be identified.'

14. In Article 453, paragraph 2 is replaced by the following:

'2. The Community status of the goods referred to in paragraph 1 shall be determined in accordance with Articles 314 to 324, or, where appropriate, with Articles 325 to 334 within the limits laid down in Article 326.'

15. The following Article 457a is inserted:

Article 457a

Where customs authorities of a Member State decide to exclude a person from the TIR procedure under the provisions of Article 38 of the TIR Convention, this decision shall apply throughout the customs territory of the Community.

To that end, the Member State shall communicate its decision, together with the date of application, to the other Member States and the Commission.

This decision shall apply to all TIR carnets presented to a customs office for acceptance.'

16. Point (a) of Article 503 is replaced by the following:

- '(a) "agricultural goods" means goods covered by the Regulations referred to in Article 1 of Council Regulation (EEC) No 565/80 (*) or goods coming under Council Regulation (EC) No 3448/93 (**) or Commission Regulation (EC) No 1222/94 (***) shall be treated as agricultural goods;

(*) OJ No L 62, 7. 3. 1980, p. 5.

(**) OJ No L 318, 20. 12. 1993, p. 18.

(***) OJ No L 136, 31. 5. 1994, p. 5.'

17. Article 536 (1) is replaced by the following:

'1. Where the customs authorities require Community goods other than those referred to in Article 98 (1) (b) and (3) of the Code which are stored on the premises of a customs warehouse to be listed in the stock records referred to in Article 105 of the Code in accordance with Article 106 (3) of the Code, the entry must make clear their customs status.'

18. The first subparagraph of Article 552 (1) (a) (v) is hereby replaced by the following:

'operations in which the value of the goods, by eight-digit CN code, does not exceed ECU 300 000 per applicant and per calendar year, irrespective of the number of operators carrying out the processing operation.'

19. The second subparagraph of Article 696 (2) is replaced by the following:

'The oral declaration of entry for the procedure shall constitute the application for authorization and the endorsement of the inventory by the customs office shall be equivalent to authorization.'

20. Article 698 is amended as follows:

- (a) The first subparagraph of paragraph 1 is replaced by the following:

'Travellers' personal effects and goods imported for sports purposes referred to in Article 684 shall be authorized for the temporary importation procedure without written or oral application or authorization.'

- (b) The following sentence is added to paragraph 2:

'In this case the simplified procedure provided for in Article 696 shall apply *mutatis mutandis*.'

21. Article 705 (2) is replaced by the following:

'2. Where Article 695 or Article 696 is applied, either the declaration referred to in paragraph 1 or the inventory, as the case may be, shall be lodged at the customs office which issued the authorization.'

22. Article 709 is replaced by the following:

Article 709

1. Where a customs debt is incurred in respect of goods previously entered for the procedure of temporary importation, compensatory interest shall be paid on the total amount of the import duty applicable.

2. Paragraph 1 shall not apply:
- (a) where a customs debt is incurred pursuant to Article 201 (1) (b) of the Code;
 - (b) where a customs debt is incurred and a security is provided by a cash deposit equal to one of the amounts of customs debt set out in Article 192 (1) of the Code;
 - (c) where a customs debt is incurred due to the release for free circulation of goods which were entered for the temporary importation procedure under Article 673, Article 678, Article 682, Article 684 or Article 684a;
 - (d) where compensatory interest, calculated in accordance with paragraph 3, does not exceed ECU 20 per case of a customs debt incurred;
 - (e) where the holder of the authorization requests release for free circulation and supplies proof that particular circumstances not arising from any negligence or deception on his part make it impossible or uneconomic to carry out the re-export operation under the conditions he had anticipated and duly substantiated when applying for the authorization. Article 589 (3) shall apply *mutatis mutandis*.
3. (a) The annual interest rates shall be those in force at the time when the customs debt is incurred and set pursuant to Article 589 (4) (a).
- (b) Interest shall be applied per calendar month for the period running from the first day of the month following the month in which the import goods were first entered for the procedure to the last day of the month in which the customs debt is incurred. The material period for the application of compensatory interest shall not be less than one month.
- (c) The amount of interest shall be calculated on the basis of the import duties applicable, the interest rate referred to in (a) and the period referred to in (b).
23. Annex 37 is amended in accordance with Annex I hereto.
24. Annex 38 is amended in accordance with Annex II hereto.
25. Annexes 43 and 44 are replaced by Annexes III and IV hereto.
26. Annexes 63, 64 and 65 are amended in accordance with Annex V hereto.
27. Annex 79 is amended in accordance with Annex VI hereto.
28. Annex 87 is amended in accordance with Annex VII hereto.
29. Annex 108 is amended in accordance with Annex VIII hereto.
30. Whenever they appear, the words 'Council Regulation (EEC) No 1736/75' are replaced by the words 'Council Regulation (EC) No 1172/95'.

Article 2

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

The measures which, in the context of external Community transit operations for certain goods, fixed the amount of the comprehensive guarantee at the level of either the total amount, or at 50 %, of the duties and other charges applicable or in respect of which use of the comprehensive guarantee is forbidden, and which were adopted on the basis of the rules applicable before the date of entry into force of this Regulation shall remain in force until the date of the first decision taken pursuant to Article 362 (1) of Regulation (EEC) No 2454/93, as amended by this Regulation, and in any event no later than 31 December 1996.

The new model forms provided for in this Regulation may be used as soon as it enters into force. Forms employed before that date may be used until stocks are exhausted but not after 31 December 1996.

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

Done at Brussels, 19 March 1996.

For the Commission

Mario MONTI

Member of the Commission

ANNEX I

Annex 37 is amended as follows:

In Title II, A, Box 15, the following text is inserted as the penultimate paragraph:

‘Regarding export formalities, the “Member State of actual export” is the Member State, other than the Member State of export, from which the goods were initially dispatched for the purpose of export, if the exporter is not established in the Member State of export. When the goods were not initially dispatched from another Member State for the purpose of export or when the exporter is established in the Member State of export, the Member State of export shall be the same as the Member State of actual export.’

ANNEX II

Annex 38 is amended as follows:

The table in 'Box 24' is replaced by the following:

Column A	Column B
1. Transactions involving actual or intended transfer of ownership against payment or other consideration (other than the transactions listed under 2, 7 and 8 ⁽¹⁾ ⁽²⁾ ⁽³⁾)	1. Final purchase/sale ⁽²⁾ 2. Goods dispatched for viewing, trial samples, goods dispatched with right of return and transactions involving commission 3. Transactions involving payment in kind 4. Sale to foreign travellers for their personal use 5. Financial leasing ⁽³⁾
2. Return of goods already recorded under code 1 ⁽⁴⁾ ; replacement of goods free of charge ⁽⁴⁾	1. Return of goods 2. Replacement for returned goods 3. Replacement (e.g. under terms of guarantee) for goods not returned
3. Transactions (not temporary in nature) involving transfer of ownership but without consideration (financial or otherwise)	1. Deliveries of goods under programmes wholly or partly financed by the European Community 2. Other government-aid deliveries 3. Other aid deliveries (individuals and non-governmental organizations) 4. Other transactions
4. Transactions with a view to processing under contract ⁽⁵⁾ or repair ⁽⁶⁾ (other than the transactions recorded under 7)	1. Processing 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
5. Transactions after processing under contract ⁽⁵⁾ or repair ⁽⁶⁾ (other than the transactions recorded under 7)	1. Processing 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
6. Transactions not involving transfer of ownership, e.g. hire, loan, operational leasing ⁽⁷⁾ and other temporary uses ⁽⁸⁾ , with the exception of processing under contract or repair (delivery and return)	1. Hire, loan, operational leasing 2. Other temporary uses
7. Transactions in connection with joint defence programmes or other intergovernmental production programmes (e.g. Airbus)	
8. Delivery of building material and equipment in connection with construction or civil engineering activities constituting part of a general contract ⁽⁹⁾	
9. Other transactions	

⁽¹⁾ This item covers most exports and imports, i.e. transactions in respect of which:

- ownership is transferred from resident to non-resident or vice versa,
- payment or other compensation (payment in kind) is or will be made.

It should be noted that this also applies to goods sent between entities of a same enterprise or of a same group of enterprises and to goods sent from/to central distribution depots, unless no payment or other compensation is made in respect of these transactions (in which case such transactions shall be listed under heading 3).

⁽²⁾ Including spare parts and other replacement deliveries made against payment.

⁽³⁾ Including financial leasing: the lease instalments are calculated in such a way as to cover all or virtually all the value of the goods. The benefits and risks of ownership are transferred to the lessee. At the end of the contract, the lessee becomes the legal owner.

⁽⁴⁾ Return and replacement dispatches of goods originally recorded under headings 3 to 9 of column A should be recorded under the corresponding headings.

⁽⁵⁾ Processing operations (whether or not under customs supervision) should be recorded under headings 4 and 5 of column A. Own-account processing operations are not covered by these headings and should be recorded under heading 1 of column A.

⁽⁶⁾ Repair entails the restoration of goods to their original function; this may involve some structural alterations or improvements.

⁽⁷⁾ Operational leasing: all lease contracts other than financial leasing (see note ⁽³⁾).

⁽⁸⁾ This item covers goods exported/imported with the intention of subsequent re-import/re-export without any change of ownership taking place.

⁽⁹⁾ The transactions recorded under heading 8 of column A involve goods which are not separately invoiced but for which a single invoice is made covering the total collective value. Where this is not the case, the transactions should be recorded under heading 1.

ANNEX III

ANNEX 43

FORM T2M

EUROPEAN COMMUNITY

1	1. Applicant (full name or name of company or business and full address)		T2M No A 000000					
	3. Declaration by the operator I the undersigned, hereby declare that the products and goods to be showed in boxes 4 and 6 have Community status. Date: (Signature)		2. Community fishing vessel Name: Recorded number: Base port: Flag:					
			A. Stamp of the fishing vessel registration authority ⁽¹⁾ Authority: Stamp Date:					
	4. Products of sea-fishing (Name and type)		5. Gross mass (kg) ⁽²⁾					
1	6. Goods obtained from the products referred to above (Kind)		7. CN Code	8. Gross mass (kg)				
9. Declaration by the master of the Community fishing vessel I the undersigned, (full name), master of the vessel shown in box 2, declare that the products referred to in box 4: — were caught by my vessel in waters other than the territorial waters of a country or territory outside Community customs territory, — have undergone on board my vessel processing which has been recorded on page of the logbook and that the goods obtained are described in box 6 ⁽³⁾ Date: Signature:								
10. Declaration in the event of a first transshipment from a Community fishing vessel The products and/or goods described in this document were transhipped onto the following vessel: <table style="width:100%;"> <tr> <td style="width:50%;">(a) Name:</td> <td style="width:50%;">(b) Registration number:</td> </tr> <tr> <td>(c) Flag:</td> <td>(d) Full name of master:</td> </tr> </table> The transshipment has been recorded on page of the logbook of the Community fishing vessel. Date: The transshipment has been recorded on page of the logbook of the vessel onto which the products and/or goods were transhipped. (Signature of the master of the Community fishing vessel) (Signature of the master of the receiving vessel)					(a) Name:	(b) Registration number:	(c) Flag:	(d) Full name of master:
(a) Name:	(b) Registration number:							
(c) Flag:	(d) Full name of master:							
			B. Office which issued the T2M form Customs office: Address: Member State: Stamp Date: Signature:					

⁽¹⁾ If this authority is the same as the customs office indicated in Box B, then the impression of the stamp is sufficient for completion of Box A.

⁽²⁾ Approximate figure.

⁽³⁾ Delete when no processing takes place on board.

11. Declaration when processing takes place on board the vessel onto which that catch has been transhipped (')

The products referred to in box 4 have undergone on board the vessel shown in box 10 processing which has been recorded on page of the logbook and the resulting goods are shown in box 6.

Date:

.....
(Signature of master)

12. Declaration in the event of a second transhipment without further processing

The products and/or goods referred to in this document have been transhipped onto the following vessel:

(a) Name:

(b) Registration number:

(c) Flag:

(d) Full name of master:

The transhipment has been recorded on page of the logbook of the vessel from which the products and/or goods were transhipped.

The transhipment has been recorded on page of the logbook of the vessel onto which the products and/or goods were transhipped.

Date:

.....
(Signature of the master of the transshipping vessel)

.....
(Signature of the master of the receiving vessel)

13. Certification by the customs authority of the country or territory not forming part of Community customs territory

The undersigned customs authority, hereby certifies that the products and/or goods referred to in boxes 4 and/or 6 were under customs supervision throughout their stay and have undergone no handling other than that necessary for their preservation.

Date of arrival of the products/goods:

Date of departure of the products/goods:

Means of transport used for reconsignments to Community customs territory:

Full address of the customs office:

Country or territory:

Stamp

Date:

.....
(Signature)

C. Stamp of the customs office where the products and/or goods were brought into the Community customs territory

Customs office:

Stamp

Member State:

Date:

**A copy of this form must be
sent to the customs office
indicated in box B**

REMARKS

(¹) Community fishing vessel or Community factory ship.

EUROPEAN COMMUNITY

2	1. Applicant (full name or name of company or business and full address)		T2M No A 000000	
	3. Declaration by the operator I the undersigned, hereby declare that the products and goods to be showed in boxes 4 and 6 have Community status. Date: (Signature)		2. Community fishing vessel Name: Recorded number: Base port: Flag:	
			A. Stamp of the fishing vessel registration authority ⁽¹⁾ Authority: Stamp Date:	
	4. Products of sea-fishing (Name and type)			5. Gross mass (kg) ⁽²⁾
COPY	6. Goods obtained from the products referred to above (Kind)		7. CN Code	8. Gross mass (kg)
	9. Declaration by the master of the Community fishing vessel I the undersigned, (full name), master of the vessel shown in box 2, declare that the products referred to in box 4: — were caught by my vessel in waters other than the territorial waters of a country or territory outside Community customs territory, — have undergone on board my vessel processing which has been recorded on page of the logbook and that the goods obtained are described in box 6 ⁽³⁾ Date: Signature:			
2	10. Declaration in the event of a first transhipment from a Community fishing vessel The products and/or goods described in this document were transhipped onto the following vessel: (a) Name: (c) Flag: The transhipment has been recorded on page of the logbook of the Community fishing vessel. Date: (b) Registration number: (d) Full name of master: The transhipment has been recorded on page of the logbook of the vessel onto which the products and/or goods were transhipped. (Signature of the master of the Community fishing vessel) (Signature of the master of the receiving vessel)			
	B. Office which issued the T2M form Customs office: Address: Member State: Stamp Date: Signature:			

⁽¹⁾ If this authority is the same as the customs office indicated in Box B, then the impression of the stamp is sufficient for completion of Box A.

⁽²⁾ Approximate figure.

⁽³⁾ Delete when no processing takes place on board.

*ANNEX IV**ANNEX 44***NOTES**

(to be added to the booklet containing the T2M forms)

I. General considerations

1. The purpose of a T2M form is to prove the Community status, upon entry into Community customs territory, of a catch made by a Community fishing vessel outside the territorial waters of a country or territory not forming part of Community customs territory and/or of goods obtained from such catches by processing carried out on board the Community fishing vessel which made the catch, another Community fishing vessel, or a Community factory ship.
2. The Community fishing vessel is a vessel which is registered and listed in a part of a Member State's territory forming part of Community customs territory, flies the flag of a Member State, makes the catch and may process it on board. The Community factory ship is a vessel, similarly registered or listed, which processes only transhipped catches.
3. This booklet contains 10 forms, each consisting of an original and a copy. The copies must not be separated from the booklet.
4. The booklet must be produced whenever the customs authorities so require.
5. It must be returned to the customs authorities by which it was issued when the vessel for which it was issued ceases to fulfil the conditions laid down, when all the forms contained in the booklet have been used or when the period of validity of the booklet expires.

II. Authentication of T2M forms

6. The forms must be completed in typescript or legibly by hand; if the latter, in ink and in printed characters. No erasures or alterations may be made. Amendments must be made by striking out the incorrect particulars and adding those required where appropriate. Any such amendments must be initialled by the person who signed the declaration containing them.
7. Boxes 1 to 3 of the form must be completed by the person indicated, in the language in which the form is printed. Boxes 4 to 12 of the form must be completed in one of the official Community languages.
8. The validity of the T2M forms contained in a booklet is guaranteed by the persence, in box A of both originals and copies, of an endorsement by the authority responsible for registering the Community fishing vessel for which the booklet was issued. The booklet is valid for two years from the date shown on page 2 of its cover.

III. Use of T2M forms

9. The master of the Community fishing vessel must complete boxes 4, 5 and/or boxes 6, 7, 8 and complete and sign the declaration in box 9, of the original and the copy of a T2M form whenever:
 - a catch and/or the goods resulting from on-board processing of a catch are landed either in a port in Community customs territory, or in another part from which they will leave for that territory,
 - the catch and/or goods are transhipped onto another Community fishing vessel, a Community factory ship — where the catch undergoes on-board processing — or any other vessel which transports the catch and/or goods without processing them, either directly to a port within Community customs territory or to a port not in Community customs territory from where they will leave for that territory. In this case the master of the Community fishing vessel and the master of the vessel onto which the catch and/or goods are transhipped must complete and sign box 10 of the original and the copy.
10. Where appropriate, the master of the vessel onto which a Community fishing vessel's catch has been transhipped to undergo on-board processing must complete boxes 6, 7 and 8, and complete and sign the declaration in box 11 of the original whenever:
 - goods resulting from on-board processing are landed either in a port in Community customs territory, or in a port not in Community customs territory from which they will leave for that territory,

- the goods are transhipped onto any other vessel which transports them without processing, either directly to a port in Community customs territory or to a port not in Community customs territory from where they will leave for that territory. In this case, the master of the processing vessel and the master of the vessel onto which the goods are transhipped must complete and sign box 12 of the original.
11. Where catch or goods have gone to a country or territory not forming part of Community customs territory before being shipped to Community customs territory, box 13 of the form must be completed and signed by the customs authorities of the country or territory. If a part of the catch or goods does not go to Community customs territory, the name, kind, gross mass and treatment or use assigned to the consignments concerned must be entered in the "Remarks" box of the form.
 12. Whenever catch and/or goods are transhipped for carriage to Community customs territory, they must be accompanied by the original of a T2M form.

IV. Use of "Extracts" of T2M forms

Where catch and/or goods have been transported to a country or territory not forming part of Community customs territory for later reconsignment to that territory in split consignments:

13. A number of original T2M forms equal to the number of split consignments must be taken from the booklet issued to the fishing vessel which made the catch and/or processed it into goods, and clearly marked with the word "Extract" and particulars of the T2M form for the initial consignment. This information must also be entered in the copies of the "Extracts" which must remain in the booklet.
14. For each split consignment:
 - boxes 4, 5 and/or 6, 7, 8 of the T2M "Extract" form must be completed, stating the quantities of catch and/or goods consigned,
 - box 13 of the original of the "Extract" form must be completed, endorsed and signed by the customs authorities of the country or territory concerned,
 - the number and kind of packages, the gross mass, the treatment or use assigned to the consignment and the number and date of the "Extract" form must be entered in the "Remarks" box of the initial T2M form,
 - the "Extract" form must accompany the consignment of catch and/or goods.
15. When all the catch and/or goods covered by the initial T2M form have been shipped to Community customs territory, box 13 of the form must be completed, endorsed and signed by the customs authorities of the country or territory concerned. This form must be sent to the office which issued the T2M booklet. If a part of the catch or goods does not go to Community customs territory, the name, kind and gross mass of the consignments concerned, and the treatment or use assigned, must be entered in the "Remarks" box on the form.

V. Discharge of T2M forms

16. All original T2M forms (initial or "Extract") must be presented to the customs office where the catch or goods to which it refers have been brought into Community customs territory. However, where such catch or goods are brought into Community customs territory under a transit procedure and the corresponding operation began outside that territory, the T2M forms must be presented to the customs office of destination for that procedure.

ANNEX V

Annexes 63, 64 and 65 are amended as follows:

The separation between the second and third subdivisions of:

- box 33 of the Control Copy T5,
- box 33 of the Control Copy T5a and
- the column entitled 'Commodity' of the T5 loading list shall be moved one-tenth of an inch (2,54 mm) to the left.

ANNEX VI

In Annex 79, the following serial numbers shall be replaced by the following:

Serial No	CN code and description of the compensating products		Processing operations from which they result
'12	0504 00 00	— Guts, bladders and stomachs of animals (other than fish) whole and pieces thereof	Slaughtering and cutting animals of Chapter I
22	ex 0511 99	— Waste from the procedures in column 3	Slaughtering animals of Chapter I, any working or processing of meat'

ANNEX VII

The following point is added to Annex 87:

Order No	Column 1	Column 2
	Goods for which processing under customs control is authorized	Processing which may be carried out
'15	Castor oil falling within CN code 1515 30 90	Processing into: — hydrogenated castor oil ("opalwax") of CN code 1516 20 10 — 12-hydroxystearic acid (purity less than 90 %) of CN code 3823 19 10 — 12-hydroxystearic acid (purity 90 % or more) of CN code 2918 19 90 — glycerol of CN code 2905 45 00'

ANNEX VIII

Annex 108 is modified as follows:

The text after 'HELLENIC REPUBLIC' is replaced by the following text:

'Free zone of Piraeus
Free zone of Thessaloniki'

COMMISSION REGULATION (EC) No 483/96
of 19 March 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 Commission Regulation (EC) No 2916/95 ⁽²⁾, and in particular 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 462/96 ⁽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 20 March 1996.

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

Done at Brussels, 19 March 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 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 19 March 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
	06	15,00
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	35,00
0408 99 80 100	01	9,00

⁽¹⁾ The destinations are as follows:

- 01 All destinations except Switzerland,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong and Russia,
- 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.
- 06 South Korea, Japan, Malaysia, Thailand and Taiwan,

⁽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 462/96 are observed.

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

COMMISSION REGULATION (EC) No 484/96
of 19 March 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 462/96⁽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 20 March 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 65, 15. 3. 1996, 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, 19 March 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 19 March 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	1,10	0207 25 10 000	04	8,00
0105 11 19 000	01	1,10	0207 25 90 000	04	8,00
0105 11 91 000	01	1,10	0207 14 20 900	05	6,00
0105 11 99 000	01	1,10	0207 14 60 900	05	6,00
		ECU/100 kg	0207 14 70 190	05	6,00
0207 12 10 900	02	27,00	0207 14 70 290	05	6,00
	03	7,00	0207 27 10 990	05	8,00
0207 12 90 190	02	30,00	0207 27 60 000	04	6,50
	03	7,00	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 462/96 are observed.

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

**COMMISSION REGULATION (EC) No 485/96
of 19 March 1996**

**on the issuing of import licences for bananas under the tariff quota for the
second quarter of 1996 and on the submission of new applications**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 1442/93 ⁽³⁾, as last amended by Regulation (EC) No 1164/95 ⁽⁴⁾, lays down detailed rules for the application of the arrangements for importing bananas into the Community; whereas Commission Regulation (EC) No 478/95 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, lays down additional rules for the application of the tariff quota arrangements laid down in Articles 18 and 19 of Regulation (EEC) No 404/93;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93, as amended by Regulation (EC) No 478/95, lays down that, where, in the case of a given quarter of origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators appreciably exceed the indicative quantity fixed, a reduction percentage to be applied to applications shall be set; whereas, however, that provision does not apply to applications relating to 150 tonnes or less;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1442/93, the indicative quantities for import under the tariff quota are laid down for the second quarter of 1996 in Commission Regulation (EC) No 357/96 ⁽⁷⁾;

Whereas in the case of the quantities covered by licence applications that are either less than or not significantly more than the indicative quantities fixed for the quarter in question, licences are issued for the quantities applied for; whereas, however, for certain origins, the quantities applied for considerably exceed the indicative quantities or the percentages set out in the Annex to Regulation (EC) No 478/95; whereas, therefore, a reduction percentage should be set to be applied to each licence applica-

tion for the origin or origins involved and category of licence in question;

Whereas, the maximum quantity for which such licence applications may still be submitted should be set taking account of the indicative quantities fixed by Regulation (EC) No 357/96 and the applications accepted at the end of the application period running from 1 to 7 March 1996;

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

Whereas the Management Committee for Bananas has not issued an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas, provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, for the second quarter of 1996:

- (a) for the quantity indicated in the licence application, multiplied by reduction coefficients of 0,7213, 0,8072 and 0,5212 for applications indicating the origins 'Dominican Republic', 'Costa Rica: category B' and 'Others' respectively;
- (b) for the quantity indicated in the licence application where the application is for a quantity of 150 tonnes or less;
- (c) for the quantity indicated in the licence application where it refers to an origin other than that referred to in point (a) above.

Article 2

The quantities for which licence applications may still be lodged in respect of the second quarter of 1996 are laid down in the Annex hereto.

Article 3

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

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 14.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 50, 29. 2. 1996, p. 19.

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

Done at Brussels, 19 March 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

	(in tonnes)
	Quantities available for new requests
COLOMBIA	
— Categories A and C	101 092,053
— Category B	36 598,803
COSTA RICA	
— Categories A and C	99 914,565
VENEZUELA	9 039,700
BELIZE	4 800,000
CAMEROON	2 187,750
CÔTE D'IVOIRE	1 762,000
Other ACP	1 022,309

COMMISSION REGULATION (EC) No 486/96

of 19 March 1996

on the issuing of licences for traditional imports of bananas originating in the ACP States for the second quarter of 1996

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community⁽³⁾, as last amended by Regulation (EC) No 1164/95⁽⁴⁾, and in particular Article 16 (1) and (2) thereof,

Whereas Article 16 (2) of Regulation (EEC) No 1442/93 provides that where the quantities of bananas originating in one and the same ACP State listed in the Annex to Regulation (EEC) No 404/93 for which import licences are applied for exceed the quantity fixed for the period in question, the Commission is to set a single reduction percentage to all licence applications mentioning that country of origin;

Whereas Commission Regulation (EC) No 357/96⁽⁵⁾ fixes quantities for imports of bananas into the Community for the second quarter of 1996 for imports originating in the ACP States under the traditional quantities imported;

Whereas, for Cameroon and Côte d'Ivoire the quantities requested for traditional imports of ACP bananas during the second quarter of 1996 are higher than the quantities fixed by Regulation (EC) No 357/96; whereas, as a result, a single reduction percentage should be fixed for each

application indicating this country of origin pursuant to Article 16 (2) of Regulation (EEC) No 1442/93;

Whereas, according to information held by the Commission, import licence applications covering quantities substantially exceeding those available and exceeding those fixed for the second quarter have been submitted in respect of Somalia; whereas, moreover, those applications are accompanied by documents certifying origin issued by a variety of bodies; whereas, since the reliability of such documents is doubtful and cannot authorize imports under the requisite conditions, a reducing factor should not be fixed under the present circumstances;

Whereas this Regulation should take effect without delay in order to allow licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the second quarter of 1996, as regards licence applications for traditional imports of bananas originating in the ACP States, import licences shall be issued:

- for the quantity indicated in the licence application, multiplied by reduction coefficients of 0,9999 and 0,9999 for applications indicating the origins 'Cameroon' and 'Côte d'Ivoire';
- in the case of applications indicating other origins, for the quantities indicated in the application.

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, 19 March 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 14.

⁽⁵⁾ OJ No L 50, 29. 2. 1996, p. 19.

COMMISSION REGULATION (EC) No 487/96**of 19 March 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 453/96⁽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 20 March 1996.

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

Done at Brussels, 19 March 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 62, 13. 3. 1996, p. 18.

ANNEX

to the Commission Regulation of 19 March 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⁾	25,75	3,56
1701 11 90 ⁽¹⁾	25,75	8,66
1701 12 10 ⁽¹⁾	25,75	3,43
1701 12 90 ⁽¹⁾	25,75	8,23
1701 91 00 ⁽²⁾	32,18	9,14
1701 99 10 ⁽²⁾	32,18	4,68
1701 99 90 ⁽²⁾	32,18	4,68
1702 90 99 ⁽³⁾	0,32	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.

COMMISSION REGULATION (EC) No 488/96

of 19 March 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 Commis-

sion 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 20 March 1996.

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

Done at Brussels, 19 March 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 19 March 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	88,5	0805 30 20	052	76,7
	060	80,2		204	88,8
	064	59,6		220	74,0
	066	41,7		388	78,7
	068	62,3		400	72,7
	204	71,7		512	54,8
	208	44,0		520	66,5
	212	86,2		524	100,8
	624	175,8		528	67,4
	999	78,9		600	67,5
0707 00 15	052	111,4	0808 10 51, 0808 10 53, 0808 10 59	624	87,7
	053	156,2		999	76,0
	060	61,0		052	64,0
	066	53,8		064	78,6
	068	80,1		388	128,7
	204	144,3		400	75,5
	624	87,1		404	67,8
	999	99,1		508	124,0
0709 10 10	220	348,5	0808 20 31	512	89,6
	999	348,5		524	107,3
0709 90 73	052	134,9		528	118,1
	204	77,5		624	86,5
	412	54,2		728	107,3
	624	248,3		800	78,0
	999	128,7		804	21,0
0805 10 01, 0805 10 05, 0805 10 09	052	39,1		999	88,2
	204	45,7		039	90,4
	208	58,0		052	86,2
	212	50,1		064	72,5
	220	49,6		388	74,9
	388	40,5		400	101,0
	400	54,2		512	60,5
	436	41,6		528	65,2
	448	26,1		624	79,0
	600	42,0		728	115,4
	624	51,7		800	55,8
	999	45,3		804	112,9
				999	83,1

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

COMMISSION DIRECTIVE 96/15/EC

of 14 March 1996

amending Directive 92/76/EEC recognizing protected zones exposed to particular plant health risks in the Community

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 the first subparagraph of Article 2 (1) (h) thereof,

Whereas under Commission Directive 92/76/EEC⁽³⁾, as last amended by Directive 95/65/EC⁽⁴⁾, certain zones in the Community were recognized as 'protected zones' in respect of certain harmful organisms for a period expiring on 1 April 1996;

Whereas, based on recent new information provided by Greece, it appears that it is no longer appropriate to maintain the 'protected zone' recognized for Greece in respect of *Ips typographus* Heer, because this organism seems to be present locally;

Whereas also from new information provided by Greece, Italy and Spain it appears that it is no longer appropriate to maintain the 'protected zones' recognized, for Greece in respect of *Phytophthora cinnamomi* Rands, for Italy in respect of *Curatobacterium flaccumfaciens* pv. *flaccumfaciens* (Hedges) Collins and Jones, and for Spain in respect of *Dendroctonus micans* Kugelan, *Ips amitinus* Eichhof, *Ips cembrae* Heer, *Ips duplicatus* Sahlberg and *Ips typographus* Heer to take account of the concern in relation to the production and distribution of the relevant host plants of these organisms; whereas, also the extent of the protected zones recognized for Spain in respect of *Anthonomus grandis* Boh. and for Spain and Portugal in respect of *Sternochetus mangiferae* Fabricius should be modified to take account of the concern in relation to the relevant production areas of *Gossypium* spp. and *Mangifera* spp. respectively;

Whereas from new information supplied by France a protected zone should be recognized for France in respect of Beet necrotic yellow vein virus;

Whereas, from information supplied by the United Kingdom and from the survey monitoring information gathered by Commission experts it appears that the provi-

sional recognition of the protected zone for the United Kingdom in respect of Beet necrotic yellow vein virus should be extended for a further period to enable the responsible official bodies of the United Kingdom to complete the information on the distribution of Beet necrotic yellow vein virus and to complete their efforts for the eradication of this harmful organism in the East Anglian area of the United Kingdom;

Whereas, furthermore, from information supplied by Ireland and Italy and from survey monitoring information gathered by Commission experts it appears that the provisional recognition of the protected zones for Ireland and Italy in respect of *Erwinia amylovora* (Burr.) Winsl. *et al.* should be extended for a further period to enable the responsible official bodies of Ireland and Italy to complete their efforts to eradicate the harmful organism in the area around Dublin and in the region of Apulia, respectively;

Whereas it should be established that the extension of the recognition beyond the dates referred to in Article 1, and any amendment to the list of protected zones referred to in Article 1, shall be made in accordance with the procedure laid down in Article 16a of Directive 77/93/EEC, taking into account the results of appropriate surveys based on Community conditions and monitored by Commission experts;

Whereas in absence of any extension of the recognition beyond the dates referred to in Article 1, the relevant protected zones cease on these dates, to be 'protected zones' within the meaning of Directive 77/93/EEC, including its Annexes;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 92/76/EEC is hereby amended as follows:

1. Article 1, first subparagraph shall be replaced as follows:

'The zones in the Community listed in the Annex are hereby recognized as "protected zones" referred to in the first subparagraph of Article 2 (1) (h) of Directive 77/93/EEC, in respect of harmful organism(s) listed against their names in the Annex; in the case of points (a) 17, (b) 3, (c) 5 and (d) 3, the said zones are recog-

(¹) OJ No L 26, 31. 1. 1977, p. 20.

(²) OJ No L 308, 21. 12. 1995, p. 77.

(³) OJ No L 305, 21. 10. 1992, p. 12.

(⁴) OJ No L 308, 21. 12. 1995, p. 75.

nized for a period expiring on 1 April 1996; in the case of (b) 2 for Ireland and the region of Apulia in Italy the said zones are recognized until 31 December 1997; and in the case of point (d) 1, for the United Kingdom, the said zone is recognized until 1 November 1999, and for France, the zone is recognized until 31 December 1997.'

2. In Article 2, the word 'date' shall be replaced by the word 'dates'.
3. The Annex shall be amended as indicated in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 1 April 1996. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official

publication. The procedure for such a reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission the essential provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 14 March 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

1. In point (a) 1, in the right hand column 'Greece, Spain' is replaced by 'Greece, Spain (Andalucia, Catalonia, Extremadura, Murcia, Valencia)'.
 2. In point (a) 4, in the right hand column 'Spain' is deleted.
 3. In points (a) 7, 8 and 9, in the right hand column 'Spain' is deleted.
 4. In point (a) 11, in the right hand column 'Greece, Spain' is deleted.
 5. In point (a) 15, the right hand column is altered as follows:
'Spain (Granada and Malaga), Portugal (Alentejo, Algarve and Madeira)'.
 6. In point (b) 1, in the right hand column 'Italy' is deleted.
 7. The point (c) 4 is deleted.
 8. In point (d) 1 the right hand column is replaced as follows:
'Denmark, Finland, France (Brittany), Ireland, Portugal (Azores), Sweden, United Kingdom'.
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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 March 1996

concerning a request for exemption lodged by the Federal Republic of Germany pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(96/212/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 93/81/EEC ⁽²⁾,

Whereas the authorities of the Federal Republic of Germany lodged a request, consolidated by the request of 14 December 1995, for approval, by the Commission, of an exemption pursuant to Article 8(2)(c) of Directive 70/156/EEC; whereas this request was accompanied by a report containing the information required by the above-mentioned Article 8; whereas this request concerns one type of gas discharge light source to be installed in one type of headlamp intended for use in motor vehicles;

Whereas the information submitted by the authorities of the Federal Republic of Germany shows that the technology and principle embodied in these new types of gas discharge light source and headlamp do not meet the requirements of Community regulations; whereas, however, the description of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements

of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps ⁽³⁾;

Whereas these new types of gas discharge light source and headlamp meet the requirements of Regulations adopted by the United Nations Economic Commission for Europe; whereas, this being the case, it is therefore justified to allow vehicles equipped with headlamps fitted with the lamps covered by the request for exemption to benefit immediately from the granting of EEC type approval on condition that the vehicles are equipped with an automatic beam levelling system, a headlamp cleaning system and a system guaranteeing a permanent dipped beam;

Whereas the Community Directive concerned will be amended in order to enable discharge lamps embodying this new technology and headlamps equipped with such lamps to be placed on the market;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee for the adaptation to technical progress of the Directives for the removal of technical barriers to trade in the motor vehicles sector, as set up by Directive 70/156/EEC,

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 264, 23. 10. 1993, p. 49.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 96.

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby approves the request lodged by the Federal Republic of Germany, consolidated by the request of 14 December 1995, pursuant to Article 8 (2) (c) of Directive 70/156/EEC, for an exemption concerning one type of gas discharge light source to be installed in one type of headlamp intended to be fitted to motor vehicles.

This request is granted on condition that such vehicles are equipped with an automatic beam levelling system, a

headlamp cleaning system and a system guaranteeing a permanent dipped beam.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 6 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION DECISION

of 6 March 1996

concerning a request for exemption lodged by the Federal Republic of Germany pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the German text is authentic)

(96/213/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers⁽¹⁾, as last amended by Commission Directive 93/81/EEC⁽²⁾,

Whereas on 13 October 1995 the authorities of the Federal Republic of Germany lodged a request for approval, by the Commission, of an exemption pursuant to Article 8(2)(c) of Directive 70/156/EEC; whereas this request was accompanied by a report containing the information required by the abovementioned Article 8; whereas this request concerns one type of gas discharge light source to be installed in three types of headlamps intended for use in motor vehicles;

Whereas the information submitted by the authorities of the Federal Republic of Germany shows that the technology and principle embodied in these new types of gas discharge light source and headlamp do not meet the requirements of Community regulations; whereas, however, the description of the tests, the results thereof and the action taken in order to ensure road safety are satisfactory and ensure a level of safety equivalent to that of the lamps and headlamps covered by the requirements of the Directives in force and, in particular, of Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps⁽³⁾;

Whereas these new types of gas discharge light source and headlamp meet the requirements of Regulations adopted by the United Nations Economic Commission for Europe; whereas, this being the case, it is therefore justified to allow vehicles equipped with headlamps fitted with the lamps covered by the request for exemption to benefit immediately from the granting of EEC type approval on condition that the vehicles are equipped with an automatic beam levelling system, a headlamp cleaning

system and a system guaranteeing a permanent dipped beam;

Whereas the Community Directive concerned will be amended in order to enable discharge lamps embodying this new technology and headlamps equipped with such lamps to be placed on the market;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee for the adaptation to technical progress of the Directives for the removal of technical barriers to trade in the motor vehicles sector, as set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby approves the request lodged on 13 October 1995 by the Federal Republic of Germany pursuant to Article 8(2)(c) of Directive 70/156/EEC, for an exemption concerning one type of gas discharge light source to be installed in two types of headlamps intended to be fitted to motor vehicles.

This request is granted on condition that such vehicles are equipped with an automatic beam levelling system, a headlamp cleaning system and a system guaranteeing a permanent dipped beam.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 6 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 264, 23. 10. 1993, p. 49.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 96.

COMMISSION DECISION

of 6 March 1996

concerning requests for exemption lodged by the Kingdom of the Netherlands pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Dutch text is authentic)

(96/214/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 93/81/EEC ⁽²⁾,

Whereas on 23 November 1995 and 6 December 1995 the authorities of the Kingdom of the Netherlands lodged requests for approval, by the Commission, of an exemption pursuant to Article 8 (2) (c) of Directive 70/156/EEC; whereas these requests contain the information required by the abovementioned Article 8; whereas these requests concern the fitting of five kinds of vehicle with a third stop lamp, as provided for in category ECE S3 by ECE (United Nations Economic Commission for Europe) Regulation No 7 and fitted in accordance with ECE Regulation No 48;

Whereas the reasons stated, whereby the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 89/516/EEC ⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 91/663/EEC ⁽⁶⁾, are justified; whereas the descriptions of the tests, the results thereof and their compliance with ECE Regulations Nos 7 and 48 ensure a satisfactory level of safety;

Whereas the Directives concerned will be amended in order to authorize the production and fitting of such stop

lamps; whereas, this being the case, it is therefore justified to authorize EEC type approval for the five kinds of vehicle fitted with the stop lamps covered by these requests;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee for the adaptation to technical progress of the Directives for the removal of technical barriers to trade in the motor vehicles sector, as set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby approves the two requests lodged by the Kingdom of the Netherlands on 23 November 1995 and 6 December 1995, pursuant to Article 8 (2) (c) of Directive 70/156/EEC, for an exemption concerning the production and fitting of a third stop lamp, as provided for in category ECE S3 by ECE Regulation No 7 and fitted in accordance with ECE Regulation No 48, with a view to granting EEC type-approval.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 6 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 264, 23. 10. 1993, p. 49.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ No L 265, 12. 9. 1989, p. 1.

⁽⁵⁾ OJ No L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ No L 366, 31. 12. 1991, p. 17.

COMMISSION DECISION

of 8 March 1996

concerning a request for exemption lodged by the Kingdom of the Netherlands pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Dutch text is authentic)

(96/215/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 93/81/EEC ⁽²⁾,

Whereas on 20 December 1995 the authorities of the Kingdom of the Netherlands lodged a request for approval, by the Commission, of an exemption pursuant to Article 8 (2) (c) of Directive 70/156/EEC; whereas this request contains the information required by the above-mentioned Article 8; whereas this request concerns the fitting of two kinds of vehicle with a third stop lamp, as provided for in category ECE S3 by ECE (United Nations Economic Commission for Europe) Regulation No 7 and fitted in accordance with ECE Regulation No 48;

Whereas the reasons stated, whereby the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 89/516/EEC ⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 91/663/EEC ⁽⁶⁾, are justified; whereas the descriptions of the tests, the results thereof and their compliance with ECE Regulations Nos 7 and 48 ensure a satisfactory level of safety;

Whereas the Directives concerned will be amended in order to authorize the production and fitting of such stop

lamps; whereas, this being the case, it is therefore justified to authorize EEC type approval for the two kinds of vehicle fitted with the stop lamps covered by these requests;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee for the adaptation to technical progress of the Directives for the removal of technical barriers to trade in the motor vehicles sector, as set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby approves the request lodged by the Kingdom of the Netherlands on 20 December 1995, pursuant to Article 8 (2) (c) of Directive 70/156/EEC, for an exemption concerning the production and fitting of a third stop lamp, as provided for in category ECE S3 by ECE Regulation No 7 and fitted in accordance with ECE Regulation No 48, with a view to granting EEC type-approval.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 8 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 264, 23. 10. 1993, p. 49.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ No L 265, 12. 9. 1989, p. 1.

⁽⁵⁾ OJ No L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ No L 366, 31. 12. 1991, p. 17.

COMMISSION DECISION

of 8 March 1996

concerning two requests for exemption lodged by the Italian Republic pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Italian text is authentic)

(96/216/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers⁽¹⁾, as last amended by Commission Directive 93/81/EEC⁽²⁾,

Whereas on 20 November 1995 the authorities of the Italian Republic lodged requests for approval, by the Commission, of an exemption pursuant to Article 8 (2) (c) of Directive 70/156/EEC; whereas these requests contain the information required by the abovementioned Article 8; whereas these requests concern the fitting of three kinds of vehicle with a third stop lamp, as provided for in category ECE S3 by ECE (United Nations Economic Commission for Europe) Regulation No 7 and fitted in accordance with ECE Regulation No 48;

Whereas the reasons stated, whereby the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers⁽³⁾, as last amended by Commission Directive 89/516/EEC⁽⁴⁾, and of Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽⁵⁾, as last amended by Commission Directive 91/663/EEC⁽⁶⁾, are justified; whereas the descriptions of the tests, the results thereof and their compliance with ECE Regulations Nos 7 and 48 ensure a satisfactory level of safety;

Whereas the Directives concerned will be amended in order to authorize the production and fitting of such stop

lamps; whereas, this being the case, it is therefore justified to authorize EEC type approval for the three kinds of vehicle fitted with the stop lamps covered by these requests;

Whereas the measure provided for by this Decision is in accordance with the opinion of the Committee for the adaptation to technical progress of the Directives for the removal of technical barriers to trade in the motor vehicles sector, as set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby approves the two requests lodged by the Italian Republic on 20 November 1995, pursuant to Article 8 (2) (c) of Directive 70/156/EEC, for an exemption concerning the production and fitting of a third stop lamp, as provided for in category ECE S3 by ECE Regulation No 7 and fitted in accordance with ECE Regulation No 48, with a view to granting EEC type-approval.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 8 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 264, 23. 10. 1993, p. 49.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ No L 265, 12. 9. 1989, p. 1.

⁽⁵⁾ OJ No L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ No L 366, 31. 12. 1991, p. 17.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1371/95 of 16 June 1995 laying down detailed rules for implementing the system of export licences in the egg sector

(Official Journal of the European Communities No L 133 of 17 June 1995)

Page 18, Articles 3 (6), second indent, third line:

for: '... Monday...',

read: '... Wednesday...'

Corrigendum to Commission Regulation (EC) No 472/96 of 15 March 1996 on the supply of common wheat flour intended for the people of Georgia, Armenia, Azerbaijan, Kyrgystan and Tajikistan

(Official Journal of the European Communities, No L 66 of 16 March 1996)

On page 4, in Article 3 (1):

for: '... 29 March 1996...',

read: '... 28 March 1996...'
