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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 663/96

of 28 March 1996

imposing a definitive anti-dumping duty on imports of certain magnetic disks (3,5" microdisks) originating in Malaysia, Mexico and the United States of America, and collecting definitively the provisional duty imposed

THE COUNCIL OF THE EUROPEAN UNION,

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 9 thereof,

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

Whereas:

Commission. Both parties also presented written submissions making known their views on the findings.

(3) On request, parties were informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of definitive duties and the definitive collection of amounts secured by way of the provisional duty. They were also granted a reasonable period within which to make representations subsequent to disclosure.

(4) Because of the volume and the complexity of the data examined, the investigation could not be concluded within the time limit provided for in Article 6 (9) of Regulation (EC) No 3283/94, (hereinafter referred to as 'the basic Regulation').

A. PROVISIONAL MEASURES

(1) The Commission, by Regulation (EC) No 2426/95⁽²⁾, hereinafter referred to as 'the provisional anti-dumping duty Regulation', imposed a provisional anti-dumping duty on imports into the Community of certain magnetic disks (hereafter referred to as 3,5" microdisks) originating in the United States, Mexico and Malaysia and falling within CN code ex 8523 20 90.

C. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

(5) As no further arguments have been presented regarding the product under consideration and the like product, the findings set out in recitals 8 to 12 of the provisional duty Regulation are confirmed.

B. SUBSEQUENT PROCEDURE

(2) Subsequent to the imposition of the provisional anti-dumping duty, one cooperating Malaysian producer and one company producing in both the United States and Mexico, which had explicitly informed the Commission of its intention not to participate in the proceeding, were heard by the

D. DUMPING

(6) For the purpose of the definitive findings, dumping was established on the basis of the same methods used in the provisional determination of dumping. The dumping margin calculations were only modified to take account of clerical errors or technical amendments as no new facts and arguments on the methods were presented by the parties.

(7) In the light of the foregoing, the findings set out in recitals 14 to 20 of the provisional duty Regulation, with the appropriate modifications, are confirmed.

⁽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 249, 17. 10. 1995, p. 3.

Dumping margins

(a) Cooperating producers

- (8) As far as the cooperating producers in the United States and Mexico are concerned, the findings in recital 21 of the provisional duty Regulation are confirmed.
- (9) On the basis of technical modifications made to the calculations of normal value and export price for one cooperating producer in Malaysia, the definitive dumping margins calculated by the Commission, expressed as a percentage of the free-at-Community-frontier price for each of the companies concerned are as follows:
- Mega High Tech: 31,8 %
 - Diskcomp: 46,4 %

(b) Non-cooperating producers

- (10) In the absence of comment, the findings in recitals 23 and 24 of the provisional Regulation are confirmed.

E. COMMUNITY INDUSTRY

- (11) No new arguments were presented with regard to the definition of the Community industry. The findings set out in recitals 25 to 28 of the provisional duty Regulation are, therefore, confirmed.

F. INJURY

1. Prices of the dumped imports

- (12) The producer in the United States and Mexico referred to at recital 2 objected to the use of Eurostat data as positive evidence of price undercutting for non-cooperating companies, on two grounds. First, as its distribution system on the Community market is similar to those of American and Mexican producers which cooperated, it claimed any undercutting on its part would also have been *de minimis*. Secondly, as the CN code within which Eurostat data is collected for 3,5" microdisks is a 'basket' category covering more than the product concerned, it claimed judgments on the basis of these figures are likely to be inaccurate.

These contentions cannot be accepted.

In the light of this producer's explicit decision not to participate in the proceeding, its claim that price

undercutting on its part would also have been *de minimis* is unsupported by any evidence, and consequently, amounts to no more than assertion.

As to the second objection, it is the standard practice of the Community institutions to use Eurostat data as the best positive evidence available of import volumes and prices in the absence of more reliable indications from other sources. Further, the methodology employed by the Commission in this and the two prior proceedings (see recital 7 of the provisional duty Regulation) to address the 'basket' nature of the CN code in question has been found to be reasonable and has not been criticized by the parties involved. In any event, the producer concerned has provided no evidence of whether, or to what extent, Eurostat figures may be misleading, as far as the product in question is concerned.

2. Other injury findings

- (13) No new facts and arguments were received in connection with cumulation, causality and the other injury findings. The findings in recitals 30 to 45 of the provisional duty Regulation are therefore confirmed.

G. COMMUNITY INTEREST

- (14) No representations have been received in respect of the Community interest in this proceeding and no comments have been made by any interested parties on the provisional findings regarding Community interest.

The findings in recitals 46 to 50 of the provisional duty Regulation are, therefore, confirmed.

H. DUTY

- (15) No comments were received on the methodology adopted by the Commission for the establishment of the duty rates to be applied, as set out in recitals 51 to 55 of the provisional duty Regulation.

These are, therefore, confirmed, and, as the dumping margins definitively determined exceed the injury thresholds established for the cooperating producers in Malaysia, measures should be imposed at the level of these injury thresholds. As

the injury thresholds established for the cooperating producers in Mexico and the United States are *de minimis*, no definitive anti-dumping measures should be imposed on imports of the like product manufactured by these producers.

I. COLLECTION OF THE PROVISIONAL DUTIES

- (16) In view of the dumping margins established, the injury caused to the Community industry, and of the latter's precarious financial situation, it is considered necessary that amounts secured by way of the provisional anti-dumping duty for all companies should be collected definitively at the duty rate definitively imposed,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of 3,5" microdisks used to record and store encoded digital computer information, falling within CN code ex 8523 20 90 (Taric code 8523 20 90*10), and originating in Malaysia, Mexico and the United States of America.

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

Country	Rate of duty (%)	Taric additional code
Malaysia	46,4	8858
Mexico	44,0	8882
United States	44,0	8857

with the exception of imports which are manufactured and sold for export to the Community by the following companies which shall be subject to the rates of duty mentioned below:

Country and producer	Rate of duty (%)	Taric additional code
Malaysia		
— Mega High Tech	12,8	8855
— Diskcomp	26,4	8856

3. The duty shall not apply to imports of the product defined in paragraph 1 manufactured and sold for export to the Community by the following companies:

Country and producer	Taric additional code
Mexico	
— Verbatim	8854
United States	
— 3M	8853
— TDK	8853
— Verbatim	8853

4. Unless otherwise specified, the provisions in force concerning customs duty shall apply.

Article 2

The amounts secured by way of the provisional anti-dumping duty pursuant to Regulation (EC) No 2426/95 shall be definitively collected up to the duty rate definitively imposed.

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, 28 March 1996.

For the Council

The President

A. CLO

COUNCIL REGULATION (EC) No 664/96

of 29 March 1996

extending the suspension of the definitive anti-dumping duty imposed on imports of certain types of electronic microcircuits known as Eproms (erasable programmable read only memories) originating in Japan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ and in particular Article 14 (4) thereof,

Having regard to the proposal submitted by the Commission, after consultations within the Advisory Committee as provided for by the abovementioned Regulation,

Whereas:

- (1) The Council, by Regulation (EEC) No 577/91⁽²⁾, imposed a definitive anti-dumping duty on imports into the Community of certain types of electronic microcircuits known as Eproms (erasable programmable read only memories) originating in Japan, and falling under CN codes:
 - 8542 11 33, 8542 11 34, 8542 11 35 or 8542 11 36 for finished UV erasable Eproms,
 - ex 8542 11 38 for finished Flash Eproms,
 - ex 8542 11 76 for OTPs,
 - ex 8542 11 01 for wafers for all types of Eproms and
 - ex 8542 11 05 for dice and chips for all types of Eproms.
- (2) The Commission, by Decision 95/272/EC⁽³⁾, suspended the definitive anti-dumping duty imposed on Eproms originating in Japan for a period of nine months on the grounds that the market situation for the product in question had temporarily changed to the extent that injurious dumping no longer prevailed and that, therefore, the anti-dumping duty could be suspended for this period.
- (3) On 8 October 1995 the Commission initiated an interim review⁽⁴⁾ of the anti-dumping measures concerning Eproms originating in Japan, pursuant to Article 11 (3) of Regulation (EC) No 3283/94⁽⁵⁾. This review is at present pending.
- (4) As in the case of another type of electronic microcircuits, i.e. D-RAMs, where the suspension of the anti-dumping duties was extended for one year by Regulation (EC) No 399/96⁽⁶⁾, the Commission has, based on the information available on the market situation, in particular the sales reports of the exporters concerned, examined whether the conditions for extending the suspension of the anti-dumping duty for imports of Eproms are met. In particular, the available statistical information and the sales data which the Commission has obtained from the Community producers and all known Japanese exporters show that, as the end of the initial period of suspension of the anti-dumping duty approaches, the Eprom market in the Community is still stable, with demand outstripping supply. Sales prices are high and the financial performance of the Community industry is still favourable. It was found that, in general, the market conditions described in recital (3) of Decision 95/272/EC have prevailed. Market forecasts indicate that such a market situation will be sustained at least for the next twelve months.
- (5) However, it is also considered that, in view of the cyclical nature of the Eprom market in the past, the current market situation might be followed by a market down-turn. This could result in a recurrence of injurious dumping and would again call for anti-dumping measures to be applied. This consideration appears to be supported by the fact that significant additional production capacities have recently been established, in particular in Japan, and that, in addition, further capacities will be established in the near future. It is reasonable to assume that this increase in worldwide production capacity might aggravate a possible future market down-turn.

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

⁽²⁾ OJ No L 65, 12. 3. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 2860/93 (OJ No L 262, 21. 10. 1993, p. 1).

⁽³⁾ OJ No L 165, 15. 7. 1995, p. 26.

⁽⁴⁾ OJ No C 262, 7. 10. 1995, p. 9.

⁽⁵⁾ OJ No L 349, 31. 12. 1994, p. 1. Regulation as last amended by Regulation (EC) No 384/96.

⁽⁶⁾ OJ No L 55, 6. 3. 1996, p. 1.

- (6) In the light of the foregoing, it is considered appropriate to extend the suspension of the anti-dumping duty in question beyond the initial period of nine months, by a period of one year, and it is considered unlikely that injurious dumping of Eproms would recur on the Community market as a result of such extension.
- (7) Therefore, in accordance with Article 14 (4) of Regulation (EC) No 3283/94, the Commission informed the complainant of its intention to propose that the Council extend the suspension of the above anti-dumping duty for a period of one year and has provided it with an opportunity to comment. The complainant raised no objections in this regard.
- (8) In conclusion, it is considered that the requirements to extend the suspension of the duty concerned, pursuant to Article 14 (4) of Regulation (EC) No 384/96, are met and that the suspension should therefore be extended for a period of one year.
- (9) The Commission will continue to monitor closely the development of the Eprom-market and the behaviour of individual market participants, as it did during the initial period of suspension. Should a situation arise in which injury to the Community industry recurs, the Commission will propose that the Council reinstate the above anti-dumping duty without delay.
- (10) To this end, the obligation to submit reports on sales and prices pursuant to the undertakings will

continue in order to enable the Commission to monitor the Eprom market. However, during the period of the extended suspension of the anti-dumping duty, the obligation to adhere to the minimum price provisions of these undertakings will be waived. The quarterly calculation and communication of such prices to these companies by the Commission will therefore be discontinued during this period.

- (11) The Advisory Committee was consulted on the suspension of the anti-dumping duty and raised no objections,

HAS ADOPTED THIS REGULATION:

Article 1

The suspension of the definitive anti-dumping duty imposed by Regulation (EEC) No 577/91 on imports of certain types of electronic microcircuits known as Eproms (erasable programmable read only memories) originating in Japan is hereby extended for a period of one year until 15 April 1997.

Article 2

This Regulation shall enter into force on the day following that 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, 29 March 1996.

For the Council

The President

T. TREU

COMMISSION REGULATION (EC) No 665/96

of 12 April 1996

derogating from Regulation (EEC) No 3567/92 as regards the transfers of rights and temporary leases provided for in Council Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1265/95⁽²⁾, and in particular Articles 5a (4) (f) and 5b (4) thereof,

Whereas the implementation, pursuant to Commission Regulation (EEC) No 3567/92⁽³⁾, as last amended by Regulation (EEC) No 1847/95⁽⁴⁾, of the rules on individual limits introduced by Article 5a of Regulation (EEC) No 3013/89 resulted, during the 1995 marketing year, in administrative difficulties in the United Kingdom which delayed the allocation of the national reserve for the said marketing year; whereas, consequently, certain producers were not able to effect the transfers of rights or temporary leases provided for in Article 5a (4) of Regulation (EEC) No 3013/89 within the time limits provided for in Article 7 (2) of Regulation (EEC) No 3567/92 for the 1995 marketing year; whereas the Member State concerned should therefore be authorized, on certain conditions designed to limit the risk of irregularities as far as possible, to set a second deadline for notification by the producers concerned of such transfers or temporary leasing of rights for the 1995 marketing year;

Whereas the administrative difficulties in question are also likely to affect the mechanisms set up for transfers and temporary leasing of rights in respect of the 1996 marketing year; whereas, therefore, it should also be laid down that the Member State in question may set a second deadline for certain transfers and temporary leases in respect of the 1996 marketing year under the conditions referred to above;

Whereas the application of the special reserve with a ceiling of 600 000 rights each for Italy and Greece, introduced by Article 5b (1) of Regulation (EEC) No 3013/89

pursuant to Commission Regulation (EC) No 2134/95⁽⁵⁾ leads to the creation of additional rights to the ewe and she-goat premium for certain producers as from the 1995 marketing year; whereas the said rights have been allocated according to the eligible livestock numbers held during the 1991 and 1992 marketing years by those producers; whereas the composition of the flocks held by the said producers may have changed substantially since those marketing years; whereas transfers or temporary leasing of the newly created additional rights should therefore be authorized; whereas Italy and Greece should therefore be authorized to set a second deadline for the notification by the producers concerned of the said transfers or temporary lease of rights in respect of the 1995 and 1996 marketing years;

Whereas, for the same reasons, Italy, Greece and the United Kingdom should be authorized, as a special measure for the 1995 and 1996 marketing years, to extend the deadline provided for in Article 9 of Regulation (EEC) No 3567/92 for the notification of transfers of premium rights and temporary leasing of those rights;

Whereas the setting of a second deadline for the notification of transfers or temporary leasing of rights under the conditions referred to above also makes it necessary to derogate from the provisions laid down in Article 6 of Regulation (EEC) No 3567/92 in respect of the 1995, 1996 and 1997 marketing years for Italy, Greece and the United Kingdom;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1995, 1996 and 1997 marketing years, Article 6 of Regulation (EEC) No 3567/92 shall not apply:

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 123, 3. 6. 1995, p. 1.

⁽³⁾ OJ No L 362, 11. 12. 1992, p. 41.

⁽⁴⁾ OJ No L 177, 28. 7. 1995, p. 32.

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 12.

- (a) in the case of the United Kingdom, to rights obtained by transfer and/or temporary lease for the marketing year in question before the allocation of rights under national reserves relating to the same marketing year has been communicated;
- (b) in the case of Italy and Greece, to rights obtained with effect from the 1995 marketing year under Article 3 of Regulation (EC) No 2134/95.

Article 2

By way of derogation from Article 7 (2) of Regulation (EEC) No 3567/92, for the 1995 and 1996 marketing years, the United Kingdom may set a second deadline for producers meeting one of the following conditions:

1. As regards the 1995 marketing year

(a) producers offering rights:

the total quantity of rights to the premium at their disposal must, at the time of the transfer or leasing operation, exceed the quantity for which the premium has been requested in respect of the 1995 marketing year. In addition, the transfer or leasing operation may, at most, relate only to the difference between the total quantity of rights and the quantity applied for in respect of the said marketing year;

(b) producers receiving rights:

- (i) must not have obtained from the national reserve the entire quantity of rights applied for in respect of the 1995 marketing year,

or

- (ii) must have been the subject of a withdrawal of rights with effect from the 1995 marketing year under the provisions of Article 6 of Regulation (EEC) No 3567/92 giving rise to that withdrawal, of which they have been notified no earlier than 10 working days before the first deadline fixed by the United Kingdom for the notification of transfers and temporary leases in respect of the 1995 marketing year.

2. As regards the 1996 marketing year

(a) producers offering rights:

the total quantity of rights to the premium at their disposal must, at the time of the transfer or leasing operation, exceed the quantity for which the premium has been requested in respect of the 1996 marketing year. In addition, the transfer or leasing operation may, at most, relate only to the difference between the total quantity of rights and the quantity applied for in respect of the said marketing year;

(b) producers receiving rights:

- (i) must not have obtained from the national reserve the entire quantity of rights applied for in respect of the 1996 marketing year,

or

- (ii) must have been the subject of a withdrawal of rights with effect from the 1996 marketing year under the provisions of Article 6 of Regulation (EEC) No 3567/92 giving rise to that withdrawal, of which they have been notified no earlier than 10 working days before expiry of the first deadline set by the United Kingdom for the notification of transfers and temporary leases for the 1996 marketing year.

Article 3

By way of derogation from Article 7 (2) of Regulation (EEC) No 3567/92, for the 1995 and 1996 marketing years, Italy and Greece may specify a second deadline for producers fulfilling one of the following conditions:

(a) producers offering rights:

the total quantity of rights to the premium at their disposal must, at the time of the transfer or leasing operation, exceed the quantity for which the premium has been requested, or will be requested, in respect of the two said marketing years. In addition, the transfer may, at most, relate only to the number of rights granted pursuant to Article 3 of Regulation (EC) No 2134/95;

(b) producers receiving rights:

the total quantity of rights to the premium at their disposal must, at the time of the transfer or leasing operation, exceed the quantity for which the premium has been requested, or will be requested, in respect of one of the marketing years in question.

Article 4

By way of derogation from Article 9 of Regulation (EEC) No 3567/92, for the 1995 and 1996 marketing years, and in the case of Italy, Greece and the United Kingdom, the communication shall be made by a date to be set by each of the Member States concerned where notification of a transfer or temporary lease of a right has taken place before expiry of a second deadline set by the Member State concerned in accordance with Articles 2 and 3 of this Regulation.

Article 5

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

It shall apply from the start of the 1995 marketing year to the end of the 1997 marketing year.

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 666/96

of 12 April 1996

laying down detailed rules for the application of Regulation (EC) No 447/96 laying down special measures for the import of olive oil from Tunisia and amending Regulation (EC) No 1477/95 laying down certain transitional measures for the implementation of the Uruguay Round Agreement on Agriculture as regards olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 447/96 of 11 March 1996 laying down special measures for the import of olive oil from Tunisia⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 3290/94 of 22 February 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Articles 1 and 2 of Regulation (EC) No 447/96, the quantities of olive to be imported from Tunisia should be determined; whereas the current and foreseeable situation regarding the supply of olive oil to the Community market permits the planned quantity to be disposed of without any risk of disturbing the market provided imports are not concentrated in a short period of each marketing year; whereas provision should be made for import licences to be issued according to a monthly schedule;

Whereas oil imported from Tunisia may not exceed a given quantity; whereas, therefore, the tolerance provided for in Article 8 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽³⁾, as last amended by Regulation (EC) No 2137/95⁽⁴⁾, should be disallowed;

Whereas a reference to Regulation (EC) No 447/96 should be inserted in Article 4 of Commission Regulation (EC) No 1477/95⁽⁵⁾, as amended by Regulation (EC) No 2572/95⁽⁶⁾, with a view to ensuring that the release of the oil for free circulation is made subject to the lodging of a security;

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

Article 1

Import licence applications as provided for in Article 2 of Regulation (EC) No 447/96 may be submitted from the date of entry into force of this Regulation. Import licences shall be issued in accordance with Article 2 of this Regulation subject to a maximum of 46 000 tonnes.

Article 2

1. The issuing of licences shall be authorized for up to a maximum of 10 000 tonnes per month under the terms provided for in Article 2 of Regulation (EC) No 447/96. Where the quantity authorized for a month is not used in full during the month in question, the remainder shall be added to the quantity for the following month but may not be carried over a further time.

For the purposes of accounting for the quantity authorized each month, weeks starting in one month and finishing in the next shall be deemed to form part of the month in which the Thursday falls.

2. The Commission shall inform Member States once the maximum quantity provided for in Regulation (EC) No 447/96 is reached.

Article 3

Import licences issued in accordance with Article 2 shall be valid for 60 days from the date on which they are issued within the meaning of Article 21 (2) of Regulation (EEC) No 3719/88 but their validity shall not extend beyond 31 October 1996.

Licences shall be issued no later than the first working day following that on which authorization to that end is given by the Commission.

The security for import licences shall be ECU 5 per 100 kilograms net.

Article 4

Section 20 of import licences as provided for in Article 2 shall bear one of the following entries:

- Derecho de aduana fijado por el Reglamento (CE) n° 666/96
- Told fastsat ved forordning (EF) nr. 666/96
- Zoll gemäß Verordnung (EG) Nr. 666/96

⁽¹⁾ OJ No L 62, 13. 3. 1996, p. 1.

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

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁵⁾ OJ No L 145, 29. 6. 1995, p. 37.

⁽⁶⁾ OJ No L 262, 1. 11. 1995, p. 37.

- Δασμός που καθορίστηκε από τον κανονισμό (ΕΚ) αριθ. 666/96
- Customs duty fixed by Regulation (EC) No 666/96
- Droit de douane fixé par le règlement (CE) n° 666/96
- Dazio doganale fissato dal regolamento (CE) n. 666/96
- Bij Verordening (EG) nr. 666/96 vastgesteld douane-recht
- Direito aduaneiro fixado pelo Regulamento (CE) n° 666/96
- Asetuksessa (EY) N:o 666/96 vahvistettu tullit
- Tull fastställd genom förordning (EG) nr 666/96.

Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation shall not exceed that indicated in sections 17 and 18 of import

licences. To that effect, the figure '0' shall be entered in section 19 of licences.

Article 5

In Article 4 of Regulation (EC) No 1477/95, the reference 'Regulation (EC) No 287/94' is hereby replaced by 'Regulation (EC) No 447/96'.

Article 6

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

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 667/96

of 12 April 1996

fixing Community producer prices for carnations and roses for the application of the import arrangements for certain floricultural products originating in Cyprus, Israel, Jordan and 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) (a) thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 4088/87, Community producer prices applicable for fortnightly periods are fixed twice a year before 15 May and 15 October for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down certain detailed rules for the application of the arrangements for the import into the Community of certain flowers originating in Cyprus, Israel and Jordan ⁽³⁾, as last amended by Regulation (EEC) No 2917/93 ⁽⁴⁾, prices for roses are determined on the basis of the average daily prices recorded on the representative producer markets for the pilot varieties of quality grade I in the three preceding years; whereas for carnations those prices are fixed under the same conditions of the bloom and spray types; whereas, for the determination of the average, prices which differ by 40 % and more from the average

price recorded on the same market during the same period during the three preceding years are excluded;

Whereas the Community producer prices for the fortnightly periods to 3 November 1996 should be determined on the basis of data provided by the Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer prices for large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations provided for in Article 3 of Regulation (EEC) No 4088/87 for the fortnightly periods 3 June to 3 November 1996 shall be as set out in the Annex hereto.

Article 2

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

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁴⁾ OJ No L 264, 23. 10. 1993, p. 33.

ANNEX

Community producer prices

Weeks	Period	(ECU/100 pieces)			
		Uniflorous carnations (bloom)	Multiflorous carnations (spray)	Large flowered roses	Small- flowered roses
23-24	3. 6 — 16. 6. 1996	10,46	10,37	25,67	12,66
25-26	17. 6 — 30. 6. 1996	10,12	10,60	21,19	11,64
27-28	1. 7 — 14. 7. 1996	8,30	10,16	20,24	9,90
29-30	15. 7 — 28. 7. 1996	9,20	8,92	20,30	9,35
31-32	29. 7 — 11. 8. 1996	9,80	7,77	19,25	9,02
33-34	12. 8 — 25. 8. 1996	12,22	9,09	20,69	10,33
35-36	26. 8 — 8. 9. 1996	13,56	11,69	25,17	12,56
37-38	9. 9 — 22. 9. 1996	13,97	12,24	26,14	12,06
39-40	23. 9 — 6. 10. 1996	14,33	12,73	25,00	12,70
41-42	7. 10 — 20. 10. 1996	14,31	12,72	26,68	14,80
43-44	21. 10 — 3. 11. 1996	19,40	13,55	32,17	18,41

COMMISSION REGULATION (EC) No 668/96

of 12 April 1996

on the opening of a standing invitation to tender for 65 000 tonnes of durum
wheat held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1863/95⁽²⁾, and in particular Article 5 thereof,

Whereas Italy has a large quantity of durum wheat bought into intervention during the 1991/92 marketing year; whereas, on account of the long period in storage, the quality of the cereals in question has deteriorated; whereas, to prevent further deterioration, provision should be made for the product in question to be put up for sale without delay; whereas, therefore, the minimum selling price should be determined in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, in connection with resale by tender, by way of derogation from Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Italian intervention agency shall issue a standing invitation to tender, in accordance with the conditions laid down hereafter, for 65 000 tonnes of durum wheat it holds.

2. The regions in which the 65 000 tonnes of durum wheat are stored are set out in Annex I.

Article 2

1. Article 5 of Regulation (EEC) No 2131/93 shall not apply.

2. After expiry of each time limit specified for the submission of tenders, Italy shall submit to the Commis-

sion an anonymous list showing for each tender the quantity, price and the increase or reductions applicable.

3. The Commission, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, shall fix the minimum selling price or decide not to accept any of the tenders submitted.

The minimum selling price shall be fixed at a level which does not disturb the Italian market.

Article 3

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall expire at 9 a.m. (Brussels time) on 25 April 1996.

2. The time limit for the submission of tenders in response to the following partial invitations to tender shall expire at 9 a.m. (Brussels time) each Thursday, with the exception of 9 May and 16 May 1996.

3. The time limit for the submission of tenders in response to the final partial invitation to tender shall expire at 9 a.m. (Brussels time) on 23 May 1996.

4. Tenders must be submitted to the Italian intervention agency at the following address:

Ente per gli interventi nel mercato (EIMA)
Via Palestro 81,
I-00100 Roma
(tel: 49 49 91; telex: 62 03 31)

Article 4

Not later than two hours after the expiry of the time limit for the submission of tenders, the Italian intervention agency shall notify the Commission of tenders received. Such notifications shall be sent to the telex or fax numbers set out in Annex III, using the model set out in Annex II.

Article 5

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Verona	1 943,741
Grosseto	217,790
Livorno	2 207,088
Ancona	18,250
Macerata	314,090
Campobasso	6 962,480
Matera	14 307,722
Potenza	5 586,137
Bari	14 935,664
Brindisi	4 776,128
Caltanissetta	1 713,971
Palermo	498,941
Siracusa	10 319,342
Total	63 872,344

ANNEX II

Standing invitation to tender for the resale of 65 000 tonnes of durum wheat held by the Italian intervention agency

[Regulation (EC) No 668/96]

1	2	3	4	5
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne)	Price increases (+) or reductions (-) (ECU/tonne)
1				
2				
3				
etc.				

ANNEX III

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

— telex: 22037 AGREC B,
22070 AGREC B (Greek characters);

— fax: 295 01 32
295 25 15
296 10 97.

COMMISSION REGULATION (EC) No 669/96
of 12 April 1996

**fixing the maximum buying-in price and the quantities of beef to the bought in
under the 157th partial invitation to tender as a general intervention measure
pursuant to Regulation (EEC) No 1627/89**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2417/95 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef ⁽³⁾, as last amended by Regulation (EC) No 307/96 ⁽⁴⁾, an invitation to tender was opened pursuant to Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EC) No 613/96 ⁽⁶⁾;

Whereas, in accordance with Article 13 (1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 14 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in paragraph 1 of that Article, are to be accepted;

Whereas, once tenders submitted in respect of the 157th partial invitation to tender have been considered and taken into account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughtering,

rings, the maximum buying-in price and the quantities which may be bought in should be fixed;

Whereas, following the buying-in of forequarters in Spain, the price of such products should be defined on the basis of carcass prices;

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

Under the 157th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be ECU 278 per 100 kg carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted shall be 7 563 tonnes,
- the maximum quantity of forequarters shall be 102 tonnes; the prices for the latter shall be derived from the carcass price using the coefficient 0,80 for the straight cut;

(b) for category C:

- the maximum buying-in price shall be ECU 272,30 per 100 kg carcasses or half-carcasses of quality R3,
- the maximum quantity accepted shall be 1 565 tonnes.

Article 2

This Regulation shall enter into force on 15 April 1996.

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 248, 14. 10. 1995, p. 39.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 43, 21. 2. 1996, p. 3.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 86, 4. 4. 1996, p. 63.

COMMISSION REGULATION (EC) No 670/96

of 12 April 1996

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

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Article 2 of Commission Regulation (EC) No 485/96 of 19 March 1996 on the issuing of import licences for bananas under the tariff quota for the second quarter of 1996 and on the submission of new applications ⁽⁷⁾, fixes the quantities available for new licence applications under the tariff quota during the second quarter of 1996; whereas Article 4 ⁽³⁾ of Regulation (EC) No 478/95 lays down that the quantities for which licences may be issued for the origin(s) concerned must be determined without delay;

Whereas Article 9 ⁽³⁾ of Regulation (EEC) No 1442/93, as amended by Regulation (EC) No 478/95, lays down that,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

- (a) for the quantity indicated in the licence application multiplied by a reduction coefficient of 0,705568 for Colombia Category B;
- (b) for the quantity indicated in the licence application where the application is for a quantity of 150 tonnes or less;
- (c) for the quantity indicated in the licence application where it refers to an origin other than that referred to in point (a) above.

Article 2

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

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

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

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 117, 24. 5. 1995, p. 14.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 70, 20. 3. 1996, p. 27.

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 671/96
of 12 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 13 April 1996.

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

Done at Brussels, 12 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 12 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	85,7	0805 30 20	052	130,7
	060	80,2		204	88,8
	064	59,6		220	74,0
	066	41,7		388	87,2
	068	62,3		400	83,3
	204	53,3		512	54,8
	208	44,0		520	66,5
	212	97,5		524	100,8
	624	116,9		528	87,4
	999	71,2		600	63,5
				624	85,0
0707 00 15	052	104,3	0808 10 61, 0808 10 63, 0808 10 69	999	83,8
	053	156,2		052	64,0
	060	61,0		064	78,6
	066	53,8		388	106,7
	068	69,1		400	75,1
	204	144,3		404	69,8
	624	87,1		416	72,7
	999	96,5		508	89,6
0709 10 10	220	125,0	0808 20 37	512	74,3
	999	125,0		524	77,0
0709 90 75	052	104,3		528	84,4
	204	77,5		624	86,5
	412	54,2		728	107,3
	624	209,6		800	78,0
	999	111,4		804	87,6
0805 10 11, 0805 10 15, 0805 10 19	052	38,6		999	82,3
	204	43,2		039	90,4
	208	58,0		052	86,2
	212	66,5		064	72,5
	220	53,3		388	73,0
	388	40,5		400	106,0
	400	38,6		512	69,2
	436	41,6		528	71,6
	448	38,7		624	79,0
	600	45,6		728	115,4
	624	54,3		800	55,8
	999	47,2		804	112,9
				999	84,7

⁽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 672/96
of 12 April 1996
amending representative prices and additional duties for the import of certain
products in the sugar sector

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

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

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 ⁽⁵⁾, as last amended by Regulation (EC) No 657/96 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 April 1996.

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

Done at Brussels, 12 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 50.

⁽⁵⁾ OJ No L 150, 1. 7. 1995, p. 36.

⁽⁶⁾ OJ No L 91, 12. 4. 1996, p. 44.

ANNEX

to the Commission Regulation of 12 April 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,20	4,20
1701 11 90 ⁽¹⁾	24,20	9,43
1701 12 10 ⁽¹⁾	24,20	4,01
1701 12 90 ⁽¹⁾	24,20	9,00
1701 91 00 ⁽²⁾	31,99	9,24
1701 99 10 ⁽²⁾	31,99	4,74
1701 99 90 ⁽²⁾	31,99	4,74
1702 90 99 ⁽³⁾	0,32	0,34

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

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

⁽³⁾ By 1 % sucrose content.

COMMISSION DIRECTIVE 96/20/EC

of 27 March 1996

adapting to technical progress Council Directive 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970, on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 95/54/EC ⁽²⁾ and in particular Article 13 (2) thereof,

Having regard to Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles ⁽³⁾, as last amended by Directive 92/97/EEC ⁽⁴⁾, and in particular Article 3 thereof,

Whereas Directive 70/157/EEC is one of the separate Directives of the EC type-approval procedure which has been established by Directive 70/156/EEC; whereas, consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive;

Whereas, in particular, Articles 3 (4) and 4 (3) of Directive 70/156/EEC necessitate that each separate Directive has attached to it an information document incorporating the relevant items of Annex I to that Directive and also a type-approval certificate based on Annex VI thereto in order that type-approval may be computerized;

Whereas, the recent developments in engine technology make it necessary to define more explicitly the testing process, particularly in the case of heavy vehicles, insofar as the feasibility and the repetition of such tests is concerned;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The Articles of Directive 70/157/EEC shall be amended as follows:

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 266, 8. 11. 1995, p. 1.

⁽³⁾ OJ No L 42, 23. 2. 1970, p. 16.

⁽⁴⁾ OJ No L 371, 19. 12. 1992, p. 1.

— Article 1 to read at the end: '... rails and of agricultural and forestry tractors and all mobile machinery',

— in Article 2, second indent, and Article 2a, paragraph 2, replace 'Article 9a' by 'Article 2',

— in Article 3, replace 'the Annex' by 'the Annexes'.

2. The Annexes to Directive 70/157/EEC shall be amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 October 1996 Member States may not, on grounds relating to the permissible sound level or the exhaust system:

— refuse, in respect of a type of vehicle or a type of exhaust system, to grant EC type-approval or national type-approval, or

— prohibit the registration, sale or entry into service of vehicles, or the sale or entry into service of exhaust systems,

if the vehicles or exhaust systems comply with the requirements of Directive 70/157/EEC, as amended by this Directive.

2. With effect from 1 January 1997 Member States:

— shall no longer grant EC type-approval, and

— shall refuse to grant national type-approval,

for a type of vehicle on grounds relating to its permissible sound level and for a type of exhaust system, if the requirements of Directive 70/157/EEC, as amended by this Directive, are not fulfilled.

3. Notwithstanding paragraph 2, for the purposes of replacement parts, Member States shall continue to grant EC type-approval, and to permit the sale and entry into service, of exhaust systems in accordance with previous versions of Directive 70/157/EEC provided that such exhaust systems:

— are intended to be fitted to vehicles already in use, and

— comply with the requirements of that Directive which were applicable when the vehicles were first registered.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 October 1996. They shall forthwith inform the Commission thereof.
 2. When the Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.
 3. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.
-

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 27 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

A list of Annexes shall be inserted between the Articles and Annex I to read:

'List of Annexes

ANNEX I: EC type-approval in respect of the sound level of a type of motor vehicle

Appendix 1: Information document

Appendix 2: Type-approval certificate

ANNEX II: EC type-approval of exhaust systems as separate technical units

Appendix 1: Information document

Appendix 2: Type-approval certificate

Appendix 3: Model for the EC type-approval mark

ANNEX III: Checks on conformity of production

ANNEX IV: Test track specifications'.

Amendments to Annex I:

The footnote to item 1.1.7. shall be amended to read:

'(1) In accordance with the definitions given in Annex II A to Directive 70/156/EEC.'

Item 2.1. shall be amended to read:

'2.1. The application for EC type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a vehicle type with regard to its sound level shall be submitted by the vehicle manufacturer.'

Item 2.2. shall be amended to read:

'2.2. A model for the information document is given in Appendix 1.'

Items 2.2.1. to 2.2.4. inclusive shall be deleted.

In item 2.3. the words 'or his authorized representative' shall be deleted.

Item 2.5. shall be deleted.

Item 4. shall be amended to read:

'4. Granting of EC type-approval

4.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4 (3) and, if applicable, 4 (4) of Directive 70/156/EEC shall be granted.

4.2. A model for the EC type-approval certificate is given in Appendix 2.

4.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each vehicle type approved. The same Member State shall not assign the same number to another vehicle type.'

In item 5.2.1.2. 'Annex III' shall read 'Appendix 2'.

In item 5.2.2.3.1. 'Annex VI' shall read 'Annex IV'.

In item 5.2.2.3.4. the text of the second paragraph shall read:

'The tyres used for the test are selected by the vehicle manufacturer and shall comply with commercial practice and be available on the market; they shall correspond to one of the tyre-size designations (see item 2.17. of Annex II to Council Directive 92/23/EEC (*) indicated for the vehicle by the vehicle manufacturer according to item 1.5. of the Addendum to Appendix 2 and in the case of vehicles of categories M₁ and N₁ meet the requirements of Directive 89/459/EEC regarding the minimum tread depth; for vehicles of other categories, the minimum tread depth specified in Directive 89/459/EEC will be applied as if the vehicles were within the scope of that Directive. The tyres must be inflated to the appropriate pressure(s) for the test mass of the vehicle

(*) OJ No L 129, 14. 5. 1992, p. 95.'

In item 5.2.2.4.3.3.1.1. at the end of the third paragraph, it shall be added:

'If the engine speed "S" is still attained with an approach engine speed corresponding to the idle speed, then the test will be performed only in third gear and the relevant results have to be evaluated.'

In item 5.2.2.4.3.3.1.2. it shall be added at the end:

'However, the vehicle is deemed representative of its type also, if, on the applicant's request, the tests are extended over more ratios than foreseen, and the highest sound level is obtained between the extreme ratios tested.'

In items 5.2.3.1. and 5.2.3.5.1. 'Annex III' shall read 'Appendix 2'.

In items 5.3.2. 'Article 8 (3)' shall read 'Article 11 (2) or 11 (3)'.

Item 6. shall read:

'6. Modifications of the type and amendments of approval

6.1. In the case of modifications of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.'

The sub-items of item 7. shall read:

'7.1. Measures to ensure the conformity of production shall be taken in accordance with the requirements laid down in Article 10 of Directive 70/156/EEC.

7.2. Special provisions:

7.2.1. The tests referred to in item 2.3.5. of Annex X to Directive 70/156/EEC are those laid down in Annex III (I) to this Directive.

7.2.2. The frequency of inspections referred to in item 2.4. of Annex X to Directive 70/156/EEC is normally one every two years.'

After figure 4 the following Appendices 1 and 2 shall be added:

'Appendix 1

Information document No ... pursuant to Annex I of Council Directive 70/156/EEC (*) relating to EC type-approval of a vehicle with respect to the permissible sound level and the exhaust system (Directive 70/157/EEC, as last amended by Directive .../.../EC)

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. General

0.1. Make (trade name of manufacturer):

0.2. Type and general commercial description(s):

0.3. Means of identification of type, if marked on the vehicle (b):

0.3.1. Location of that marking:

0.4. Category of vehicle (c):

0.5. Name and address of manufacturer:

0.8. Address(es) of assembly plant(s):

(*) The item numbers and footnotes used in this information document correspond to those set out in Annex I to Directive 70/156/EEC.

Items not relevant for the purpose of this Directive are omitted.

1. **General construction characteristics of the vehicle**
 - 1.1. Photographs and/or drawings of a representative vehicle:
 - 1.3.3. Powered axles (number, position, interconnection):
 - 1.6. Position and arrangement of the engine:
2. **Masses and dimensions (e) (in kg and mm) (Refer to drawing where applicable)**
 - 2.4. Range of vehicle dimensions (overall)
 - 2.4.1. For chassis without bodywork
 - 2.4.1.1. Length (j):
 - 2.4.1.2. Width (k):
 - 2.4.2. For chassis with bodywork
 - 2.4.2.1. Length (j):
 - 2.4.2.2. Width (k):
 - 2.6. Mass of the vehicle with bodywork in running order, or mass of the chassis with cab if the manufacturer does not fit the bodywork (with standard equipment, including coolant, oils, fuel, tools, spare wheel and driver) (o) (maximum and minimum):
3. **Power plant (q)**
 - 3.1. Manufacturer:
 - 3.1.1. Manufacturer's engine code: (As marked on the engine, or other means of identification)
 - 3.2. Internal combustion engine
 - 3.2.1.1. Working principle: positive ignition /compression ignition, four stroke/two stroke (')
 - 3.2.1.2. Number and arrangement of cylinders:
 - 3.2.1.2.3. Firing order:
 - 3.2.1.3. Engine capacity (s): cm³
 - 3.2.1.8. Maximum net power (t): kW at min⁻¹ (manufacturer's declared value)
 - 3.2.4. Fuel feed
 - 3.2.4.1. By carburettor(s): yes/no (')
 - 3.2.4.1.2. Type(s):
 - 3.2.4.1.3. Number fitted:
 - 3.2.4.2. By fuel injection (compression ignition only): yes/no (')
 - 3.2.4.2.2. Working principle: Direct injection/pre-chamber/swirl chamber (')
 - 3.2.4.2.4. Governor
 - 3.2.4.2.4.1. Type:
 - 3.2.4.2.4.2.1. Cut-off point under load: min⁻¹
 - 3.2.4.3. By fuel injection (positive ignition only): yes/no (')
 - 3.2.4.3.1. Working principle: Intake manifold (single-/multi-point ('))/direct injection/other (specify) (')

(') Delete where not applicable.

- 3.2.8. Intake system
- 3.2.8.4.2. Air filter, drawings:; or
- 3.2.8.4.2.1. Make(s):
- 3.2.8.4.2.2. Type(s):
- 3.2.8.4.3. Intake silencer, drawings:, or
- 3.2.8.4.3.1. Make(s):
- 3.2.8.4.3.2. Type(s):
- 3.2.9. Exhaust system
- 3.2.9.2. Description and/or drawing of the exhaust system:
- 3.2.9.4. Exhaust silencer(s):
- For front, centre, rear silencer: construction, type, marking; where relevant for exterior noise: reducing measures in the engine compartment and on the engine:
- 3.2.9.5. Location of the exhaust outlet:
- 3.2.9.6. Exhaust silencer containing fibrous materials:
- 3.2.12.2.1. Catalytic convertor: yes/no ⁽¹⁾
- 3.2.12.2.1.1. Number of catalytic convertors and elements:
- 3.3. Electric motor
- 3.3.1. Type (winding, excitation):
- 3.3.1.1. Maximum hourly output: kW
- 3.3.1.2. Operating voltage:..... V
- 3.4. Other engines or motors or combinations thereof (particulars regarding the parts of such engines or motors):
4. **Transmission (v)**
- 4.2. Type (mechanical, hydraulic, electric, etc.):
- 4.6. Gear ratios

Gear	Internal gearbox ratios (ratios of engine to gearbox output shaft revolutions)	Final drive ratio(s) (ratio of gearbox output shaft to driven wheel revolutions)	Total gear ratios
Maximum for CVT (*)			
1			
2			
3			
...			
Minimum for CVT (*)			
Reverse			

(*) Continuously variable transmission

⁽¹⁾ Delete where not applicable.

- 4.7. Maximum vehicle speed (and gear in which this is achieved) (in km/h) (w):
- 6. **Suspension**
 - 6.6. Tyres and wheels
 - 6.6.2. Upper and lower limits of rolling radii
 - 6.6.2.1. Axle 1:
 - 6.6.2.2. Axle 2:
 - 6.6.2.3. Axle 3:
 - 6.6.2.4. Axle 4:
 - etc.
- 9. **Bodywork** (not applicable for vehicles of category M1)
 - 9.1. Tpe of bodywork:
 - 9.2. Materials used and method of constriction
- 12. **Miscellaneous**
 - 12.5. Details of any non-engine devices designed to reduce noise (if not covered by other items):

Additional information in the case of off-road vehicles

- 1.3. Number of axles and wheels:
 - 2.4.1. For chassis without bodywork
 - 2.4.1.4.1. Approach angle (na): degrees
 - 2.4.1.5.1. Departure angle (nb): degrees
 - 2.4.1.6. Ground clearance (as defined in point 4.5 of section A of Annex II to Directive 70/156/EEC)
 - 2.4.1.6.1. Between the axles:
 - 2.4.1.6.2. Under the front axle(s):
 - 2.4.1.6.3. Under the rear axle(s):
 - 2.4.1.7. Ramp angle (nc): degrees
 - 2.4.2. For chassis with bodywork
 - 2.4.2.4.1. Approach angle (na): degrees
 - 2.4.2.5.1. Departure angle (nb): degrees
 - 2.4.2.6. Ground clearance (as defined in point 4.5 of section A of Annex II to Directive 70/156/EEC)
 - 2.4.2.6.1. Between the axles:
 - 2.4.2.6.2. Under the front axle(s):
 - 2.4.2.6.3. Under the rear axle(s):
 - 2.4.2.7. Ramp angle (nc): degrees
- 2.15. Hill-starting ability (solo vehicle): percent
- 4.9. Differential lock: yes/no/optional (1)

Date, File

(1) Delete where not applicable.

*Appendix 2***MODEL****EC TYPE-APPROVAL CERTIFICATE**

(Maximum Format: A4 (210 × 297 mm))

Stamp of administration

Communication concerning the

- type-approval ⁽¹⁾
- extension of type-approval ⁽¹⁾
- refusal of type-approval ⁽¹⁾
- withdrawal of type-approval ⁽¹⁾

of a type of a vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive .../.../EEC, as last amended by Directive .../.../EC.

Type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer);
- 0.2. Type and general commercial description(s);
- 0.3. Means of identification of type if marked on the vehicle/component/separate technical unit ⁽¹⁾ ⁽²⁾
 - 0.3.1. Location of that marking;
- 0.4. Category of vehicle ⁽³⁾;
- 0.5. Name and address of manufacturer;
- 0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark;
- 0.8. Address(es) of assembly plant(s)

SECTION II

1. Additional information (where applicable): See Addendum
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): See Addendum
6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

Addendum to EC type-approval certificate No ...

concerning the type-approval of a vehicle with regard to Directive 70/157/EEC as last amended by Directive ...

1. Additional information:
 - 1.1. If necessary, list of vehicles covered by item 5.2.2.4.3.3.1.2. of Annex I:
 - 1.2. Engine
 - 1.2.1. Manufacturer:
 - 1.2.2. Type:
 - 1.2.3. Model:
 - 1.2.4. Rated maximum power kW at min – 1

⁽¹⁾ Delete where not applicable.⁽²⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this type-approval certificate such characters shall be represented in the documentation by the symbol: "?" (e.g. ABC??123??).⁽³⁾ As defined in Annex II A to Directive 70/156/EEC.

- 1.3. Transmission: non-automatic gearbox/automatic gearbox ⁽¹⁾
- 1.3.1. Number of gears:
- 1.4. Equipment
- 1.4.1. Exhaust silencer
- 1.4.1.1. Manufacturer:
- 1.4.1.2. Model:
- 1.4.1.3. Type:..... in accordance with drawing No:
- 1.4.2. Intake silencer
- 1.4.2.1. Manufacturer:
- 1.4.2.2. Model:
- 1.4.2.3. Type: in accordance with drawing No:
- 1.5. Tyre size:
- 1.5.1. Description of tyre type used for type-approval testing:
- 1.6. Measurements
- 1.6.1. Sound level of moving vehicle:

Measurement results			
	Left-hand side dB (A) ⁽²⁾	Right-hand side dB (A) ⁽²⁾	Position of gear lever
first measurement			
second measurement			
third measurement			
fourth measurement			
Test result: dB (A)/E ⁽³⁾			

- 1.6.2. Sound level of stationary vehicle:

	dB (A)	Engine speed
first measurement		
second measurement		
third measurement		
Test result dB (A)/E ⁽³⁾		

- 1.6.3. Sound level of compressed air noise:

Measurement results		
	Left-hand side dB (A) ⁽²⁾	Right-hand side dB (A) ⁽²⁾
first measurement		
second measurement		
third measurement		
fourth measurement		
Test result dB (A)		

5. Remarks:

⁽¹⁾ Delete where inapplicable.

⁽²⁾ The measurement values are given with the 1 dB (A) deduction in accordance with provisions of item 5.2.2.5.1. of Annex I.

⁽³⁾ 'E' indicates that the measurements in question were conducted in accordance with this Directive.

Amendments to Annex II

In item 0. 'Article 9a' shall be replaced by 'Article 2'.

Item 2.1. shall be amended to read:

- '2.1. The application of EC type-approval pursuant to Article 3 (4) of Directive 70/156/EEC in respect of a replacement exhaust system or component thereof as a separate technical unit shall be submitted by the vehicle manufacturer or the manufacturer of the separate technical unit in question.'

Item 2.2. shall be amended to read:

- '2.2. A model for the information document is given in Appendix 1.'

Item 2.2.1. to 2.2.3. inclusive, 2.4. and 3.1.3. shall be deleted.

Footnote (1) to items 2.3.3. and 5.2.1. shall be amended to read:

- '(1) As prescribed in the version of this Directive which was applicable to the type-approval of the vehicle.'

Items 3., 3.1., 3.1.1., 3.1.2. and 3.2. shall be renumbered 2.4., 2.4.1., 2.4.1.1., 2.4.1.2. and 2.4.2., respectively.

Item 4. shall be renumbered 3. and shall be amended to read:

'3. Granting of EC type-approval

- 3.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4 (3) and, if applicable, Article 4 (4) of Directive 70/156/EEC shall be granted.
- 3.2. A model for the EC type-approval certificate is given in Appendix 2.
- 3.3. A type-approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of replacement exhaust system or component thereof approved as a separate technical unit; section 3 of the type-approval number shall indicate the number of the amending Directive which was applicable at the time of the vehicle type-approval. The same Member State shall not assign the same number to another type of replacement exhaust system or component thereof.'

A new item 4. shall be added to read:

'4. EC type-approval mark

- 4.1. Every replacement exhaust system or component thereof, excluding fixing hardware and pipes, conforming to a type approved under this Directive shall bear an EC type-approval mark.
- 4.2. The EC type-approval mark shall consist of a rectangle surrounding the lower case letter "e" followed by the distinguishing letter(s) or number of the Member State which has granted the approval:
- | | |
|-------|------------------------|
| "1" | for Germany |
| "2" | for France |
| "3" | for Italy |
| "4" | for the Netherlands |
| "5" | for Sweden |
| "6" | for Belgium |
| "9" | for Spain |
| "11" | for the United Kingdom |
| "12" | for Austria |
| "13" | for Luxembourg |
| "17" | for Finland |
| "18" | for Denmark |
| "21" | for Portugal |
| "23" | for Greece |
| "IRL" | for Ireland |

It must also include in the vicinity of the rectangle the "base approval number" contained in section 4 of the type-approval number referred to in Annex VII to Directive 70/156/EEC, preceded by the two figures indicating the sequence number assigned to the most recent major technical amendment to Council Directive 70/157/EEC which was applicable at the time of the vehicle type-approval. For Directive 70/157/EEC, the sequence number is 00; for Directive 77/212/EEC the sequence number is 01; for Directive 84/424/EEC the sequence number is 02; for Directive 92/97/EEC the sequence number is 03.

4.3. The mark must be clearly legible and indelible even when the replacement exhaust system or component thereof is fitted to the vehicle.

4.4. An example of the EC type-approval mark is shown in Appendix 3.'

Item 6. shall be replaced by the following new items 6. and 7.:

'6. Modification of the type and amendments to approvals

6.1. In the case of modifications of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

7. Conformity of production

7.1. Measures to ensure the conformity of production shall be taken in accordance with the requirements laid down in Article 10 to Directive 70/156/EEC.

7.2. Special provisions:

7.2.1. The tests referred to item 2.3.5. of Annex X to Directive 70/156/EEC are those prescribed in Annex III (II) to this Directive.

7.2.2. The frequency of inspections referred to in item 2.4. of Annex X to Directive 70/156/EEC is normally one every two years.'

After Figure 3 the following Appendices 1, 2 and 3 shall be added:

'Appendix 1

Information Document No ... relating to EC type-approval as separate technical unit of exhaust systems for motor vehicles (Directive 70/157/EEC, as last amended by Directive .../.../EC)

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. General

0.1. Make (trade name of manufacturer):

0.2. Type and general commercial description(s):

0.5. Name and address of manufacturer:

0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark:

0.8. Address(es) of assembly plant(s):

1. Description of the vehicle for which the device is intended (if the device is intended to be fitted to more than one vehicle type the information requested under this point shall be supplied for each type concerned)

1.1. Make (trade name of manufacturer):

1.2. Type and general commercial description(s):

1.3. Means of identification of type, if marked on the vehicle:

1.4. Category of vehicle:

1.5. EC type-approval number with regard to sound level:

1.6. All the information mentioned in items 1.1. to 1.5. of the type-approval certificate concerning the vehicle (Annex I, Appendix 2 to this Directive):

2. Description of the device

2.1. A description of the replacement exhaust system indicating the relative position of each system component, together with mounting instructions:

2.2. Detailed drawings of each component, so that they can be easily located and identified, and reference to the materials used. These drawings must indicate the place provided for the compulsory affixing of the EC type-approval mark:

Date, File

*Appendix 2***MODEL****EC TYPE-APPROVAL CERTIFICATE**

(Maximum Format: A4 (210 × 297 mm))

Stamp of administration

Communication concerning the

- type-approval ⁽¹⁾
- extension of type-approval ⁽¹⁾
- refusal of type-approval ⁽¹⁾
- withdrawal of type-approval ⁽¹⁾

of a type of a vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive .../.../EEC, as last amended by Directive .../.../EC.

Type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type and general commercial description(s):
- 0.3. Means of identification of type if marked on the vehicle/component/separate technical unit ⁽¹⁾ ⁽²⁾:
 - 0.3.1. Location of that marking:
- 0.4. Category of vehicle ⁽³⁾
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark:
- 0.8. Address(es) of assembly plant(s):

SECTION II

1. Additional information (where applicable): See Addendum
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): See Addendum
6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

Addendum to EC type-approval certificate No ...

concerning the separate technical unit type-approval of exhaust systems for motor vehicles with regard to Directive 70/157/EEC as last amended by Directive ...

1. Additional information
 - 1.1. Composition of the separate technical unit:

⁽¹⁾ Delete where not applicable.

⁽²⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by the type-approval certificate such characters shall be represented in the documentation by the symbol: "?" (e.g. ABC??123??).

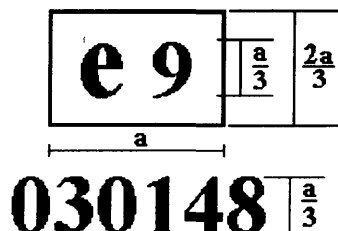
⁽³⁾ As defined in Annex II A to Directive 70/156/EEC.

- 1.2. Trademark or trade name of the type(s) of motor vehicle to which the silencer is to be fitted (1):
- 1.3. Type(s) of vehicle and its/their type-approval number(s):
- 1.4. Engine
 - 1.4.1. Type (positive ignition, diesel):
 - 1.4.2. Cycles: two-stroke, four-stroke:
 - 1.4.3. Total cylinder capacity:
 - 1.4.4. Rated maximum engine power kW at min⁻¹
- 1.5. Number of gear ratios:
- 1.6. Gear ratios employed:
- 1.7. Drive-axle ratios(s):
- 1.8. Sound-level values:
 - moving vehicle: dB (A), speed stabilized before acceleration at km/h;
 - stationary vehicle: dB (A), at min⁻¹
- 1.9. Variation in back pressure:
- 1.10. Any restrictions in respect of use and mounting requirements:
5. Remarks:

Appendix 3

MODEL FOR THE EC TYPE-APPROVAL MARK

a ≥ 12 mm



The exhaust system or component thereof bearing the above EC type-approval mark is a device which has been approved in Spain (e 9) pursuant to Directive 92/97/EEC (03) under the base approval number 0148.

The figures used are only indicative.

(1) If several types are indicated, items 1.3. to 1.10. inclusive must be completed in respect of each type.

Amendments to Annexes III, IV, V and VI:

Annexes III and IV shall be deleted.

Annex V shall be renumbered Annex III.

In Annex III (1), item 2 shall read:

‘2. Testing procedures

The methods of testing, conditions and measurements, measuring instruments and interpretation of results shall be those described in Annex I. The vehicle(s) under test shall be subject to the test for measurement of noise of vehicle in motion as described in item 5.2.2. of Annex I.’

Annex VI shall be renumbered Annex IV.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 2 April 1996

suspending the buying-in of butter in certain Member States

(Only the Danish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish and Swedish texts are authentic)

(96/268/EC)

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 Regulation (EC) No 2931/95 ⁽²⁾, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87 ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, sets out the circumstances under which the buying-in of butter and skimmed-milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87 ⁽⁴⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁵⁾, lays down the criteria for opening and suspending the buying-in of butter by invitation to tender in the Member States or, in the case of the United Kingdom and Germany, in a region thereof;

Whereas Commission Decision 96/248/EC of 24 November 1995 ⁽⁶⁾ suspends the buying-in of butter in

certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is no longer met in Ireland; whereas the list of Member States in which that suspension applies must be adjusted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The buying-in of butter by invitation to tender as provided for in Article 1 (3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, Denmark, Germany, Greece, France, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, Great Britain and Northern Ireland.

Article 2

Decision 96/248/EC is hereby repealed.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁵⁾ OJ No L 174, 26. 7. 1995, p. 27.

⁽⁶⁾ OJ No L 83, 2. 4. 1996, p. 18.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom.

Done at Brussels, 2 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 268/96 of 13 February 1996 amending Regulations (EC) No 121/94 and (EC) No 1606/94 concerning importation of certain cereal sector products from the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania

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

On page 8 in the Annex under 'I. Products originating in the Republic of Hungary', first column 'CN code', against:

'Millet':

— *for*: '1001 20 00',

— *read*: '1008 20 00';

and, 'Canary seed':

— *for*: '1001 30 00',

— *read*: '1008 30 00';

under 'II. Products origination in the Czech Republic' and 'III. Products origination in the Slovak Republic' in the first column 'CN Code', against 'Wheat flour':

for: '1101 00 00',

read: '1101 00'.
