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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 584/96

of 11 March 1996

imposing a definitive anti-dumping duty on imports of certain tube or pipe fittings, of iron or steel, originating in the People's Republic of China, Croatia and Thailand, and collecting definitively the provisional duty imposed

THE COUNCIL OF THE EUROPEAN UNION,

B. SUBSEQUENT PROCEDURE

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3283/94 of 22 December 1994 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PROVISIONAL MEASURES

- (1) The Commission, by Regulation (EC) No 2318/95⁽³⁾, hereinafter referred to as 'the provisional duty Regulation', imposed a provisional anti-dumping duty on imports into the Community of certain tube or pipe fittings, of iron or steel, originating in the People's Republic of China, Croatia and Thailand.

By Regulation (EC) No 149/96⁽⁴⁾, the Council extended the validity of this duty for a period of two months expiring on 4 April 1996.

- (2) Subsequent to the imposition of the provisional anti-dumping duty, the interested parties who so requested were granted an opportunity to be heard by the Commission. Some of these parties also presented written submissions making known their views on the provisional findings.

- (3) The Commission continued to seek and verify all information it deemed necessary for its definitive findings. Upon request, parties were informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of a definitive duty and the definitive collection of amounts secured by way of a provisional duty. They were also granted a period within which to make representations subsequent to the disclosure.

- (4) The oral and written comments submitted by the interested parties were examined and, where appropriate, considered in the Commission's definitive findings.

- (5) Owing to the complexity of the investigation and the large volume of data and submissions received from the parties concerned, resulting in numerous requests for extension of deadlines, which were granted by the Commission when justified by the circumstances, the investigation could not be concluded within the period specified in Article 7 (9) of Regulation (EEC) No 2423/88.

C. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

- (6) Having excluded stainless steel fittings from the scope of the proceeding for the reasons stated in recitals 9 and 10 of the provisional duty Regulation,

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 1. Regulation as last amended by Regulation (EC) No 1251/95 (OJ No L 122, 2. 6. 1995, p. 1).

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 1. Regulation as last amended by Regulation (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 10).

⁽³⁾ OJ No L 234, 3. 10. 1995, p. 4.

⁽⁴⁾ OJ No L 23, 30. 1. 1996, p. 1.

the Commission had, for the purpose of the preliminary findings, determined that all other steel fittings under consideration, originating in the exporting countries concerned, were identical to, or closely resembled, those produced and sold in the Community and were to be considered 'like products' within the meaning of Article 2 (12) of Regulation (EEC) No 2423/88.

- (7) The two cooperating Chinese exporters and one independent importer of the Chinese product (hereinafter called 'the Chinese parties') claimed that fittings originating in China were, due to their inferior quality, not like products to the fittings produced in the Community. Furthermore, it was argued that the range of uses for the Chinese product was limited, in that it was often rejected by customers and that it had to be re-worked in some cases before resale.
- (8) With respect to these arguments, the Commission has established during the investigation that while there are some quality differences between the Chinese fittings and the Community products, all fittings are manufactured using basically the same production technology and in accordance with internationally recognized standards and specifications, resulting in products which are alike in their essential physical and technical characteristics. It was also established that the Chinese fittings are marketed through similar distribution channels, that their basic application and use are identical and that there is a high degree of interchangeability with the fittings commercialized in the Community by other operators. Thus, the investigation has shown that the Chinese fittings are competing with the fittings imported into the Community from Croatia and Thailand and with those produced and sold by the Community industry. This applies also to those fittings which are resold after re-working. Therefore, the allegations made by the Chinese parties with regard to the 'like product' issue are rejected.
- (9) As no comments have been presented by the other parties concerned regarding the product under consideration and the like product, the findings set out in recitals (7) to (12) of the provisional duty Regulation are confirmed.

D. DUMPING

1. Normal value

(a) *Choice of analogous country*

- (10) One of the cooperating Chinese exporters contested the choice of Thailand as a suitable

analogous market economy, alleging that the costs of production for the tube or pipe fittings concerned in Thailand and in the People's Republic of China were not comparable. It was argued that Thailand had no domestic production of steel tubes, which are the basic raw material to manufacture the fittings in question, and had therefore to rely exclusively on imported steel tubes. It was alleged that China, however, had a large domestic capacity and production of these steel tubes and that the input costs of the Chinese fittings producers for the basic raw material were therefore significantly lower compared to those of the Thai producers.

- (11) It should first be noted that the Chinese exporter did not produce any evidence to substantiate its claim. In addition, no suggestion as to the choice of a more appropriate analogous country has been received, neither from the Chinese exporter in question nor from any of the other parties concerned.
- (12) Furthermore, it has to be pointed out that the People's Republic of China is a non-market economy country, i.e. a country where the means of production, in full or in part, belong to, or depend on, the State. This involvement prevents the establishment of reliable domestic prices and costs which could otherwise be used to establish normal value.
- (13) As concerns more specifically the determination of normal value in Thailand, the Commission, at the stage of provisional findings, had already taken account of the particular situation of the Thai producers with regard to their supply of steel tubes used as the basic raw material for the production of the fittings concerned. In fact, since there is no production of steel tubes in Thailand, the entire raw material in the form of steel tubes was imported by the Thai producers and purchased at world market prices. The on-spot verification revealed that import charges and indirect taxes were assessed on all imported steel tubes. It was found, however, that these charges were refunded in respect of those fittings which were exported to the Community. For the purpose of ensuring a fair comparison, therefore, and in accordance with Article 2 (10) (b) of Regulation (EEC) No 2423/88, normal value in Thailand was reduced by an amount corresponding to import charges and indirect taxes levied on the steel tubes used to manufacture the tube fittings concerned which were sold on the domestic market in Thailand.

(b) *Final findings on normal value*

- (14) As no new evidence has been submitted by the other parties since the imposition of the provi-

onal duty, the findings on normal value with regard to all exporting countries concerned as set out in recitals (13) to (27) of the provisional duty Regulation are considered therefore to be definitive.

2. Export price

- (15) Export prices for all producers and exporters of the countries concerned were determined as explained in recitals (28) to (31) of the provisional duty Regulation and are, in the absence of any relevant new arguments, considered definitive.

3. Comparison

- (16) Normal values, by product type, were compared at an ex-factory level with the export price for the corresponding type at the same level of trade, based on a weighted average for the entire investigation period. Adjustments were made, where appropriate, in respect of differences affecting price comparability, i.e. import charges and indirect taxes, transport, insurance, handling and ancillary cost as well as packing, payment terms and salesmen's salaries. Since no relevant new information was provided, the findings and conclusions as laid down in recital (32) of the provisional duty Regulation are therefore confirmed.

4. Dumping margin

- (17) The weighted average dumping margins definitively established for the countries and companies in question, expressed as percentages of the cif Community frontier prices, customs duty unpaid, are the following:

People's Republic of China:	58,6 %
Croatia:	58,6 %
Thailand:	
— Awaji:	39,5 %
— Benkan:	51,3 %
— TTU:	63,4 %.

- (18) With regard to the dumping margins for producers and exporters of the countries concerned which did not cooperate in this proceeding, the findings to apply the highest dumping margin found for an exporter in the country concerned as set out in recital (36) of the provisional duty Regulation are, in the absence of any new arguments, hereby confirmed.

E. COMMUNITY INDUSTRY

- (19) The Chinese parties challenged the Commission's finding in recital 40 of the provisional duty Regulation that the complainant producers represented a major proportion of Community production of the fittings in question and could therefore be considered to be the Community industry in terms of Article 4 (5) of Regulation (EEC) No 2423/88. They argued, in particular, that following the exclusion of stainless steel fittings fittings and one Italian producer from the scope of the investigation, the remaining producers could not be considered sufficiently representative of the Community industry. They claimed further that the sales of the complainant producers largely comprised purchased fittings from other producers.
- (20) With regard to the first argument, the investigation revealed that fittings of stainless steel accounted only for a small proportion and were found not to exceed 1 % of the total production of the complainant producers.
- (21) As far as the exclusion of one complainant producer is concerned, it is confirmed that the Italian producer Tectubi, mentioned in recital (5) of the provisional duty Regulation, withdrew from the complaint on the grounds that the products it manufactured were outside the scope of the investigation and were not imported into the Community from the exporting countries concerned. When the Commission determined whether the production of the five remaining producers constituted a major proportion of the total Community production, the output of this producer was indeed excluded. On this basis, the remaining producers supporting the complaint and having cooperated represented 85 % of the total Community production of the products in question during the investigation period.
- (22) With regard to the purchase of fitting types by complainant producers, it should be recalled that almost all producers in this particular branch of the industry rely to a certain degree on the purchase of certain fitting types for the reasons set out in recital (38) of the provisional duty Regulation. In this respect, the investigation revealed that, for each of the complainant producers, the volume of purchased fittings for resale represented less than 5 % of their total production of the products concerned. This clearly corresponded to usual commercial behaviour of producers which had to supplement the range of products manufactured by them with a small proportion of imports in order to satisfy the requirement of the customers and to compete in the Community market.
- (23) In consideration of the above, the findings laid down in recitals (37) to (40) of the provisional duty Regulation with regard to the definition of Community industry are confirmed.

F. INJURY**1. Cumulation of dumped imports**

- (24) The Chinese parties contested the Commission's findings on cumulation of the dumped imports and claimed that, due to their inferior quality, fittings from China did not compete in the Community market either with fittings manufactured by Community producers, or with those imported from Croatia and Thailand. The first aspect of this argument has already been dealt with in recitals (7) and (8).
- (25) It was found during the investigation that the products in question imported from China, Croatia and Thailand were, on a type-by-type and dimension-by-dimension basis, alike in all respects, interchangeable and marketed in the Community within a comparable period and under similar commercial policies. The import volumes from each of these countries during the period under consideration were significant and the price trends similar.
- (26) Under these circumstances and in the absence of any new relevant information, the conclusions laid down in recitals (41) to (44) of the provisional duty Regulation with regard to cumulation of the dumped imports are confirmed.

2. Prices of the dumped imports

- (27) Prices of the dumped imports from the exporting countries concerned were found to be significantly below the prices charged by the Community producers on the Community market during the investigation period. The prices of the exporters concerned were compared with the sales prices on the Community market charged by the complainant producers, on a per-product-type basis and on the basis of weighted average prices at the same level of trade.
- (28) The Chinese parties claimed adjustments on behalf of differences in quality between their products exported to the Community and those sold by the complainant producers.
- (29) It should be stressed that, as is set out in recital (50) of the provisional duty Regulation, the import prices were, for the purpose of a fair comparison at a comparable level of trade, adjusted by an importer's mark-up which was established at 12 % with regard to the product imported from Croatia and Thailand. In the case of the Chinese product, however, an additional adjustment of 7 %, estimated on the basis of evidence provided regarding the re-working cost of rejected fittings, was granted for such material differences and had already been taken into account in establishing the price undercutting margins referred to in recital (51) of the provisional duty Regulation.

- (30) The claim made by the Chinese parties has therefore to be rejected, and the margins of price undercutting established provisionally for all exporting countries are confirmed.

3. Situation of the Community industry

- (31) It was claimed by the Chinese parties that the Community producers were profitable during the years 1990, 1991 and 1992 and therefore suffered no injury.
- (32) With regard to this claim, the investigation has shown that all the producers concerned were either in a situation of minimal and reducing profits or recurring losses, with an aggravation of these trends during the period of investigation.

4. Final conclusion on injury

- (33) In the light of the above and in the absence of any other arguments, the conclusions as set out in recitals (59) and (60) of the provisional duty Regulation that the Community industry has suffered material injury within the meaning of Article 4 (1) of Regulation (EEC) No 2423/88 are confirmed.

G. CAUSE OF INJURY

- (34) In the provisional duty Regulation, the Commission concluded that the dumped imports from the exporting countries in question caused material injury to the Community industry, on the grounds that the Community producers lost 11,5 % of the Community market between 1989 and the investigation period, while the dumped imports gained 11,8 % of the market in the same period. Moreover, almost all economic indicators of the Community industry were negative and there was a clear coincidence between the increase in dumped imports at low prices undercutting the Community producers' prices and the deterioration of the situation of the Community industry.
- (35) The Chinese parties claimed that the fittings imported from China could not have caused injury to the Community industry because these fittings are, due to their inferior quality, not a like product within the meaning of Regulation (EEC) No 2423/88. It was also claimed that the significant increase in imports of certain fittings of the products concerned from other third countries not covered by this proceeding, such as Austria (a third country at the time) and Switzerland, should have been taken into consideration when injury was determined.
- (36) With regard to the first argument, the Chinese fittings and those produced and sold in the Community are to be regarded as a like product as definitively established in recitals (6) to (9). This argument is therefore to be rejected.

(37) With regard to the increase of certain imports from Austria and Switzerland, it was found during the investigation that total imports of the fittings under consideration from Switzerland declined from 2 813 tonnes in 1989 to 2 153 tonnes in 1993, and that those originating in Austria were relatively stable at 6 251 tonnes in 1989 and 6 641 tonnes in 1993. Compared to the evolution of imports from the above countries, imports from China had jumped from 451 tonnes in 1989 to 4 146 tonnes in 1993, i.e. by more than 800 %.

(38) Moreover, according to Eurostat data, average prices of imports of the like product from Switzerland and Austria and from most of the other third countries not subject to the proceeding were found to be significantly higher than those of the dumped imports, and there was no indication that the imports from these countries were dumped. It is therefore considered unlikely that the imports from other third countries have caused injury to the Community industry. In any event, even if they had contributed to the injury suffered by the Community industry, it remains that the dumped imports from the three exporting countries concerned have, taken in isolation, caused material injury to the Community industry.

The preliminary findings with regard to causation as set out in recitals (61) to (69) of the provisional duty Regulation are therefore confirmed.

H. COMMUNITY INTEREST

(39) As was stated in recital (70) of the provisional duty Regulation, in assessing the Community interest, the need to eliminate the trade distorting effects of injurious dumping and to restore effective competition should be given special consideration. In recital (71) to (75) of the provisional duty Regulation, the Commission, for the purpose of the provisional findings, had determined that, in accordance with Article 11 of Regulation (EEC) No 2423/88, the imposition of provisional anti-dumping measures was in the interests of the Community.

(40) The Chinese parties argued that the adoption of anti-dumping measures would not be in the interests of the Community user industry. This claim was not substantiated by any relevant evidence. In addition, no observations were received from any Community user of the product concerned imported from China, Croatia or Thailand following the imposition of provisional anti-dumping duties.

(41) In the absence of any further substantiated evidence, the conclusion reached in recital (75) of the provisional duty Regulation, that it is in the Community interest to impose anti-dumping

measures to eliminate the injurious effects of the dumped imports under consideration, is confirmed.

I. UNDERTAKING

(42) Having been informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of definitive anti-dumping duties, the Croatian producer and the three Thai producers which cooperated in this investigation offered undertakings concerning their exports of the products in question to the Community. After examination of these offers, the Commission considered the undertakings as acceptable since they would eliminate the injurious effects of dumping pursuant to Article 10 (2) (b) of Regulation (EEC) No 2423/88 and could be satisfactorily monitored.

(43) The Commission consulted the Advisory Committee on the acceptance of these undertakings and, since some objections were raised, sent a report on these consultations to the Council. In accordance with Articles 9 and 10 (1) of Regulation (EEC) No 2423/88, the undertakings offered were accepted by Commission Decision 96/252/EC⁽¹⁾.

(44) Notwithstanding the acceptance of the undertakings offered by the Croatian and Thai exporters, a residual duty should be imposed on imports of the products concerned originating in Croatia and Thailand, in order to underpin the undertakings by avoiding their circumvention.

(45) As far as the People's Republic of China is concerned, the two cooperating Chinese exporters informed the Commission, following the disclosure of definitive findings, of their intention to propose an offer of an undertaking together with, allegedly, an offer of the Chinese authorities (MOFTEC) with regard to the control of the exports to the Community. However, no concrete offer from the Chinese exporters concerned nor any proposal from the Chinese authorities with a view to establishing an export control system was received by the Commission.

In these circumstances, it has been concluded that definitive measures with regard to the People's Republic of China should be imposed in the form of *ad valorem* anti-dumping duties.

J. DUTY

(46) Provisional measures took the form of *ad valorem* anti-dumping duties. They were, depending on the country concerned, imposed in accordance with the

⁽¹⁾ See page 46 of this Official Journal.

'Lesser duty rule' at rates based either on the injury elimination margin or the dumping margin established. Where the injury margin was lower than the respective dumping margin found, the duty was based on this lower level. In all other cases the provisional duty was limited to the dumping margin. Since no change in dumping and injury findings was made, the provisional findings as set out in recitals (76) to (82) of the provisional duty Regulation are hereby confirmed.

- (47) For exporters in each of the exporting countries concerned who neither replied to the Commission's questionnaire nor otherwise made themselves known, and in the absence of any comments on the approach outlined in recital 81 of the provisional duty Regulation, the highest level of duty established for an exporter in the country concerned should apply.
- (48) For the reasons outlined in recital 34 of the provisional duty Regulation, a single duty has been established for all producers and exporters concerned of the People's Republic of China.
- (49) On this basis, definitive anti-dumping duties, in the form of *ad valorem* duties, should be imposed as follows:

Rate of duty

— People's Republic of China	58,6 %
— Croatia	38,4 %
— Thailand	58,9 %.

This duty should not apply to imports of the products concerned manufactured and exported to the Community by the Croatian and Thai exporters from which undertakings have been accepted.

K. COLLECTION OF PROVISIONAL DUTY

- (50) In view of the level of dumping margins found and the seriousness of the injury caused to the Community industry, it is considered necessary that the amounts secured by way of the provisional anti-dumping duty for all companies should be definitively collected in full,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of tube or pipe fittings (other than cast

fittings, flanges and threaded fittings), of iron or steel (not including stainless steel), with a greatest external diameter not exceeding 609,6 mm, of a kind used for butt-welding or other purposes, falling within CN codes ex 7307 93 11 (Taric code 7307 93 11*90), ex 7307 93 19 (Taric code 7307 93 19*90), ex 7307 99 30 (Taric code 7307 99 30*91) and ex 7307 99 90 (Taric code 7307 99 90*91) and originating in the People's Republic of China, Croatia and Thailand.

2. The rate of duty applicable to the net, free-at-Community-frontier price, before duty, shall be as follows:

	Rate of duty	Taric additional code
People's Republic of China	58,6 %	—
Croatia	38,4 %	8881
Thailand	58,9 %	8851

with the exception of imports of the products concerned which are manufactured and sold for export to the Community by the following companies from which undertakings have been accepted:

- Croatia (Taric additional code 8880):
- Zeljezara Sisak, Zagreb,
- Thailand (Taric additional code 8850):
- Awaji Sangyo (Thailand) Co. Ltd, Samutprakarn,
- Thai Benkan Co. Ltd, Prapadaeng-Samutprakarn,
- TTU Industrial Corp. Ltd, Bangkok.

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

The amounts secured by way of the provisional anti-dumping duty pursuant to Regulation (EC) No 2318/95 shall be definitively collected in full.

Article 3

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

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

Done at Brussels, 11 March 1996.

For the Council

The President

L. DINI

COUNCIL REGULATION (EC) No 585/96

of 28 March 1996

amending, for certain products originating in Israel, Regulation (EC) No 1981/94 opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the Occupied Territories, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas, and Regulation (EC) No 934/95 establishing tariff ceilings and a Community statistical surveillance in the framework of reference quantities for a certain number of products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta, Morocco, and the Occupied Territories

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Community tariff quotas have been opened under Annex II to Regulation (EC) No 1981/94⁽¹⁾ for certain products originating in Israel;

Whereas reference quantities have been established under Annex II to Regulation (EC) No 934/95⁽²⁾ for certain products originating in Israel;

Whereas, pending the entry into force of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, signed in Brussels on 20 November 1995, an Interim Agreement between the European Community and the European Coal and Steel Community, of the one part, and the State of Israel, of the other part, on trade and trade-related matters was signed on 18 December 1995 and entered into force on 1 January 1996; whereas Protocol 1 and Annex VI of the said Interim Agreement concerning the arrangements applicable to the importation into the Community of agricultural products and processed agricultural products originating in Israel provide for tariff quotas to be opened or reference quantities established for certain products;

Whereas Regulations (EC) No 1981/94 and (EC) No 934/95 should therefore be amended as regards

products originating in Israel; whereas the amounts of the tariff quotas for some products are to be increased annually from 1 January 1997 to 1 January 2000 in four equal instalments each corresponding to 3 % of these amounts; whereas under the Agreement in the form of an exchange of letters between the Community and Israel, regarding the implementation of the Uruguay Round Agreements set out in the Final Act of the abovementioned Euro-Mediterranean Agreement, the Community has undertaken to guarantee to Israel the importation of 200 000 tonnes of oranges at reduced entry prices,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex II to Regulation (EC) No 1981/94 the table relating to Israel shall be replaced by the table set out in Annex I to this Regulation.

Article 2

In Annex II to Regulation (EC) No 934/95 the reference quantities for products originating in Israel shall be replaced by the reference quantities set out in Annex II to this Regulation.

Article 3

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

It shall apply from 1 January 1996.

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

Done at Brussels, 28 March 1996.

For the Council

The President

A. CLO

⁽¹⁾ OJ No L 199, 2. 8. 1994, p. 1. Regulation as last amended by Regulation (EC) No 3057/95 (OJ No L 326, 30. 12. 1995, p. 3).

⁽²⁾ OJ No L 96, 28. 4. 1995, p. 6.

ANNEX I

ANNEX II

ISRAEL

Order Number	CN code	Taric	Description	Quota volume per year or indicated period (in tonnes)	Quota duty (1)	Rate of reduction of customs duties excess of tariff quotas (%)
09.1306	0603 10		Fresh cut flowers and flower buds	19 500	exemption	0
09.1341	ex 0603 10 69	10 30	Other flowers and flower buds, fresh: — 1 January to 15 April 1996 — 1 November to 15 April of subsequent years	3 180 5 000	exemption	0
09.1351	0603 90		Dried flowers	100	exemption	0
09.1309	ex 0701 90 51	15	New potatoes: — 1 January to 31 March 1996 — 1 January to 31 March 1997 — 1 January to 31 March 1998 — 1 January to 31 March 1999 — 1 January to 31 March of subsequent years	20 000 20 600 21 200 21 800 22 400	exemption	0
09.1342	0702 00		Fresh or chilled tomatoes	1 000	exemption	0
09.1335	ex 0703 10 11 ex 0703 10 19 ex 0709 90 90	20 30 92 93 52 53 54	Fresh or chilled onions: 15 February to 15 May Wild onions of the species <i>Muscari comosum</i> : 15 February to 15 May	13 400	exemption	60
09.1311	ex 0704 90 90	92 94 95	Chinese cabbage: — 1 January to 31 March 1996 — 1 November 1996 to 31 March 1997 — 1 November 1997 to 31 March 1998 — 1 November 1998 to 31 March 1999 — 1 November to 31 March of subsequent years	600 1 030 1 060 1 190 1 120	exemption	0
09.1313	0705 11 05 ex 0705 11 10	35 39	"Iceberg" lettuce: — 1 January to 31 March 1996 — 1 November 1996 to 31 March 1997 — 1 November 1997 to 31 March 1998 — 1 November 1998 to 31 March 1999 — 1 November to 31 March of subsequent years	180 309 318 327 336	exemption	0
09.1317	ex 0706 10 00	11 14	Carrots: — 1 January to 30 April 1996 — 1 January to 30 April 1997 — 1 January to 30 April 1998 — 1 January to 30 April 1999 — 1 January to 30 April of subsequent years	6 100 6 283 6 466 6 649 6 832	exemption	40

[illegible]

Order Number	CN code	Taric	Description	Quota volume per year or indicated period (in tonnes)	Quota duty (')	Rate of reduction of customs duties excess of tariff quotas (%)
09.1325	ex 0805 20 11	11	Mandarins (including tangerines and satsumas): clementines, wilkings and similar citrus hybrids, fresh	21 000	exemption	60
		21				
		31				
		41				
		51				
		61				
	ex 0805 20 13	11				
		21				
		31				
		41				
		51				
		61				
	ex 0805 20 15	11				
		21				
		31				
		41				
		51				
		61				
	ex 0805 20 17	11				
		21				
		31				
		41				
		51				
		61				
	ex 0805 20 19	01				
		03				
		05				
		07				
		09				
		11				
		13				
		15				
		23				
		25				
		33				
		35				
		43				
		45				
		53				
	ex 0805 20 21	55				
		63				
		65				
		13				
		21				
	ex 0805 20 23	31				
		51				
		71				
		13				
		21				
	ex 0805 20 25	31				
		51				
		71				
		13				
		21				

Order Number	CN code	Taric	Description	Quota volume per year or indicated period (in tonnes)	Quota duty (')	Rate of reduction of customs duties excess of tariff quotas (%)
09.1325 (cont'd)	ex 0805 20 27	13				
		21				
		31				
		51				
		71				
	ex 0805 20 29	12				
		14				
		21				
		23				
		31				
		51				
		71				
		91				
	ex 0805 20 31	11				
		21				
		31				
		41				
		51				
	ex 0805 20 33	61				
		11				
		21				
		31				
		41				
	ex 0805 20 35	51				
		61				
		11				
		21				
		31				
	ex 0805 20 37	41				
		51				
		61				
	ex 0805 20 39	11				
		21				
		31				
		41				
		51				
09.1345	ex 0805 20 21	61	Mandarins (including tangerines and satsumas): clementines, wilkings and similar citrus hybrids, fresh: — 15 March to 30 September	14 000	exemption	0
		21				
		31				
	ex 0805 20 23	51				
		21				
		31				
	ex 0805 20 25	51				
		21				
		31				
	ex 0805 20 27	51				
		21				
		31				
		51				

[illegible]

[illegible]

Order Number	CN code	Taric	Description	Quota volume per year or indicated period (in tonnes)	Quota duty (%)	Rate of reduction of customs duties excess of tariff quotas (%)
09.1359	1905		Bread, pastry, cakes and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	3 200	70 % of the agricultural component	0
09.1307	2002 10 10		Peeled tomatoes	3 500	exemption	30
09.1348	2004 90 98		Other vegetables, frozen	1 000	exemption	0
09.1349	ex 2008 40 71 ex 2008 50 71 ex 2008 70 71 ex 2008 92 74 ex 2008 92 78 ex 2008 99 68	10 10 10 13 30 30	Slices of pear, fried in oil Slices of apricots, fried in oil Slices of peaches, fried in oil Mixtures of sliced fruits, fried in oil Mixtures of sliced fruits, fried in oil Slices of apples, fried in oil	100	exemption	0
09.1301	ex 2008 50 92 ex 2008 50 94	20 20	Apricot, pulp, not containing added spirit or sugar	180	exemption	0
09.1350	2008 92 51 2008 92 59 2008 92 72 2008 92 74 2008 92 76 2008 92 78		Fruit mixes	250	exemption	0
09.1331	2009 11 11 2009 11 19 2009 11 91 2009 11 99 2009 19 19 2009 19 91 2009 19 99		Orange juice	92 600	exemption	70
09.1333	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99 91 ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 19	10 10 10 10 91 10 10 10 10	Of which: orange juice imported in packages of a capacity of two litres or less	22 400	exemption	70

Order Number	CN code	Taric	Description	Quota volume per year or indicated period (in tonnes)	Quota duty ⁽¹⁾	Rate of reduction of customs duties excess of tariff quotas (%)
09.1319	2009 50		Tomato juice	10 200	exemption	60
09.1352	2204 21 10 ex 2204 21 79 ex 2204 21 79 ex 2204 21 80 ex 2204 21 80 ex 2204 21 83 ex 2204 21 83 ex 2204 21 83 ex 2204 21 84 ex 2204 21 84 ex 2204 21 84 ex 2204 21 94 ex 2204 21 94 ex 2204 21 98 ex 2204 21 98 ex 2204 21 99	79 80 79 80 10 79 80 10 79 80 10 80 80 10 80 10 80 80	Wine, other	1 610 hl	0	0

⁽¹⁾ The exemption or reduction applies only to the *ad valorem* duty, save for the products from order No 09.1352 to 09.1359.

⁽²⁾ Within a quota of 200 000 tonnes (Order No 09.1324), for 1 December 1995 to 31 May 1996, the price above which the specific additional duty provided for in the list of the Community's concessions to the WTO is reduced to 0 % is ECU 275 a tonne.

Where the entry price of a consignment is 2 %, 4 %, 6 % or 8 % lower than ECU 275 a tonne, the specific customs duty is respectively 2 %, 4 %, 6 % or 8 % of that entry price.

Where the entry price of a consignment is less than 92 % of ECU 275 a tonne, the specific customs duty bound at the WTO applies.'

ANNEX II

Reference quantities for products originating in Israel

Order Number	CN code	Taric	Description	Period	Origin	Reference quantity (in tonnes)
18.0060	ex 0709 30 00	10 20 30 60	Aubergines	1 December to 30 April of the following year	Israel	1 140
18.0120	0804 40		Avocados	1 January to 31 April	Israel	37 200
18.0130	ex 0806 10 29	46 50 60 70	Fresh table grapes	15 May to 14 July	Israel	2 280
18.0150	ex 0810 50 00	10	Kiwifruit	1 January to 30 April	Israel	240
18.0160	ex 0812 90 95	11 20	Other citrus fruit, comminuted, provisionally preserved	1 January to 31 December	Israel	1 320
18.0190	2008 30 51 2008 30 71		Grapefruit and pomelo segments	1 January to 31 December	Israel	16 440
18.0215	ex 2008 30 79	10	Grapefruit and pomelos, other than in segments	1 January to 31 December	Israel	2 400
18.0220	ex 2008 30 91	11 12 13 19 91 92	Grapefruit and pomelo segments Grapefruit and pomelos, other than in segments Citrus pulp Comminuted ground citrus fruits	1 January to 31 December	Israel	3 480
18.0225	ex 2008 30 99	11	Grapefruit and pomelo segments	1 January to 31 December	Israel	5 000
18.0240	2009 20 11 2009 20 19 2009 20 99		Grapefruit and pomelo juice	1 January to 31 December	Israel	34 440'

COMMISSION REGULATION (EC) No 586/96

of 1 April 1996

amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EC) No 344/96⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature, it is necessary to clarify the terms 'pullover' and 'waistcoat' used in Note 3(b) to Chapter 61 of the combined nomenclature; whereas for this purpose it is necessary to supplement Additional Note 1 to Chapter 61 of the combined nomenclature; whereas Annex I to Regulation (EEC) No 2658/87 has to be amended accordingly;

Whereas the Tariff and Statistical Nomenclature Section of the Customs Code Committee has not delivered an opinion within the time limit set by its chairman;

Article 1

The second paragraph of Additional Note 1 to Chapter 61 of Annex I to Regulation (EEC) No 2658/87 is replaced by the following:

'For this purpose:

- the fabric used can be unbleached, bleached, dyed, of yarns of different colours or printed,
- a pullover or waistcoat with ribbing is to be considered as a component of an ensemble even if there is no ribbing on the component intended to cover the lower part of the body, provided that the ribbing is not sewn on but produced directly by the knitting process.'

Article 2

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 1 April 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 49, 28. 2. 1996, p. 1.

COMMISSION REGULATION (EC) No 587/96

of 2 April 1996

amending Regulation (EEC) No 210/69 on communications between Member States and the Commission with regard to milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Commission Regulation (EC) No 2931/95⁽²⁾, and in particular Article 28 thereof,

Whereas Commission Regulation (EEC) No 210/69⁽³⁾, as last amended by Regulation (EC) No 2452/95⁽⁴⁾, specifies the market management information for milk products to be notified regularly to the Commission; whereas entry into force of the Agreement on Agriculture reached in the Uruguay Round of multilateral trade negotiations required, for the purposes of the commitments entered into thereunder, the provision of additional or more detailed information on exports, in particular on licence applications and their use from July 1995 onwards; whereas experience has shown that certain provisions on this additional information have been interpreted differently from one Member State to another; whereas they should therefore be made more precise;

Whereas Regulation (EC) No 398/96⁽⁵⁾, amending Regulation (EC) No 1466/95⁽⁶⁾, makes special provision in regard to exports of cheese to Canada; whereas the information to be transmitted in connection with these should be specified;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time set by its chairman,

Article 1

Article 6 of Regulation (EEC) No 210/69 is replaced by:

Article 6

Member States shall notify to the Commission:

1. every working day before 6 p.m.:

- (a) — the quantities, split up by code of the export refund nomenclature for milk products and by destination code, for which licences as referred to in Article 1 of Commission Regulation (EC) No 1466/95⁽⁷⁾ have been applied for on that day, or

— the fact that none has been applied for;

- (b) the quantities, split up by code of the export refund nomenclature for milk products and by destination code, for which provisional licences as referred to in Article 6 of Regulation (EC) No 1466/95 have been applied for on that day, giving the time limit for submission of tenders and the quantity covered by the invitation;
- (c) the quantities, split up by code of the export refund nomenclature for milk products and by destination code, for which licences as referred to at (b) have on that day been replaced by full licences or cancelled, giving the name of the agency that issued the tender and the date of and quantity covered by the provisional licence;

2. before the 16th of each month for the previous month:

- (a) the quantities, split up by code of the export refund nomenclature for milk products, for which licence applications have been cancelled under the second indent of Article 8 (3) (a) of Regulation (EC) No 1466/95, giving the refund rate;
- (b) the quantities, split up by code of the export refund nomenclature for milk products, for which licences have been returned under of the last subparagraph of Article 33 (2) of Commission Regulation (EEC) No 3719/88⁽⁸⁾, giving the refund rate;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 28, 5. 2. 1969, p. 1.

⁽⁴⁾ OJ No L 252, 20. 10. 1995, p. 12.

⁽⁵⁾ OJ No L 54, 5. 3. 1996, p. 26.

⁽⁶⁾ OJ No L 144, 28. 6. 1995, p. 22.

- (c) the quantities, split up by code of the export refund nomenclature for milk products, not exported following expiry of validity of the relevant licences, distinguishing full licences issued under Article 9a of Commission Regulation (EC) No 1466/95 and the giving refund rate;
 - (d) the quantities, split up by code of the export refund nomenclature for milk products, for which a change of code as referred to in the second subparagraph of Article 3 (1) of Regulation (EC) No 1466/95 has been authorized;
 - (e) the quantities, split up by code of the export refund nomenclature for milk products, for which full licences have been issued under Article 9a of Regulation (EC) No 1466/95;
3. before the 16th of each month for the previous month:
- (a) the quantities, split up by combined nomenclature code and by destination code, for which, with or without refund, the export formalities have been completed;
 - (b) the quantities, split up by code of the export refund nomenclature for milk products, for which the description has been modified in accordance with Article 3 (2) of Regulation (EC) No 1466/95, specifying whether point (a) or point (b) applies;
 - (c) the quantities, split up by code of the export refund nomenclature for milk products, to

which Article 20 (3) of Commission Regulation (EEC) No 3665/87 ^(*) has been applied, giving the difference between the refund for the destination shown on the licence and that actually applied.

- 4. on the last working day of each week, for the previous week, the quantities, split up by code of the export refund nomenclature for milk products, for which licences as referred to in Article 1a of Regulation (EC) No 1466/95 have been applied for, distinguishing between quantities involving and not involving a refund application.
- 5. the information indicated at (a) and (b) in point 1 shall be notified by IDES system and the other data by fax or telex.

^(*) OJ No L 144, 28. 6. 1995, p. 22.

^(**) OJ No L 331, 2. 12. 1988, p. 1.

^(***) OJ No L 351, 14. 12. 1987, p. 1.

Article 2

Member States shall ensure that notifications already made according to Article 6 (2) and (3) of Regulation (EEC) No 210/69 are supplemented in line with the requirements of this Regulation before 1 July 1996.

Article 3

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

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 588/96

of 2 April 1996

derogating from Regulation (EC) No 1372/95 regarding the date of issue of export licences in the poultrymeat sector during the week from 8 to 14 April 1996

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 Commission Regulation (EC) No 2916/95⁽²⁾, and in particular Articles 3 (2) and 8 (12) thereof,

Whereas Commission Regulation (EC) No 1372/95⁽³⁾, as last amended by Regulation (EC) No 180/96⁽⁴⁾, have laid down detailed rules for implementing the system of export licences in the poultrymeat sector;

Whereas Regulation (EC) No 1372/95 provides for the issue of export licences for products in the poultrymeat sector on Monday following the week during which the applications for licences have been lodged, provided that none of the particular measures have since been taken by the Commission;

Whereas administrative problems will arise during the week from the 1 to 7 April 1996 and it is therefore necessary to extend this delay for the applications lodged during this week to Wednesday 10 April 1996;

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

By derogation from Article 3 (3) of Regulation (EC) No 1372/95, the licences referred to therein, for which the applications have been lodged during the week from the 1 to 7 April 1996, on Wednesday 10 April 1996, provided that none of the particular measures referred to in Article 3 (4) of the said Regulation have since been taken by the Commission.

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, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 133, 17. 6. 1995, p. 26.

⁽⁴⁾ OJ No L 25, 1. 2. 1996, p. 27.

COMMISSION REGULATION (EC) No 589/96

of 2 April 1996

laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products originating in the ACP States or in the overseas countries and territories⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95⁽²⁾, and in particular Article 2 and 4 thereof,

Having regard to Decision No 6/95 of the ACP-EC Council of Ministers of 20 December 1995 on the transitional measures to be applied from 1 January 1996⁽³⁾, and in particular Articles 2 and 4 thereof,

Whereas, under the mid-term review of the Fourth ACP-EC Convention, the arrangements for the importation of beef and veal from certain ACP States provided for the reduction in the specific customs duty referred to in Protocol 7 to the Convention to be increased from 90 % to 92 %; whereas in the case of Namibia the quantities benefiting from the specific import arrangements were fixed at 13 000 tonnes; whereas these changes to the arrangements constitute clear and unconditional commitments;

Whereas by its Decision No 6/95 the ACP-EC Council of Ministers adopted as transitional measures valid until the entry into force of the Agreement amending the Lomé Convention the provisions permitting some of the amendments to the Convention to enter into force in advance; whereas under that Decision the provisions concerning beef and veal are to apply from 1 January 1996;

Whereas arrangements to implement these measures should be adopted; whereas it is appropriate to bring together in a single Commission Regulation all the provisions concerning the arrangements for the importation of beef and veal from the ACP States, including those concerning the application for and issue of import licences, and to repeal Commission Regulation (EC) No 1636/95 of 5 July 1995 temporarily adapting the special import arrangements in the beef sector provided for in Council Regulation (EEC) No 715/90 with the view to the implementa-

tion of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations⁽⁴⁾;

Whereas the arrangements in question should be managed using import licences; whereas to this end rules should be set on the submission of applications and the information to be given on applications and licences, by way of derogation, if necessary, from certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 2137/95⁽⁶⁾, and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽⁷⁾, as last amended by Regulation (EC) No 2856/95⁽⁸⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boneless meat, fixed in Article 4 of Regulation (EEC) No 715/90. In the case of Namibia, import licences shall be issued for an annual quantity not exceeding 13 000 tonnes.

2. For the purpose of this Regulation, 100 kilograms of boneless beef shall be equal to:

- 130 kilograms of bone-in beef,
- 260 kilograms of live bovine animals,
- 100 kilograms of products falling under CN codes 0206, 0210 and 1602.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 327, 30. 12. 1995, p. 32.

⁽⁴⁾ OJ No L 155, 6. 7. 1995, p. 25.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁷⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁸⁾ OJ No L 299, 12. 12. 1995, p. 10.

Article 2

1. The specific rate of customs duty fixed in the Common Customs Tariff shall be reduced by 92 % for products referred to in Annex I and being imported under the present Regulation.

2. Notwithstanding Article 8 (4) of Commission Regulation (EEC) No 3719/88, the reduction referred to in paragraph 1 shall not apply on quantities exceeding those indicated in the import licence.

Article 3

1. Applications for import licences and the licences themselves for products to be imported free of *ad valorem* customs duty pursuant to Article 2 of Regulation (EEC) No 715/90 and qualifying for a reduction of the specific rate of customs duties fixed in the Common Customs Tariff in accordance with Article 3 of the said Regulation shall contain:

(a) under the heading 'notes' and in Section 24 respectively, one of the following:

- Product ACP — Reglamentos (CEE) n° 715/90 y (CE) n° 589/96
- AVS-produkt — forordning (EØF) nr. 715/90 og (EF) nr. 589/96
- AKP-Erzeugnis — Verordnungen (EWG) Nr. 715/90 und (EG) Nr. 589/96
- Προϊόν ΑΚΕ — Κανονισμοί (ΕΟΚ) αριθ. 715/90 και (ΕΚ) αριθ. 589/96
- ACP product — Regulations (EEC) No 715/90 and (EC) No 589/96
- Produit ACP — règlements (CEE) n° 715/90 et (CE) n° 589/96
- Prodotto ACP — regolamenti (CEE) n. 715/90 e (CE) n. 589/96
- ACS-produkt — Verordeningen (EEG) nr. 715/90 en (EG) nr. 589/96
- Produto ACP — Regulamentos (CEE) n° 715/90 e (CE) n° 589/96
- AKT-tuote — asetukset (ETY) N:o 715/90 ja (EY) N:o 589/96
- AVS-produkt — förordning (EEG) nr 715/90 och (EG) nr 589/96;

(b) in Section 8, the name of the State in which the product originates.

2. The licence shall carry with it an obligation to import from the State in question.

3. Applications for licences may be lodged only during the first 10 days of each month.

4. Member States shall notify valid applications to the Commission not later than the second working day following the end of the period for the submission of applications.

Such notifications shall include the quantities applied for in respect of each third country concerned, broken down by CN code or group of CN codes, as the case may be.

5. Where no valid applications have been lodged Member States shall so notify the Commission within the deadline referred to in paragraph 4.

Article 4

1. The Commission shall decide in respect of each third country concerned to what extent applications can be accepted. If the quantities of products originating in a third country in respect of which licences are requested exceed the quantity available for that country, the Commission shall reduce the quantities requested by a fixed percentage.

If the total quantity requested by applications relating to a third country is lower than that available for that country, the Commission shall determine the amount of the balance remaining.

2. Subject to the Commission's decision to accept applications, licences shall be issued on the 21st day of each month.

Article 5

Importation under the arrangements for import duty reduction provided for in this Regulation may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989.

Article 6

1. Before the fifth day of each month, the Member States shall notify the Commission of the quantity of products for which ACP import licences were issued during the previous calendar month.

2. The notifications provided for in this Article shall be made in accordance with Annex II.

Article 7

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

Article 8

Regulation (EC) No 1636/95 is hereby repealed.

Article 9

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

Articles 1 and 2 shall apply from 1 January 1996.

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Products referred to in Article 4 (1)

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC CN-koodi KN-nummer
0102 90 05
0102 90 21
0102 90 29
0102 90 41
0102 90 49
0102 90 51
0102 90 59
0102 90 61
0102 90 69
0102 90 71
0102 90 79
0201 10 00
0201 20 20
0201 20 30
0201 20 50
0201 20 90
0201 30 00
0202 10 00
0202 20 10
0202 20 30
0202 20 50
0202 20 90
0202 30 10
0202 30 50
0202 30 90
0206 10 95
0206 29 91
0210 20 10
0210 20 90
0210 90 41
0210 90 90
1602 50 10
1602 90 61

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 del Consejo, modificado (DO n° L 256 de 7. 9. 1987, p. 1).

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i Rådets ændrede forordning (EØF) nr. 2658/87 (EFT nr. L 256 af 7. 9. 1987, s. 1).

NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 des Rates bestimmt (ABl. Nr. L 256 vom 7. 9. 1987, S. 1).

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87 του Συμβουλίου (ΕΕ αριθ. L 256 της 7. 9. 1987, σ. 1).

NB: The CN codes and the footnotes are defined in amended Council Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 du Conseil, modifié (JO n° L 256 du 7. 9. 1987, p. 1).

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 del Consiglio modificato (GU n. L 256 del 7. 9. 1987, pag. 1).

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87 van de Raad (PB nr. L 256 van 7. 9. 1987, blz. 1).

NB: Os códigos NC, incluindo as remissões em pé-de-página, são definidos no Regulamento (CEE) n° 2658/87 do Conselho, alterado (JO n° L 256 de 7. 9. 1987, p. 1).

HUOM: Tuotekoodit ja niihin liittyvät alaviitteet määritellään neuvoston asetuksessa (ETY) N:o 2658/87 (EYVL N:o L 256, 7.9.1987, s. 1).

Anm: KN-numren och fototerna definieras i rådets ändrade förordning (EEG) nr 2658/87 (EGT nr L 256, 7.9.1987, s. 1).

ANNEX II

Licences comprising ACP products

(referred to in Regulation (EC) No 589/96)

(in tonnes)

CN code							
		Madagascar	Botswana	Swaziland	Kenya	Zimbabwe	Namibia
	Code	370	391	393	346	382	389
— 0102 90 05							
— 0102 90 21, 0102 90 29							
— 0102 90 41 to 0102 90 79							
— 0201 10 00, 0201 20 20							
— 0201 20 30							
— 0201 20 50							
— 0201 20 90							
— 0201 30, 0206 10 95							
— 0202 10, 0202 20 10							
— 0202 20 30							
— 0202 20 50							
— 0202 20 90							
— 0202 30 10							
— 0202 30 50							
— 0202 30 90, 0206 29 91							
— 0210 20 10							
— 0210 20 90, 0210 90 41							
— 0210 90 90							
— 1602 50 10, 1602 90 61							

COMMISSION REGULATION (EC) No 590/96**of 2 April 1996****derogating from Regulation (EC) No 1370/95 regarding the date of issue of
export licences in the pigmeat sector**

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

Having regard to Council Regulation (EEC) No 2759/75
of 29 October 1975 on the common organization of the
market in pigmeat ⁽¹⁾, as last amended by Regulation (EC)
No 3290/94 ⁽²⁾, and in particular Articles 8 (2), 13 (12) and
22 thereof,

Whereas Commission Regulation (EC) No 1370/95 ⁽³⁾, as
amended by Regulation (EC) No 2739/95 ⁽⁴⁾, has laid
down detailed rules for implementing the system of
export licences in the pigmeat sector;

Whereas Regulation (EC) No 1370/95 provides for the
issue of export licences for products in the pigmeat sector
on Monday following the week during which the applica-
tions for licences have been lodged, provided that none of
the particular measures have since been taken by the
Commission; whereas administrative problems will arise
during the week from 1 to 7 April 1996 and it is therefore
necessary to extend this delay for the applications lodged
during this week to Wednesday, 10 April 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from Article 3 (3) of Regulation (EC) No
1370/95, the licences referred to therein, for which the
applications have been lodged during the week from 1 to
7 April 1996, are delivered, on Wednesday, 10 April 1996,
provided that none of the particular measures referred to
in Article 3 (4) of the said Regulation have since been
taken by the Commission.

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, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

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

⁽³⁾ OJ No L 133, 17. 6. 1995, p. 9.

⁽⁴⁾ OJ No L 285, 29. 11. 1995, p. 11.

COMMISSION REGULATION (EC) No 591/96

of 2 April 1996

opening an invitation to tender for the refund or the tax for the export of durum
wheat to all third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 95/96⁽⁴⁾, and in particular Article 4 thereof,

Whereas, in view of the current situation on the cereals market, an invitation should be opened in respect of durum wheat to tender for the export refund or tax provided for in Article 4 of Regulation (EC) No 1501/95;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export refund, or export tax in Regulation (EC) No 1501/95; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas it is necessary to provide for a specific period of validity for licences issued under that invitation to tender; whereas that period of validity must meet the needs of the world market for the current marketing year; whereas the validity of the export licences should therefore be limited to 31 May 1996;

Whereas, in order to ensure the smooth operation of the export tendering procedure it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

1. Tenders shall be invited for the export refund or export tax provided for in Article 4 of Regulation (EC) No 1501/95.

2. The tendering procedure shall concern durum wheat for export to all third countries.

3. The invitation shall remain open until 23 May 1996. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 5 (3a) of Regulation (EC) No 1501/95 shall be ECU 12 per tonne.

Article 4

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽⁵⁾, export licences issued under Article 8 (1) of Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Subject to the provisions of Article 1 of Commission Regulation (EC) No 1521/94⁽⁶⁾ export licences issued in connection with the invitations to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until 31 May 1996.

Article 5

1. The Commission shall decide, pursuant to the procedure laid down in Article 23 of Regulation (EEC) No 1766/92:

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 162, 30. 6. 1994, p. 47.

- to fix a maximum export refund, taking account in particular of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to fix a minimum export tax, taking into account in particular the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

3. Where a minimum export tax is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of tax equal to or more than such minimum export tax.

Article 6

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a

half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in Annex I, to the telex or fax numbers in Annex II.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***Weekly tender for the refund or the tax for the export of durum wheat to all third countries**

(Regulation (EC) No 591/96)

(Closing date for the submission of tenders (date/time))

1	2	3	
Number of tenderer	Quantity in tonnes	A	B
		Amount of export tax in ECUs per tonne	Amount of export refund in ECUs per tonne
1			
2			
3			
etc.			

ANNEX II

The only numbers to use to call Brussels (DG VI-C-1) are:

- telex: — 22037 AGREC B,
 — 22070 AGREC B (Greek characters);
 - fax: — 295 25 15,
 — 296 49 56.
-

COMMISSION REGULATION (EC) No 592/96
of 2 April 1996
amending Regulation (EC) No 1466/95 laying down special detailed rules of
application for export refunds on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2931/95 ⁽²⁾, and in particular Article 17 (14) thereof,

Whereas Commission Regulation (EC) No 1466/95 ⁽³⁾, as last amended by Regulation (EC) No 398/96 ⁽⁴⁾, lays down special detailed rules of application for export refunds on milk and milk products; whereas, with a view to ensuring sound management of the system of export refunds and to reducing the likelihood of applications being submitted for speculative ends and risks of disturbance of the system as regards cheese, the term of validity of export licences as fixed in Article 4 of that Regulation must be curtailed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (a) of Regulation (EC) No 1466/95 is hereby replaced by the following:

‘(a) the end of the second month following issue in the case of products covered by CN code 0406’.

Article 2

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

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 54, 5. 3. 1996, p. 26.

COMMISSION REGULATION (EC) No 593/96

of 2 April 1996

determining the percentages of quantities which may be allowed in respect of import licence applications lodged in March 1996 under additional tariff quotas for meat provided for in Regulation (EC) No 417/96 for the Republic of Poland and the Republic of Hungary

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

processed products must be reduced proportionately in accordance with Article 3 (4) of that Regulation,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Commission Regulation (EC) No 417/96 of 7 March 1996 setting for the period 1 January to 30 June 1996 rules of application for the additional tariff quotas for beef and veal provided for by Council Regulation (EC) No 3066/95 for the Republic of Poland and the Republic of Hungary⁽¹⁾, and in particular Article 3 (4) thereof,

The following percentages of quantities covered by import licence applications submitted in respect of the period 1 January to 30 June 1996 under the quotas referred to in Regulation (EC) No 417/96 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Poland;
- (b) 47,993 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Hungary;
- (c) 13,622 % of quantities covered by applications in respect of products falling within CN codes 1602 50 31 and 1602 50 39 originating in Poland.

Article 2

Whereas Article 1 (1) of Regulation (EC) No 417/96 fixes the quantities of fresh, chilled or frozen beef and veal originating in Poland and Hungary and of processed products originating in Poland which may be imported on special terms in respect of the period 1 January to 30 June 1996; whereas the quantities of beef and veal covered by import licence applications submitted are such that applications may be accepted in full; whereas, however, quantities covered by applications in respect of

This Regulation shall enter into force on 9 April 1996.

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 59, 8. 3. 1996, p. 7.

COMMISSION REGULATION (EC) No 594/96

of 2 April 1996

**re-establishing the preferential customs duty on imports of small-flowered roses
originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

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

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 539/96, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EC) No 2524/95⁽⁴⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, laid

down detailed rules for the application of these arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 2853/95⁽¹⁰⁾;

Whereas the preferential customs duty fixed for small-flowered roses originating in Israel by Regulation (EC) No 1981/94 was suspended by Commission Regulation (EC) No 320/96⁽¹¹⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the last indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for small-flowered roses originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel the preferential customs duty set by amended Regulation (EC) No 1981/94 is reintroduced.

Article 2

This Regulation shall enter into force on 3 April 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 42.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 96.

⁽¹⁰⁾ OJ No L 299, 12. 12. 1995, p. 1.

⁽¹¹⁾ OJ No L 45, 23. 2. 1996, p. 1.

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 595/96

of 2 April 1996

re-establishing the preferential customs duty on imports of large-flowered roses
originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

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

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 539/96, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EC) No 2524/95⁽⁴⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, laid

down detailed rules for the application of these arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 2853/95⁽¹⁰⁾;

Whereas the preferential customs duty fixed for large-flowered roses originating in Morocco by Regulation (EC) No 1981/94 was suspended by Commission Regulation (EC) No 423/96⁽¹¹⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the last indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for large-flowered roses originating in Morocco; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Morocco the preferential customs duty set by amended Regulation (EC) No 1981/94 is reintroduced.

Article 2

This Regulation shall enter into force on 3 April 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 42.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 96.

⁽¹⁰⁾ OJ No L 299, 12. 12. 1995, p. 1.

⁽¹¹⁾ OJ No L 59, 8. 3. 1996, p. 19.

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 596/96

of 2 April 1996

correcting Regulation (EEC) No 584/92 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreements between the Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic

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

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

Whereas Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded as part of the Uruguay Round Multilateral Trade Negotiations⁽²⁾;

Whereas Regulation (EC) No 3066/95 provides for autonomous, transitional measures to adjust the agricultural concessions covered by the Europe Agreements concluded between the European Communities and their Member States, of the one part, and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic, of the other part, from 1 January 1996 until the entry into force of the additional Protocols to the Europe Agreements that are to be concluded in the wake of the negotiations now under way with the countries in question;

Whereas Commission Regulation (EEC) No 584/92⁽³⁾, as last amended by Regulation (EC) No 193/96⁽⁴⁾, lays down detailed rules for the application to milk and milk products of the arrangements provided for in the above-mentioned Agreements;

Whereas, when Regulation (EEC) No 584/92 was amended by Commission Regulation (EC) No 193/96, a mistake crept into points C1 and C2 of Annex I thereto; whereas the Regulation in question must therefore be corrected with effect from 1 January 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

Point C of Annex I to Regulation (EEC) No 584/92 is hereby replaced by point C in the Annex hereto.

Article 2

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

It shall apply from 1 January 1996.

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽³⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽⁴⁾ OJ No L 26, 2. 2. 1996, p. 7.

ANNEX

C. PRODUCTS ORIGINATING IN HUNGARY

1. Customs duty reduced by 80 %

(in tonnes)

CN code	Product	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996
ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Balaton, Cream-white, Hajdu, Marvany, Ovari, Pannonia, Trappista, Bakony, Bacsikai, Ban, Delicaci cheese "Moson", Delicaci cheese "Pelso", Goya, Ham-shaped, Karavan, Lajta, Parenycica, Sed, Tihany	1 200	1 300	1 400

2. Customs duty reduced by 80 %

(in tonnes)

CN code	Product	1 January 1996 to 30 June 1996
ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Balaton, Cream-white, Hajdu, Marvany, Ovari, Pannonia, Trappista, Bakony, Bacsikai, Ban, Delicaci cheese "Moson", Delicaci cheese "Pelso", Goya, Ham-shaped, Karavan, Lajta, Parenycica, Sed, Tihany	250'

COMMISSION REGULATION (EC) No 597/96
of 2 April 1996
amending the import duties in the cereals sector

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

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

Having regard to Commission Regulation (EC) No 1502/95 of 29 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 for the 1995/96 marketing year as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 346/96⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 548/96⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 548/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 548/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 548/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 April 1996.

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

Done at Brussels, 2 April 1996.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

⁽⁴⁾ OJ No L 49, 28. 2. 1996, p. 5.

⁽⁵⁾ OJ No L 80, 30. 3. 1996, p. 4.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	7,77	0,00
1001 90 91	Common wheat seed	10,65	0,65
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	10,65	0,65
	medium quality	23,27	13,27
	low quality	29,13	19,13
1002 00 00	Rye	43,97	33,97
1003 00 10	Barley, seed	43,97	33,97
1003 00 90	Barley, other ⁽²⁾	43,97	33,97
1005 10 90	Maize seed other than hybrid	61,14	51,14
1005 90 00	Maize other than seed ⁽²⁾	61,14	51,14
1007 00 90	Grain sorghum other than hybrids for sowing	43,97	33,97

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1502/95, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean (Article 2 (4) of Regulation (EC) No 1502/95), the importer may benefit from a reduction in the duty of:

- ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1502/95 are met.

ANNEX II

Factors for calculating duties (period from 27. 3. 1996 to 1. 4. 1996):

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Mid-America	Mid-America
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	142,02	149,35	144,20	120,04	188,33 ⁽¹⁾	152,13 ⁽²⁾
Gulf premium (ECU/tonne)	43,43	23,47	22,75	14,93	—	—
Great lake premium (ECU/tonne)	—	—	—	—	—	—

⁽¹⁾ Fob Duluth.

⁽²⁾ Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 10,74 per tonne; Great Lakes/St Lawrence — Rotterdam: ECU 24,03 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1502/95: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 598/96

of 2 April 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 3 April 1996.

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

Done at Brussels, 2 April 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 2 April 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 20	052	83,6	0805 30 20	052	67,1
	060	80,2		204	88,8
	064	59,6		220	74,0
	066	41,7		388	93,1
	068	62,3		400	83,1
	204	98,6		512	54,8
	208	44,0		520	66,5
	212	46,9		524	100,8
	624	163,2		528	100,2
	999	75,6		600	71,5
				624	75,7
0707 00 15	052	104,3	0808 10 61, 0808 10 63, 0808 10 69	999	79,6
	053	156,2		052	64,0
	060	61,0		064	78,6
	066	53,8		388	105,2
	068	69,1		400	75,0
	204	144,3		404	71,5
	624	87,1		416	72,7
	999	96,5		508	124,6
0709 10 10	220	334,0		512	74,9
	999	334,0		524	80,4
0709 90 75	052	104,3		528	70,8
	204	77,5		624	86,5
	412	54,2		728	107,3
	624	183,9		800	78,0
	999	105,0		804	109,8
0805 10 11, 0805 10 15, 0805 10 19	052	47,8	0808 20 37	999	85,7
	204	44,4		039	90,4
	208	58,0		052	86,2
	212	43,7		064	72,5
	220	53,3		388	80,1
	388	40,5		400	93,3
	400	40,9		512	64,3
	436	41,6		528	69,4
	448	27,4		624	79,0
	600	46,6		728	115,4
	624	58,7		800	55,8
	999	45,7		804	112,9
				999	83,6

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

COMMISSION REGULATION (EC) No 599/96
of 2 April 1996
amending the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the export refunds on poultrymeat were fixed by Commission Regulation (EC) No 484/96 ⁽³⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 paragraph 1 of Regulation (EEC) No 2777/75, exported in the natural state, as fixed in the Annex to Regulation (EC) No 484/96 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 3 April 1996.

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

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 70, 20. 3. 1996, p. 25.

ANNEX

to the Commission Regulation of 2 April 1996 altering the export refunds on poultrymeat

Product code	Destination of refund (1)	Amount of refund (2)	Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 units			ECU/100 kg
0105 11 11 000	01	0,90	0207 25 10 000	04	8,00
0105 11 19 000	01	0,90	0207 25 90 000	04	8,00
0105 11 91 000	01	0,90	0207 14 20 900	05	6,00
0105 11 99 000	01	0,90	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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 1 March 1996

accepting undertakings offered in connection with the anti-dumping proceeding concerning imports of certain tube or pipe fittings, of iron or steel, originating in the People's Republic of China, Croatia and Thailand

(96/252/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3283/94 of 22 December 1994 on protection against dumped imports from countries not members of the European Community⁽¹⁾, as last amended by Regulation (EC) No 1251/95⁽²⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽³⁾, as last amended by Regulation (EC) No 522/94⁽⁴⁾, and in particular Article 10 thereof,

After consulting the Advisory Committee,

Whereas:

- (1) The Commission, by Regulation (EC) No 2318/95⁽⁵⁾, imposed a provisional anti-dumping duty on imports into the Community of certain tube or pipe fittings, of iron or steel, originating in the People's Republic of China, Croatia and Thai-

land. By Regulation (EC) No 149/96⁽⁶⁾, the Council extended the validity of this duty for two months.

- (2) In the subsequent procedure, it was established that definitive anti-dumping measures should be adopted in order to eliminate injurious dumping. The findings and conclusions on all aspects of the investigation are set out in Council Regulation (EC) No 584/96⁽⁷⁾.
- (3) Having been informed of those conclusions, the Croatian exporter and the three Thai exporters which had cooperated in the investigation, offered undertakings pursuant to Article 10 (2) (b) of Regulation (EEC) No 2423/88.
- (4) After a careful examination, and taking into account the particular characteristics of the imports under consideration, the Commission considered that the undertakings offered would eliminate the injurious effects caused by the dumped imports and would be an appropriate remedy in the present case. In addition, since the Croatian and Thai exporters concerned have undertaken to submit detailed and regular sales information to the Commission and since exports from those countries have been made through a limited number of

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 1.

⁽²⁾ OJ No L 122, 2. 6. 1995, p. 1.

⁽³⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽⁴⁾ OJ No L 66, 10. 3. 1994, p. 10.

⁽⁵⁾ OJ No L 234, 3. 10. 1995, p. 4.

⁽⁶⁾ OJ No L 23, 30. 1. 1996, p. 1.

⁽⁷⁾ See page 1 of this Official Journal.

purchasers in the Community, it has been concluded that the proper observance of the undertakings can be effectively monitored by the Commission.

- (5) Under these circumstances, the Commission considers that the undertakings offered are acceptable, and the investigation can, therefore, be terminated with respect to the exporters in question without the imposition of definitive anti-dumping duties.
- (6) The producers and exporters concerned were informed of the essential facts and considerations on the basis of which the definitive anti-dumping measures were proposed and have had the opportunity to comment on all aspects of the investigation. Accordingly, should the undertaking be withdrawn or should the Commission have reason to believe that the undertaking has been infringed, it may, where the interests of the Community so require and in accordance with Article 10 (6) of Regulation (EEC) No 2423/88, impose provisional duties forthwith on the basis of the results and conclusions of the investigation set out in Regulation (EC) No 584/96. Subsequently, definitive duties could also be imposed by the Council on the basis of the facts established in that investigation.
- (7) When the Advisory Committee was consulted on the acceptance of the undertakings offered, some objections were raised. Therefore, in accordance with Articles 9 and 10 (1) of Regulation (EEC) No 2423/88, the Commission sent a report to the Council on the results of the consultations and a proposal that the investigation be terminated by the acceptance of undertakings. As the Council, in accordance with the said Articles 9 and 10 (1), has not decided otherwise, the Commission is authorized to adopt this Decision.
- (8) The Community industry concerned was informed of the main facts and considerations on the basis of

which the Commission intended to accept the undertakings; it did not object,

HAS DECIDED AS FOLLOWS:

Article 1

The undertakings offered by:

(a) Croatia:

— Zeljezara Sisak, Zagreb,

(b) Thailand:

— Awaji Sangyo (Thailand) Co. Ltd, Samutprakarn,

— Thai Benkan Co. Ltd, Prapadaeng-Samutprakarn,

— TTU Industrial Corp. Ltd, Bangkok,

in connection with the anti-dumping proceeding concerning imports of tube or pipe fittings (other than cast fittings, flanges and threaded fittings), of iron or steel (not including stainless steel), with a greatest external diameter not exceeding 609,6 mm, of a kind used for butt-welding or other purposes, originating *inter alia* in Croatia and Thailand and falling within CN codes ex 7307 93 11, ex 7307 93 19, ex 7307 99 30 and ex 7307 99 90, are hereby accepted.

This acceptance shall take effect on the date of entry into force of Regulation (EC) No 584/96.

Article 2

The investigation in connection with the anti-dumping proceeding referred to in Article 1 is hereby terminated with regard to the companies named in that Article.

Done at Brussels, 1 March 1996.

For the Commission

Leon BRITTAN

Vice-President