

Official Journal

of the European Communities

ISSN 0378-6978

L 136

Volume 39

7 June 1996

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1021/96**of 6 June 1996****opening individual invitations to tender for the sale for export of vinous alcohol**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1544/95 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

Whereas Commission Regulation (EEC) No 377/93 ⁽⁴⁾, as last amended by Regulation (EC) No 3152/94 ⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas individual invitations to tender should be opened for the export of vinous alcohol to certain Caribbean and Central American countries so as to guarantee continuity of supplies to those countries and reduce the Community stock of vinous alcohol;

Whereas a specific security should be provided for to ensure that the alcohol is physically exported from the customs territory of the Community and non-compliance with the date laid down for export should be progressively penalized; whereas this security must be independent of the performance guarantee ensuring that the alcohol is removed from storage and the awarded alcohol is used for the purposes laid down;

Whereas Commission Regulation (EEC) No 2192/93 ⁽⁶⁾, concerning the operative events for the agricultural

conversion rates used in the wine sector and amending Regulation (EEC) No 377/93, specifies the agricultural conversion rates to be used to convert the payments and securities provided for in connection with individual invitations to tender into national currency;

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

HAS ADOPTED THIS REGULATION:

Article 1

Six sales by individual invitation to tender Nos 194/96 EC, 195/96 EC, 196/96 EC, 197/96 EC, 198/96 EC and 199/96 EC shall be held for a total quantity of 300 000 hectolitres of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian, Spanish and French intervention agencies.

Each of the individual invitations to tender Nos 194/96 EC, 195/96 EC, 196/96 EC, 197/96 EC, 198/96 EC and 199/96 EC shall cover a quantity of 50 000 hectolitres of alcohol at 100 % volume.

Article 2

The alcohol offered for sale:

— shall be for export outside the European Community,

— must be imported into and dehydrated:

— in the case of individual invitations to tender Nos 194/96 EC and 195/96 EC, one of the following third countries:

— Costa Rica,

— Guatemala,

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽⁵⁾ OJ No L 332, 22. 12. 1994, p. 34.

⁽⁶⁾ OJ No L 196, 5. 8. 1993, p. 19.

- Honduras, including the Swan Islands,
- El Salvador,
- in the case of individual invitations to tender Nos 196/96 EC, 197/96 EC, 198/96 EC and 199/96 EC, one of the following third countries:
 - Saint Christopher and Nevis,
 - Bahamas,
 - Dominican Republic,
 - Antigua and Barbuda,
 - Dominica,
 - British Virgin Islands and Montserrat,
 - Jamaica,
 - Saint Lucia,
 - Saint Vincent, including the Northern Grenadines,
 - Barbados,
 - Trinidad and Tobago,
 - Belize,
 - Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles (Curaçao, Bonaire, Saint Eustace, Saba and the southern part of Saint Martin),
 - Guyana,
 - United States Virgin Islands,
 - Haiti,
- must be used only as motor fuel.

Article 3

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol as well as certain specific conditions are given in Annex I hereto.

Article 4

The sale shall take place in accordance with Articles 13 to 18 and Articles 30 to 38 of Regulation (EEC) No 377/93.

Article 5

1. The tendering security referred to in Article 15 of Regulation (EEC) No 377/93 shall be ECU 3,622 per hectolitre of alcohol at 100 % volume and shall be lodged for the total quantity of alcohol offered for sale in each of the invitations to tender referred to in Article 1.

Maintenance of the tender after the time limit for submitting tenders and the lodging of a guarantee to ensure export and of a performance guarantee shall constitute the

primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾ as regards the tendering security.

The tendering security lodged for each of the invitations to tender referred to in Article 1 shall be released immediately if the tender is not accepted or if the successful tenderer had lodged the entire guarantee to ensure export and the entire performance guarantee for the invitation to tender in question.

2. The guarantee to ensure export shall amount to ECU 5 per hectolitre of alcohol at 100 % volume and shall be lodged for each quantity of alcohol for which there is a removal order under each of the invitations to tender referred to in Article 1 of this Regulation.

This guarantee shall be released only by the intervention agency holding the alcohol for each quantity of alcohol for which proof has been furnished that it has been exported within the time limit laid down in Article 6 of this Regulation. Notwithstanding Article 23 of Regulation (EEC) No 2220/85, and except in cases of *force majeure*, where the export date referred to in Article 6 has not been complied with, the guarantee to ensure export of ECU 5 per hectolitre of alcohol at 100 % volume shall be forfeit as follows:

- (a) 15 % in all cases;
- (b) 10 % of the amount remaining after deduction of the 15 %, for each month the export date in question is exceeded.

3. The performance guarantee shall be ECU 30 per hectolitre of alcohol at 100 % volume. This guarantee shall be released in accordance with Article 34 (3) (b) of Regulation (EEC) No 377/93.

4. Notwithstanding Article 17 of Regulation (EEC) No 377/93, the guarantees on export and performance shall be lodged simultaneously with each intervention agency concerned, for each of the invitations to tender referred to in Article 1 of this Regulation not later than the day of issue of a removal order for the quantity of alcohol concerned.

5. The agricultural conversion rate to be applied for the conversion into national currency shall be that in force on the final day for the submission of tenders for the invitation in question in the case of the guarantee to ensure export, as expressed in ecus per hl at 100 % volume.

Article 6

1. The alcohol awarded under the invitations to tender referred to in Article 1 shall be exported by 28 February 1997 at the latest.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

2. The alcohol awarded shall be used within two years from the date of first removal.

Article 7

To be valid, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose. The tender shall also include proof that the tenderer has binding commitments with an operator in the motor fuel sector in one of the third countries listed in Article 2 who has undertaken to dehydrate the alcohol awarded in one of those countries and to export it for use solely as motor fuel.

Article 8

1. Before the awarded alcohol is removed, the intervention agency and the successful tenderer shall take a reference sample and shall analyse that sample to verify the alcoholic strength expressed in % volume of the alcohol in question.

Where the final results of the analysis of the sample show a difference between the alcoholic strength by volume of the alcohol to be removed and the minimum alcoholic strength by volume stated in the notice of invitation to tender, the following provisions shall apply:

(i) the intervention agency shall, the same day, inform the Commission thereof in accordance with Annex II, as well as the storer and the successful tenderer;

(ii) the successful tenderer may:

- either agree to take over the lot with its characteristics as established, subject to the Commission's agreement,
- or refuse to take over the lot in question.

In either case, the successful tenderer shall, the same day, inform the intervention agency and the Commission thereof in accordance with Annex III.

Once these formalities have been completed, if he has refused to take over the lot concerned, he shall be immediately released from all his obligations relating to that lot.

2. Where the successful tenderer refuses the merchandise, as provided for in paragraph 1, the intervention agency shall supply him with another quantity of alcohol

of the requisite quality, at no extra charge, within a maximum of eight days.

3. If physical removal of the alcohol is delayed by more than five working days in relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons attributable to the intervention agency, the Member State shall be responsible for the payment of compensation.

Article 9

1. Successful tenderers for the individual invitations to tender Nos 194/96 EC and 195/96 EC of the one part, and successful tenderers for the individual invitations to tender Nos 196/96 EC, 197/96 EC, 198/96 EC and 199/96 EC may, by common agreement, exchange an equal quantity of alcohol stored in the designated vats in the same Member State for the purposes provided for in those invitations to tender.

2. Such exchange shall not affect the obligations of the tenderers concerned, particularly as regards the price to be paid and the time limit for removal and use of the alcohol awarded to them indicated in the invitation to tender concerned.

3. Successful tenderers who wish to make such an exchange must give prior notice to the intervention agencies concerned.

4. If such exchange affects the planned timetable for physical removal of the alcohol, that timetable shall immediately be amended and that amendment notified to the Commission.

Article 10

Notwithstanding the first subparagraph of Article 36 (2) of Regulation (EEC) No 377/93, the alcohol contained in the vats indicated in the communication from the Member States referred to in Article 36 of Regulation (EEC) No 377/93 and covered by the invitation to tender referred to in Article 1 of this Regulation may be substituted by alcohol of the same type by the intervention agencies holding the alcohol concerned in agreement with the Commission, or mixed with other alcohol delivered to the intervention agency until a removal order is issued for that alcohol, in particular for logistical reasons.

Article 11

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, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 194/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Villarrobledo	22	37 812	39	Raw alcohol
	Villarrobledo	25	12 188	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Spanish pesetas, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 194/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24 June 1996.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 194/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

— FEAGA, Beneficencia 8, E-28004 Madrid (tel. 347 65 00; telex 23427 FEAGA; fax 521 98 32).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 195/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Bonollo SpA		8 000	35 + 36	Raw alcohol
	CA.VI.RO Srl		10 000	35	Raw alcohol
	Villapana SpA		3 000	35	Raw alcohol
	D'Auria SpA		4 400	36 + 39	Raw alcohol
	Del Sud SpA		4 250	36	Raw alcohol
	Di Trani SpA		4 750	36 + 39	Raw alcohol
	F.lli Balice Snc		3 000	36	Raw alcohol
	Bonollo Umberto SpA		1 000	39	Raw alcohol
	F.lli Cipriani SpA		600	39	Raw alcohol
	Ge. Dis. SpA		2 000	39	Raw alcohol
	G. Di Lorenzo Srl		5 500	39	Raw alcohol
	ICV SpA		1 900	39	Raw alcohol
	Kronion		1 600	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 195/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24 June 1996.
5. Tenders must state the name and address of the tenderer and must:
 - (a) include a reference to individual sale by tender No 195/96 EC;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.
6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
— EIMA, via Palestro 81, I-00185 Roma (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 196/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
FRANCE	Soterm / Deulep 39, avenue Georges-Brassens 13230 Port-Saint-Louis-du-Rhône		47 520	35 + 36	Raw alcohol
			2 480	35 + 36	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in French francs, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 196/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24 June 1996.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 196/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- SAV par délégation de l'Onivins, zone industrielle, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. 57 51 03 03; telex 572 025; fax 57 25 07 05).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 197/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
FRANCE	Port-la-Nouvelle		48 567	35 + 36	Raw alcohol
	Avenue Adolphe-Turrel Boîte postale 62 F-11210 Port-la-Nouvelle		1 433	35 + 36	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in French francs, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 197/96 EC (alcohol), DG VI (B-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24 June 1996.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 197/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- SAV par délégation de l'Onivins, zone industrielle, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. 57 51 03 03; telex 572 025; fax 57 25 07 05).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 198/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	D'Auria SpA		1 800	35	Raw alcohol
	DICO.VI. Sa Srl		1 800	35	Raw alcohol
	D.C.A. SpA		2 600	35	Raw alcohol
	Giacomo de Luca di Oronzo Sas		3 800	35	Raw alcohol
	G. Di Lorenzo Srl		11 000	35 + 36	Raw alcohol
	CA.VI.RO Srl		7 000	36	Raw alcohol
	Enodistil SpA		1 600	36	Raw alcohol
	Ge. Dis. SpA		1 000	36	Raw alcohol
	Mazzari SpA		2 000	36	Raw alcohol
	Bertolino SpA		1 500	39	Raw alcohol
	Bonollo SpA		13 000	39	Raw alcohol
	Enodistil		2 500	39	Raw alcohol
	F.Ili Cipriani SpA		400	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 198/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24 June 1996.
5. Tenders must state the name and address of the tenderer and must:
 - (a) include a reference to individual sale by tender No 198/96 EC;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.
6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
 - EIMA, via Palestro 81, I-00185 Roma (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 199/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Bertolino SpA		2 700	35	Raw alcohol
	Del Sud SpA		11 000	35	Raw alcohol
	Di Trani SpA		1 000	35	Raw alcohol
	Kronion Srl		1 300	35	Raw alcohol
	Del Sud SpA		14 250	36	Raw alcohol
	Di Trani SpA		1 750	36	Raw alcohol
	F. Palma SpA		2 500	36	Raw alcohol
	Distercoop Srl		2 500	39	Raw alcohol
	Mazzari SpA		3 000	39	Raw alcohol
	Neri Srl		3 000	39	Raw alcohol
	Saig SpA		7 000	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 199/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
 4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24 June 1996.
 5. Tenders must state the name and address of the tenderer and must:
 - (a) include a reference to individual sale by tender No 199/96 EC;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.
 6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
— EIMA, via Palestro 81, I-00185 Roma (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).
This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.
-

ANNEX II

The only telex and fax numbers in Brussels to be used are:

DG VI (E-2) (for the attention of Mr Chiappone/Mr Van der Stappen)

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
— fax: (32 2) 295 92 52.

ANNEX III

Communication of refusal or acceptance of lots under the individual invitation to tender for the export of vinous alcohol opened by Regulation (EC) No 1021/96

- Name of the successful tenderer:
— Date of award of contract:
— Date of refusal or acceptance of the lot by the successful tenderer:

Lot No	Quantity in hectolitres	Location of alcohol	Reason for refusal or acceptance to take over

COMMISSION REGULATION (EC) No 1022/96
of 6 June 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 923/96 ⁽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 1020/96 ⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1020/96 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 1020/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1020/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 7 June 1996.

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

Done at Brussels, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

⁽⁴⁾ OJ No L 49, 28. 2. 1996, p. 5.

⁽⁵⁾ OJ No L 135, 6. 6. 1996, p. 26.

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⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽²⁾	0,00	0,00
	medium quality	17,43	7,43
	low quality	33,53	23,53
1002 00 00	Rye	50,55	40,55
1003 00 10	Barley, seed	50,55	40,55
1003 00 90	Barley, other ⁽²⁾	50,55	40,55
1005 10 90	Maize seed other than hybrid	48,49	38,49
1005 90 00	Maize other than seed ⁽²⁾	48,49	38,49
1007 00 90	Grain sorghum other than hybrids for sowing	50,55	40,55

⁽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 (on 4. 6. 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)	175,47	163,07	143,73	137,07	200,07 ⁽¹⁾	137,61 ⁽¹⁾
Gulf premium (ECU/tonne)	—	17,35	20,59	12,29	—	—
Great lake premium (ECU/tonne)	25,55	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 11,00 per tonne; Great Lakes — Rotterdam: ECU 20,69 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 1023/96

of 6 June 1996

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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 923/96⁽²⁾, and in particular Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under 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 amended by Regulation (EC) No 95/96⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in

cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁷⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 June 1996.

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

Done at Brussels, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 6 June 1996 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
0709 90 60 000	—	—	1101 00 11 000	—	—
0712 90 19 000	—	—	1101 00 15 100	—	—
1001 10 00 200	—	—	1101 00 15 130	—	—
1001 10 00 400	—	—	1101 00 15 150	—	—
1001 90 91 000	—	—	1101 00 15 170	—	—
1001 90 99 000	—	—	1101 00 15 180	—	—
1002 00 00 000	01	0	1101 00 15 190	—	—
1003 00 10 000	—	—	1101 00 90 000	—	—
1003 00 90 000	—	—	1102 10 00 500	01	45,00
1004 00 00 200	—	—	1102 10 00 700	—	—
1004 00 00 400	—	—	1102 10 00 900	—	—
1005 10 90 000	—	—	1103 11 10 200	01	0 ⁽³⁾
1005 90 00 000	—	—	1103 11 10 400	—	— ⁽³⁾
1007 00 90 000	—	—	1103 11 10 900	—	—
1008 20 00 000	—	—	1103 11 90 200	—	— ⁽³⁾
			1103 11 90 800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries.

⁽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.

⁽³⁾ No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1024/96

of 6 June 1996

fixing the corrective amount applicable to the refund on cereals

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 923/96⁽²⁾, and in particular Article 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

Whereas Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the 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⁾, allows for the fixing of a corrective amount for the products listed in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EC) No 2853/95⁽⁸⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 June 1996.

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

Done at Brussels, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.
⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.
⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.
⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.
⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁸⁾ OJ No L 299, 12. 12. 1995, p. 1.

ANNEX

to the Commission Regulation of 6 June 1996 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (*)	(ECU/tonne)						
		Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11	6th period 12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	—	—	—	—	—	—	—	—
1002 00 00 000	—	—	—	—	—	—	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	—	—	—	—	—	—	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	—	—	—	—	—	—	—	—
1101 00 15 130	—	—	—	—	—	—	—	—
1101 00 15 150	—	—	—	—	—	—	—	—
1101 00 15 170	—	—	—	—	—	—	—	—
1101 00 15 180	—	—	—	—	—	—	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	—	—	—	—	—	—	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	- 1,95	- 3,90	- 5,85	—	—
1103 11 10 400	—	—	—	—	—	—	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	—	—	—	—	—	—	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(*) The destinations are identified as follows:

01 all third countries.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1025/96
of 6 June 1996
fixing the agricultural conversion rates

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

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 ⁽¹⁾, as last amended by Regulation (EC) No 150/95 ⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 936/96 ⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽⁴⁾, as last amended by Regulation (EC) No 2853/95 ⁽⁵⁾; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded from 28 May to 6 June 1996, it is necessary to fix a new agricultural conversion rate for the German mark, the Dutch guilder and the Austrian schilling;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EC) No 936/96 is hereby repealed.

Article 4

This Regulation shall enter into force on 7 June 1996.

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

Done at Brussels, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 127, 25. 5. 1996, p. 24.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 299, 12. 12. 1995, p. 1.

ANNEX I

Agricultural conversion rates

ECU 1 =	39,5239	Belgian and Luxembourg francs
	7,49997	Danish kroner
	1,91449	German marks
	311,761	Greek drachmas
	198,202	Portuguese escudos
	6,61023	French francs
	6,02811	Finnish marks
	2,14272	Dutch guilders
	0,829498	Irish punt
	2 030,40	Italian lire
	13,4713	Austrian schillings
	165,198	Spanish pesetas
	8,93762	Swedish kroner
	0,856563	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	38,0038	Belgian and Luxembourg francs	ECU 1 =	41,1707	Belgian and Luxembourg francs
	7,21151	Danish kroner		7,81247	Danish kroner
	1,84086	German marks		1,99426	German marks
	299,770	Greek drachmas		324,751	Greek drachmas
	190,579	Portuguese escudos		206,460	Portuguese escudos
	6,35599	French francs		6,88566	French francs
	5,79626	Finnish marks		6,27928	Finnish marks
	2,06031	Dutch guilders		2,23200	Dutch guilders
	0,797594	Irish punt		0,864060	Irish punt
	1 952,31	Italian lire		2 115,00	Italian lire
	12,9532	Austrian schillings		14,0326	Austrian schillings
	158,844	Spanish pesetas		172,081	Spanish pesetas
	8,59387	Swedish kroner		9,31002	Swedish kroner
	0,823618	Pound sterling		0,892253	Pound sterling

COMMISSION REGULATION (EC) No 1026/96

of 6 June 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 7 June 1996.

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

Done at Brussels, 6 June 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 6 June 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 35	052	84,7	0808 10 61, 0808 10 63, 0808 10 69	528	66,0
	060	80,2		600	84,0
	064	59,6		624	48,9
	066	41,7		999	78,0
	068	62,3		039	110,3
	204	46,7		052	64,0
	208	44,0		064	78,6
	212	97,5		284	72,1
	624	95,8		388	74,3
	999	68,1		400	64,5
ex 0707 00 25	052	82,7	0809 10 20	404	63,6
	053	156,2		416	72,7
	060	61,0		508	73,8
	066	53,8		512	68,4
	068	69,1		524	65,9
	204	144,3		528	66,8
	624	87,1		624	86,5
	999	93,5		728	107,3
	220	317,0		800	78,0
	999	317,0		804	89,8
0709 10 20	052	44,7	0809 20 49	999	77,3
	204	77,5		052	64,6
	412	54,2		061	51,3
	624	151,9		064	105,3
	999	82,1		999	73,7
0709 90 77	052	134,4		052	182,3
	204	88,8		061	182,0
	220	74,0		064	254,1
	388	65,8		068	262,6
	400	74,3		400	310,1
	512	54,8		600	94,9
	520	66,5		624	363,9
	524	100,8		676	166,2
0805 30 30				999	227,0

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 16). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1027/96
of 6 June 1996
on the issue of import licences for garlic originating in China

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

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

Having regard to Council Regulation (EC) No 885/96 of 15 May 1996 concerning a protective measure applicable to imports of garlic from China⁽³⁾ and in particular Article 1 (3) thereof,

Whereas pursuant to Commission Regulation (EEC) No 1859/93⁽⁴⁾, as amended by Regulation (EC) No 1662/94⁽⁵⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1 (1) of Commission Regulation (EC) No 885/96, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1996 to 31 May 1997;

Whereas, given the criteria laid down in Article 1 (2) of that Regulation and the import licences already issued, the quantity applied for on 3 June 1996 is in excess of

the maximum monthly quantity for June 1996; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to these applications; whereas the issue of licences in response to applications lodged after 3 June 1996 and before 5 July 1996 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for on 3 June 1996 under Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,68489 % of the quantity applied for, having regard to the information available to the Commission on 5 June 1996.

For the abovementioned products applications for import licences lodged after 3 June 1996 and before 5 July 1996 shall be refused.

Article 2

This Regulation shall enter into force on 7 June 1996.

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

Done at Brussels, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 119, 16. 5. 1996, p. 12.

⁽⁴⁾ OJ No L 170, 13. 7. 1993, p. 10.

⁽⁵⁾ OJ No L 176, 9. 7. 1994, p. 1.

COMMISSION REGULATION (EC) No 1028/96

of 6 June 1996

amending Regulation (EC) No 985/86 fixing the maximum buying-in price and the quantities of beef to be bought in under the 160th partial invitation to tender as 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 894/96⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EC) No 985/96⁽³⁾, fixes the maximum buying-in price and the quantities of beef to be bought in under the 160th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89;

Whereas, as a result of an error, the text of the Regulation does not correspond to the measures submitted for the opinion of the Committee; whereas Regulation (EC) No 985/96 should be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No (EC) No 985/96 is hereby amended as follows:

1. The following recital is added:

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

2. Article 2 is deleted.

Article 2

This Regulation shall enter into force on 7 June 1996.

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

Done at Brussels, 6 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 125, 23. 5. 1996, p. 1.

⁽³⁾ OJ No L 131, 1. 6. 1996, p. 53.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 May 1996

concerning the conclusion of the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam

(96/351/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 113 and 130y, in conjunction with the first sentence of Article 228 (2) and the first subparagraph of Article 228 (3) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, under Article 130u of the Treaty, Community policy in the sphere of development cooperation shall foster the sustainable economic and social development of the developing countries, their smooth and gradual integration into the world economy and the campaign against poverty in those countries;

Whereas the Community should approve, for the attainment of its aims in the sphere of external relations, the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam,

HAS DECIDED AS FOLLOWS:

Article 1

The Cooperation Agreement between the European Community and the Socialist Republic of Vietnam is hereby approved on behalf of the Community.

The text of this Agreement is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Community, give the notification provided for in Article 20 of the Agreement.

Article 3

The Commission, assisted by representatives of the Member States, shall represent the Community in the Joint Commission provided for in Article 14 of the Agreement.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 14 May 1996.

For the Council

The President

E. GUZZANTI

⁽¹⁾ OJ No C 12, 17. 1. 1996, p. 4.

⁽²⁾ OJ No C 47, 19. 2. 1996, p. 25.

COOPERATION AGREEMENT**between the European Community and the Socialist Republic of Vietnam**

THE COUNCIL OF THE EUROPEAN UNION,

of the one part, and

THE GOVERNMENT OF VIETNAM,

of the other part,

WELCOMING the increase in trade and cooperation which have taken place since the normalization of relations in November 1990 between the European Community on the one hand, hereinafter referred to as 'the Community', and the Socialist Republic of Vietnam on the other, hereinafter referred to as 'Vietnam';

RECOGNIZING the importance of further strengthening the links and enhancing the relations between the Community and Vietnam;

REAFFIRMING the importance which the Community and Vietnam attach to respect for human rights and democratic principles and the principles of the United Nations Charter and respect for national independence and sovereignty;

RECOGNIZING the steps taken by Vietnam to normalize its relations with all partners, both regional and international and underlining those measures of cooperation which could assist the process of regional cooperation;

RECOGNIZING the responsibility of all States, in accordance with basic international principles and practices to accept back those of its citizens who have left their country for one reason or another;

HAVING REGARD to the important new opportunities for trade in textiles and clothing through bilateral contractual rights and obligations between the Community and Vietnam;

INSPIRED by their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of equality, non-discrimination, mutual benefit and reciprocity;

RECOGNIZING the positive consequences of the ongoing process of economic reform in Vietnam to secure the transition to a market economy and the commitment to continue with this process;

DESIROUS of creating favourable conditions for a substantial development and diversification of trade between the Community and Vietnam;

HAVING REGARD to the need to uphold the principles and practices which promote free and unhindered two-way trade in a stable, transparent and non-discriminatory manner, taking into account the different economic conditions of each Party;

HAVING REGARD to the need to create favourable conditions for direct investment;

HAVING REGARD to the need to support Vietnam in its efforts to achieve sustainable economic development and to improve the living conditions of the poorer sections of the population;

CONSIDERING the importance attached by the Community and Vietnam to the protection of the environment on a global and at a local level and to the sustainable use of natural resources, and recognizing the linkage between the environment and development,

HAVE DECIDED to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN UNION:

Javier SOLANA MADARIAGA

Minister of Foreign Affairs of the Kingdom of Spain,
President-in-Office of the Council of the European Union,

Manuel MARÍN

Vice-President of the Commission of the European Communities,

THE GOVERNMENT OF VIETNAM:

NGUYEN MANH CAM

Minister of Foreign Affairs of the Socialist Republic of Vietnam,

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

*Article 1***Basis**

Respect for human rights and democratic principles is the basis for the cooperation between the Parties and for the provisions of this Agreement, and it constitutes an essential element of the Agreement.

*Article 2***Objectives**

The principal objectives of this Agreement are:

1. to secure the conditions and to promote the increase and development of bilateral trade and investment between the two parties in their mutual interest taking into account their respective economic situations;
2. to support the sustainable economic development of Vietnam and the improvement of living conditions of the poorer sections of the population;
3. to enhance economic cooperation in the mutual interest of the parties, including support to the Government of Vietnam's ongoing efforts to restructure its economy and to move towards a market economy;
4. to support environmental protection and the sustainable management of natural resources.

*Article 3***Most-favoured-nation treatment**

The Community and Vietnam shall grant each other most-favoured-nation treatment in their trade in conformity with the provisions of the General Agreement on Trade and Tariffs (GATT) 1994.

The provisions of this Article shall not apply to preferences accorded by either Party under an arrangement establishing a customs union, a free trade area or an area of preferential treatment.

*Article 4***Trade and commercial cooperation**

1. The Parties undertake to develop and diversify their commercial exchanges and to improve market access to the highest possible degree in a manner taking into account their respective economic situations.
2. The Parties, within the current framework of their respective laws and regulations, are committed to a policy for improving the terms of access for their products to each other's markets. In this context, they shall grant each other the most favourable conditions for imports and exports and they agree to examine ways and means of eliminating barriers to trade between them, notably non-tariff barriers, taking account of their different systems and the work already done in this connection by international organizations.
3. The provisions of paragraphs 1 and 2 shall not limit the right of either Party to apply measures which are necessary for the protection of its essential security interests or for the protection of public health or morals and the protection of environment and animal or plant life or health. In respect of the latter such measures shall not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on trade.
4. The Parties agree to promote the exchange of information concerning mutually beneficial market opportunities and to hold consultations in a constructive spirit on the issues of tariff, non-tariff, services, health, safety or environmental measures, and technical requirements. Training programmes should take place in these fields as part of economic cooperation between the two Parties.
5. The Parties agree to improve cooperation in customs matters between the respective authorities, especially with regard to the possibility of professional training, the simplification and harmonization of customs procedures, and the prevention, investigation and suppression of infractions of customs regulations.
6. The Parties agree to consult each other on any dispute which may arise in connection with trade or trade-related matters.

*Article 5***Investments**

The Parties shall encourage an increase in mutually beneficial investment by establishing a favourable climate for private investments including better conditions for the transfer of capital and exchange of information on investment opportunities. In particular the Parties will, where appropriate, support agreements on the promotion and protection of investments between the Member States of the European Union and Vietnam on the basis of the principles of non-discrimination and reciprocity.

*Article 6***Intellectual property rights**

1. Insofar as their competencies, regulations and policies permit, the Parties will:

- (a) aim to improve the conditions for adequate and effective protection and reinforcement of intellectual, industrial and commercial property rights in conformity with the highest international standards;
- (b) cooperate to secure these objectives, including, where appropriate, through the means of technical assistance.

2. The Parties agree that they shall avoid discriminatory treatment in relation to intellectual property rights and that they shall engage, if necessary, in consultations if problems affecting trade relations arise.

*Article 7***Economic cooperation**

1. The Parties undertake, in their mutual interests and in accordance with their respective policies and objectives, to foster economic cooperation of the widest possible scope in order to contribute to the expansion of their respective economies and their development needs.

2. The Parties agree that economic cooperation shall involve three broad fields of action:

- (a) improving the economic environment in Vietnam by facilitating access to Community know-how and technology;
- (b) facilitating contacts between economic operators and other measures designed to promote commercial exchanges and direct investments;

(c) reinforcing mutual understanding of their respective economic and social environment as a basis for effective cooperation.

3. In the broad fields described above, the aims shall be in particular:

- (a) to assist Vietnam in its continued efforts to achieve the transition to a market economy and thus to improve the economic environment and business climate;
- (b) to encourage cooperation between their respective economic sectors, particularly between private sectors.

4. The Parties, within the limits of their financial means and of their respective procedures, will determine together and to their mutual advantage the areas and priorities for economic cooperation programmes and actions.

*Article 8***Science and technology**

The Parties shall, in accordance with their mutual interest and the aims of their strategy in this area, promote scientific and technological cooperation including in such practical areas as standards and quality control with a view to:

- (a) fostering the transfer of know-how, technology and disseminating information and expertise;
- (b) opening up opportunities for future economic, industrial and trade cooperation.

*Article 9***Development cooperation**

1. The Community recognizes Vietnam's need for development assistance and is prepared to enhance its cooperation by providing such assistance through specific projects and programmes in accordance with the priorities set out in Regulation (EEC) No 443/92 in order to contribute to Vietnam's own efforts and strategies to achieve sustainable economic development and the social progress of its people.

2. Projects and programmes will be targeted towards the poorer sections of the population, including those areas receiving returning citizens and towards social and economic infrastructure development. Particular attention will be given to balanced agricultural development with the participation of the groups to be targeted. Cooperation in this area will also cover the promotion of employment in rural towns, and of the role of women in development, with appropriate emphasis on their education and family welfare.

3. Particular attention will be paid to actions to enhance regional economic integration within Vietnam.

4. The development cooperation will concentrate on mutually agreed priorities and will pursue project and programme efficiency and sustainability.

(d) the protection of the urban environment;

(e) the prevention of industrial pollution;

(f) the protection of the marine environment and its ecological systems;

(g) the increase of management capacity of the central and local environmental agencies.

Article 10

Regional cooperation

1. The cooperation between the Parties in this field may with their mutual agreement extend to actions undertaken within the context of cooperation with other countries in the Southeast Asia region and shall not prejudice the right of each Party to conduct cooperation with other partners in the region.

2. Particular attention will be paid to:

(a) promotion of intra-regional trade;

(b) support for regional projects and initiatives;

(c) studies promoting regional links and communications.

Article 11

Environmental cooperation

1. The Parties recognize the need to take full account of environmental protection as an integral part of economic and development cooperation. Moreover, they underline the importance of environmental issues and sustainable development and assert their will to establish cooperation in protecting and improving the environment with particular emphasis on water, soil and air pollution, erosion, deforestation and sustainable management of natural resources, taking into account the work done in international fora.

2. Particular attention will be paid to:

(a) the protection and conservation of natural forests and their sustainable management;

(b) the importance of the energy/environment linkage;

(c) the finding of practical solutions to rural energy problems;

Article 12

Information and communication

The Parties will cooperate in the fields of information and communication to create better mutual understanding and to strengthen the ties between the two regions.

Article 13

Drug abuse control

1. The Parties affirm their resolve, in conformity with their respective competencies, to increase the efficiency of policies and measures to prevent the production and distribution of all kinds of drugs, narcotics and psychotropic substances, as well as preventing and reducing drug abuse, taking into account work done in this connection by international bodies.

2. Cooperation between the Parties shall comprise the following:

(a) training, education, health promotion and rehabilitation of addicts, including projects for the reintegration of addicts into work and social environments;

(b) measures to encourage alternative economic opportunities;

(c) technical, financial and administrative assistance in the monitoring of precursors trade, prevention, treatment and reduction of drug abuse;

(d) technical assistance in and training for the prevention of money laundering;

(e) exchange of relevant information.

*Article 14***Joint Commission**

1. The Parties agree to establish a Joint Commission whose tasks are to:
 - (a) ensure the proper functioning and implementation of the Agreement and the dialogue between the two Parties;
 - (b) make suitable recommendations for promoting the objectives of the Agreement;
 - (c) establish priorities in relation to the possible actions necessary to achieve the aims of the Agreement.
2. The Joint Commission shall be composed of representatives of both sides, at the senior official level. The Joint Commission shall normally meet every other year, alternately in Brussels and in Hanoi, on a date fixed by mutual agreement. Extraordinary meetings may also be convened by agreement between the Parties.
3. The Joint Commission may set up specialized sub-groups to assist in the performance of its tasks and to coordinate the formulation and implementation of projects and programmes within the framework of the Agreement.
4. The agenda for meetings of the Joint Commission shall be determined by agreement between the Parties.
5. The Parties agree that it shall also be the task of the Joint Commission to ensure the proper functioning of any sectoral agreements concluded or which may be concluded between the Community and Vietnam.
6. The organizational structures and operational regulations of the Joint Commission will be determined and agreed upon by the two Parties.

*Article 15***Future developments**

1. The Parties may, by mutual consent, improve this Agreement in order to enhance the level of cooperation and add to it by means of agreements on specific sectors or activities.
2. Within the framework of this Agreement, either of the Parties may put forward suggestions for expanding the scope of the cooperation, taking into account the experience gained in its application.

*Article 16***Other agreements**

Without prejudice to the relevant provisions of the Treaties establishing the European Communities, neither this

Agreement nor any action taken thereunder shall in any way affect the powers of the Member States of the European Union to undertake bilateral activities with Vietnam in the framework of economic cooperation or to conclude, where appropriate, new economic cooperation agreements with Vietnam.

*Article 17***Facilities**

To facilitate cooperation within the framework of this Agreement, the Vietnamese authorities will grant to Community officials and experts the guarantees and facilities necessary for the performance of their functions. The detailed provisions will be set out by way of a separate Exchange of Letters.

*Article 18***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in the Treaty and, on the other, to the territory of Vietnam.

*Article 19***Annexes**

The Annexes attached to this Agreement shall form an integral part of the Agreement.

*Article 20***Entry into force and renewal**

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.
2. This Agreement is concluded for a period of five years. It shall be automatically renewed on a yearly basis unless one of the Parties denounces it six months before its expiry date.

*Article 21***Authentic texts**

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Vietnamese languages, each text being equally authentic.

En fe de lo cual, los abajo firmantes suscriben el presente Acuerdo.

Til bekræftelse heraf har undertegnede underskrevet denne aftale.

Zu Urkund dessen haben die Unterzeichneten dieses Abkommen unterschrieben.

Σε πίστωση των ανωτέρω, οι υπογράφωντες έθεσαν την υπογραφή τους κάτω από την παρούσα συμφωνία.

In witness whereof the undersigned have signed this Agreement.

En foi de quoi, les soussignés ont apposé leur signature au bas du présent accord.

In fede di che, i sottoscritti hanno firmato il presente accordo.

Ten blijke waarvan de ondergetekenden hun handtekening onder deze Overeenkomst hebben gesteld.

Em fé do que, os abaixo assinados apuseram as suas assinaturas no final do presente acordo.

Tämän vakuudeksi alla mainitut täysivaltaiset edustajat ovat allekirjoittaneet tämän sopimuksen.

Som bekræftelse på detta har undertecknade befullmäktigade ombud undertecknat detta avtalet.

Để làm bằng, các đại diện đặc mệnh toàn quyền ký dưới đây đã ký Hiệp định này.

Hecho en Bruselas, el diecisiete de julio de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles, den syttende juli nitten hundrede og femoghalvfems.

Geschehen zu Brüssel am siebzehnten Juli neunzehnhundertfünfundneunzig.

Έγινε στις Βρυξέλλες, στις δέκα εφτά Ιουλίου χίλια εννιακόσια ενενήντα πέντε.

Done at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le dix-sept juillet mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì diciassette luglio millenovecentonovantacinque.

Gedaan te Brussel, de zeventiende juli negentienhonderd vijfennegentig.

Feito em Bruxelas, em dezassete de Julho de mil novecentos e noventa e cinco.

Tehty Brysselissä seitsemäntenätoista päivänä heinäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

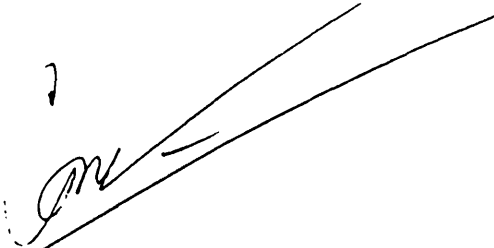
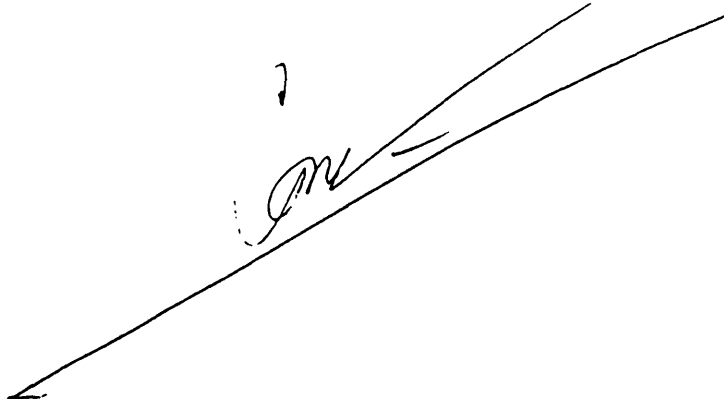
Som skedde i Bryssel den sjuttonde juli nittonhundranittiofem.

Làm tại Brúc xen, ngày mười bảy tháng bảy năm một nghìn chín trăm chín mươi nhăm.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar




Thay mặt Chính phủ Việt Nam

*ANNEX I***Declarations of the European Community***Declaration of the European Community on the fifth recital of the preamble of the Cooperation Agreement*

The European Community declares that it is willing to consider within the framework of its development cooperation projects and whenever possible the opportunity to contribute to the economic reintegration of Vietnamese citizens returning to their country.

Declaration of the European Community concerning tariff adjustments

The European Community confirms that Vietnam has access to the Generalized Scheme of Preferences (GSP) autonomously put into effect by the European Community on 1 July 1971 on the basis of Resolution 21 (II) of the Second United Nations Conference on Trade and Development held in 1968.

The Community is also willing to organize workshops in Vietnam for public and private users of the GSP with a view to ensuring maximum use of it.

Declaration of the European Community

In the course of the negotiations on the Cooperation Agreement between the European Community and Vietnam, the Community declared that subject to the provisions of Article 16 of the Agreement, the provisions of the Agreement shall replace provisions of agreements concluded between Member States of the European Union and Vietnam where such agreements are either incompatible with or identical to the provisions of the Agreement.

*ANNEX II***Joint Declaration of the European Community and of the Government of Vietnam**

The Parties agree that for the purpose of this Agreement 'intellectual, industrial and commercial property' includes in particular protection of copyright (including computer software) and related rights; trade and service marks; geographical indications, including indications of origin; industrial designs; patents; layout designs of integrated circuits as well as protection of undisclosed information and protection against unfair competition.

*ANNEX III***Declaration of the Socialist Republic of Vietnam**

The Government of the Socialist Republic of Vietnam declares that the repatriation of its citizens will be carried out on the basis of mutual agreement between Vietnam and the country concerned in order to ensure the principles of orderly repatriation in conditions of safety and dignity, in accordance with international acceptable practices and the Comprehensive Plan of Action (CPA) 1989, with financial assistance from the international community.

Declaration by the European Community

1. The European Community recalls the importance that it and its Member States attach to the principle of readmission of nationals to their countries of origin, reference to which is made in the fifth recital of the preamble to the Agreement.
 2. The European Community points out that the provisions of that Agreement in no way affect the obligations in the matter deriving from bilateral agreements concluded between the Socialist Republic of Vietnam and its Member States.
-

Notice concerning the entry into force of the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam⁽¹⁾

The exchange of instruments notifying the completion of the procedures necessary for the entry into force of this Agreement, signed on 17 July 1995, took place in Brussels, on 20 May 1996. The Agreement will accordingly enter into force, pursuant to Article 20 thereof, on 1 June 1996.

⁽¹⁾ See page 28 of this Official Journal.

COMMISSION

COMMISSION DECISION

of 29 May 1996

on financial assistance from the Community for storage in the France of antigen for production of foot-and-mouth disease vaccine

(Only the French text is authentic)

(96/352/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Commission Decision 94/370/EC⁽²⁾, and in particular Article 14 thereof,

Whereas by virtue of Council Decision 91/666/EEC of 11 December 1991 establishing Community reserves of foot-and-mouth disease vaccines⁽³⁾, establishment of antigen banks is part of the Community's action to create Community reserves of foot-and-mouth vaccine;

Whereas Article 3 of that Decision designates the Laboratoire de pathologie bovine du Centre national d'études vétérinaires et alimentaires at Lyons in France as an antigen bank holding Community reserves;

Whereas the functions and duties of these antigen banks are specified in Article 4 of that Decision; whereas Community assistance must be conditional on accomplishment of these;

Whereas Community financial assistance should be granted to these banks to enable them to carry out the said functions and duties;

Whereas for budgetary reasons the Community assistance should be granted for a period of one year;

Whereas for supervisory purposes Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on financing of the common agricultural policy⁽⁴⁾, as last

amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community shall grant the France financial assistance for the stocking of antigen for production of foot-and-mouth disease vaccine.

Article 2

The Laboratoire de pathologie bovine at Lyons in France shall hold the stock of antigen to which Article 1 relates. The provisions of Article 4 of Council Decision 91/666/EEC shall apply.

Article 3

The Community's financial assistance shall be a maximum of ECU 70 000 for the period 1 January to 31 December 1996.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at the France's request,
- the balance following presentation by France of supporting documents, which demonstrate the effective completion of the tasks. These documents must be presented before 1 March 1997.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 368, 31. 12. 1991, p. 21.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to France.

Done at Brussels, 29 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 29 May 1996

on financial assistance from the Community for storage in the United Kingdom
of antigen for production of foot-and-mouth disease vaccine

(Only the English text is authentic)

(96/353/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Decision 90/424/EEC of 26
June 1990 on expenditure in the veterinary field ⁽¹⁾, as last
amended by Commission Decision 94/370/EC ⁽²⁾, and in
particular Article 14 thereof,

Whereas by virtue of Council Decision 91/666/EEC of 11
December 1991 establishing Community reserves of foot-
and-mouth disease vaccines ⁽³⁾, establishment of antigen
banks is part of the Community's action to create
Community reserves of foot-and-mouth vaccine;

Whereas Article 3 of that Decision designates the Insti-
tute for Animal Health at Pirbright in the United
Kingdom as an antigen bank holding Community
reserves;

Whereas the functions and duties of these antigen banks
are specified in Article 4 of that Decision; whereas
Community assistance must be conditional on accom-
plishment of these;

Whereas Community financial assistance should be
granted to these banks to enable them to carry out the
said functions and duties;

Whereas for budgetary reasons the Community assistance
should be granted for a period of one year;

Whereas for supervisory purposes Articles 8 and 9 of
Council Regulation (EEC) No 729/70 of 21 April 1970 on
financing of the common agricultural policy ⁽⁴⁾, as last
amended by Regulation (EEC) No 2048/88 ⁽⁵⁾, should
apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community shall grant the United Kingdom finan-
cial assistance for the stocking of antigen for production
of foot-and-mouth disease vaccine.

Article 2

The Institute for Animal Health at Pirbright in the
United Kingdom shall hold the stock of antigen to which
Article 1 relates. The provisions of Article 4 of Council
Decision 91/666/EEC shall apply.

Article 3

The Community's financial assistance shall be a
maximum of ECU 60 000 for the period 1 August 1995
to 31 July 1996.

Article 4

The Community's financial assistance shall be paid as
follows:

- 70 % by way of an advance at the United Kingdom's
request,
- the balance following presentation by the United
Kingdom of supporting documents, which demon-
strate the effective completion of the tasks. These
documents must be presented before 1 October 1996.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall
apply *mutatis mutandis*.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 368, 31. 12. 1991, p. 21.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

Article 6

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 29 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission
