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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1043/96**of 11 June 1996**

**temporarily suspending the issue of export licences for certain milk products
and determining the extent to which export licences may be issued against
applications currently pending**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 995/96⁽⁴⁾, and in particular Article 8 (3) thereof,

Whereas the issue of the licences requested for certain products would result in an overrun of the maximum quantities which can be exported with refunds during the twelve months period in question; whereas the issue of export licences for the products concerned should be temporarily suspended and licences only issued for certain of those products for which applications are pending and for which either a certain destination is specified or allocation coefficients have been fixed,

Article 1

1. The issue of export licences for milk and milk products falling within CN code 0406 is hereby suspended for the period 12 to 18 June 1996.

2. Licences shall be issued against applications for destination 400 for products falling within CN code 0406 submitted on 5 June 1996 which are currently pending and against which licences should have been issued from 12 June 1996 with the exception of applications for products falling within CN code 0406 90 63 100 for which an allocation coefficient of 0,40 has been fixed.

3. Licences shall be issued against applications for products falling within CN code 0406 submitted on 5 June 1996, other than those referred to in paragraph 2, which are currently pending and against which licences should have been issued from 12 June 1996 for products whose CN codes are listed in the Annex, for the quantities multiplied by the coefficients indicated therein.

Article 2

This Regulation shall enter into force on 12 June 1996.

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

Done at Brussels, 11 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 133, 4. 6. 1996, p. 13.

ANNEX

Allocation coefficient referred to in Article 8 (3) (a) of Regulation (EC) No 1466/95 for the export licence applications referred to in Article 1 (3) submitted on 5 June 1996

Products falling within export refund nomenclature code for milk products	Allocation coefficient
(1)	(2)
0406 10 20 230	1,00
0406 10 20 640	1,00
0406 10 20 650	1,00
0406 10 20 810	1,00
0406 10 20 830	1,00
0406 10 20 850	1,00
0406 20 90 313	0,13
0406 20 90 917	0,13
0406 20 90 919	0,13
0406 30 31 300	0,13
0406 30 31 500	0,13
0406 30 31 710	0,13
0406 30 31 730	0,13
0406 30 31 930	0,13
0406 30 31 950	0,13
0406 30 39 500	0,13
0406 30 39 700	0,13
0406 30 39 930	0,13
0406 30 39 950	0,13
0406 30 90 000	0,13
0406 40 50 000	1,00
0406 40 90 000	1,00
0406 90 07 000	0,13
0406 90 12 000	0,13
0406 90 14 100	0,13
0406 90 21 900	1,00
0406 90 23 900	0,13
0406 90 25 900	0,13
0406 90 27 900	1,00
0406 90 31 119	1,00
0406 90 33 119	1,00
0406 90 33 919	1,00
0406 90 35 990	0,13
0406 90 61 000	1,00
0406 90 63 100	1,00
0406 90 63 900	1,00
0406 90 69 910	1,00
0406 90 73 900	1,00
0406 90 75 900	1,00
0406 90 76 100	1,00
0406 90 76 300	1,00
0406 90 76 500	1,00
0406 90 78 100	0,13
0406 90 78 300	0,13
0406 90 79 900	1,00
0406 90 81 900	1,00
0406 90 85 910	0,13

Products falling within export refund nomenclature code for milk products	Allocation coefficient
(1)	(2)
0406 90 86 300	0,13
0406 90 86 400	0,13
0406 90 86 900	0,13
0406 90 87 300	0,13
0406 90 87 400	0,13
0406 90 87 951	0,13
0406 90 87 971	0,13
0406 90 87 979	0,13
0406 90 88 200	1,00

COMMISSION REGULATION (EC) No 1044/96

of 11 June 1996

amending Regulation (EC) No 773/96 laying down special measures derogating from Regulations (EEC) No 3665/87, (EEC) No 3719/88 and (EEC) No 1964/82 in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 894/96⁽²⁾, and in particular Article 13 (12) thereof,

Whereas Commission Regulation (EC) No 773/96⁽³⁾, as amended by Regulation (EC) No 957/96⁽⁴⁾, lays down special measures for the regularization of certain export transactions in the wake of the measures taken by several third countries to safeguard against bovine spongiform encephalopathy;

Whereas experience has shown that extension of the period of validity of licences is necessary in order to enable export operations, affected by the circumstances described above, to be completed;

Whereas difficulties have arisen with meat originating in the United Kingdom; whereas Regulation (EC) No 773/96 provides an adequate solution for meat directly exported but not for meat placed under the arrangements provided for in Articles 4 and 5 of Council Regulation (EEC) No 565/80⁽⁵⁾, as amended by Regulation (EEC) No 2026/83⁽⁶⁾; whereas it is therefore necessary to amend Regulation (EC) No 773/96;

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

Article 1

Regulation (EC) No 773/96 is hereby amended as follows:

1. in Article 2, first subparagraph, '31 May 1996' is replaced by '31 July 1996';

2. Article 5 (3) is replaced by the following:

'3. At the request of the exporter, the export licence, the payment declaration and the export declaration covering meat originating in the United Kingdom which has not yet left the custom territory of the Community and for which customs export formalities were completed or which was placed under one of the arrangements referred to in Articles 4 and 5 of Regulation (EEC) No 565/80 in a Member State other than the United Kingdom by 31 March 1996 shall be cancelled. The exporter shall repay any refund paid in advance and the securities relating to the operations concerned shall be released.'

Article 2

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

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

Done at Brussels, 11 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 104, 27. 4. 1996, p. 19.

⁽⁴⁾ OJ No L 130, 31. 5. 1996, p. 5.

⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁶⁾ OJ No L 199, 22. 7. 1983, p. 12.

COMMISSION REGULATION (EC) No 1045/96

of 11 June 1996

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of large-flowered roses originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 585/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days

during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 677/96⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 2853/95⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for large-flowered roses originating in Morocco; whereas the Common Customs Tariff duty should be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Morocco, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 12 June 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 84, 3. 4. 1996, p. 8.

⁽⁵⁾ OJ No L 92, 13. 4. 1996, p. 11.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 299, 12. 12. 1995, p. 1.

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

Done at Brussels, 11 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1046/96

of 11 June 1996

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of multiflorous (spray) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 585/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days

during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 667/96⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 2853/95⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) (a) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for multiflorous (spray) carnations originating in Israel; whereas the Common Customs Tariff duty should be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of multiflorous (spray) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 12 June 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 84, 3. 4. 1996, p. 8.

⁽⁵⁾ OJ No L 92, 13. 4. 1996, p. 11.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 299, 12. 12. 1995, p. 1.

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

Done at Brussels, 11 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1047/96
of 11 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⁾, as amended by Regulation (EC) No 1022/96 ⁽⁶⁾;

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 amended 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 12 June 1996.

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

Done at Brussels, 11 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.

⁽⁶⁾ OJ No L 136, 7. 6. 1996, p. 15.

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 ⁽³⁾	0,00	0,00
	medium quality	12,15	2,15
	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 ⁽³⁾	50,55	40,55
1005 10 90	Maize seed other than hybrid	42,54	32,54
1005 90 00	Maize other than seed ⁽³⁾	42,54	32,54
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 (period from 5. 6. 1996 to 10. 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	168,37	143,73	142,64	200,07 ⁽¹⁾	137,61 ⁽¹⁾
Gulf premium (ECU/tonne)	—	17,34	20,59	12,67	—	—
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 1048/96

of 11 June 1996

fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2777/75 provides that from 1 July 1995 all exports for which refunds are requested, with the exception of exports of day-old chicks, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas the specific implementing rules for these arrangements are laid down in Commission Regulation (EC) No 1372/95⁽³⁾, as last amended by Regulation (EC) No 180/96⁽⁴⁾;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 2853/95⁽¹¹⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of product codes for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto for exports to be carried out on the basis of the export licences referred to in Article 2 of Regulation (EC) No 1372/95 or on the basis of the 'ex-post' export licences referred to in Article 9 of the same Regulation.

Article 2

This Regulation shall enter into force on 12 June 1996.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 133, 17. 6. 1995, p. 26.

⁽⁴⁾ OJ No L 25, 1. 2. 1996, p. 27.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 65, 15. 3. 1996, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 299, 12. 12. 1995, p. 1.

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

Done at Brussels, 11 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 11 June 1996 fixing the export refunds on poultrymeat

Product code	Destination of refund ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination of refund ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 kg			ECU/100 kg
0207 12 10 900	02	24,00	0207 14 60 900	04	6,00
	03	6,00	0207 14 70 190	04	6,00
0207 12 90 190	02	27,00	0207 14 70 290	04	6,00
	03	6,00	0207 27 10 990	04	8,00
0207 25 10 000	04	7,00	0207 27 60 000	04	6,50
0207 25 90 000	04	7,00	0207 27 70 000	04	6,50
0207 14 20 900	04	6,00			

⁽¹⁾ The destinations are as follows:

01 All destinations except the United States of America,

02 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Yemen, Lebanon and Iran,

03 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia, the Czech Republic, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Lithuania, Estonia, Latvia, Switzerland and those of 02 above,

04 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia, the Czech Republic, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Lithuania, Estonia, Latvia and Switzerland.

⁽²⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

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

COMMISSION REGULATION (EC) No 1049/96

of 11 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 vege-
tables ⁽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 Regu-
lation (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 multila-
teral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third
countries, in respect of the products and periods stipu-
lated in the Annex thereto;

Whereas, in compliance with the above criteria, the stan-
dard 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 12 June 1996.

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

Done at Brussels, 11 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 11 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		284	72,1
	060	80,2		388	78,0
	064	59,6		400	77,6
	066	41,7		404	63,6
	068	62,3		416	72,7
	204	46,7		508	70,1
	208	44,0		512	66,3
	212	97,5		524	64,0
	624	95,8		528	68,3
	999	68,1		624	86,5
				728	107,3
ex 0707 00 25	052	82,7		800	78,0
	053	156,2		804	86,5
	060	61,0		999	77,8
	066	53,8			
	068	69,1	0809 10 20	052	64,6
	204	144,3		061	51,3
	624	87,1		064	105,3
	999	93,5		400	338,0
0709 10 20	220	317,0		999	139,8
	999	317,0			
0709 90 77	052	44,7	0809 20 49	052	216,4
	204	77,5		061	182,0
	412	54,2		064	148,3
	624	151,9		068	262,6
	999	82,1		400	309,1
0805 30 30	052	133,4		600	94,9
	204	88,8		624	279,1
	220	74,0		676	166,2
	388	83,9		999	207,3
	400	68,2	0809 30 21, 0809 30 29	052	63,1
	512	54,8		220	121,8
	520	66,5		624	106,8
	524	100,8		999	97,2
	528	64,7	0809 40 20	052	73,2
	600	84,0		064	64,4
	624	48,9		066	84,9
	999	78,9		068	61,2
0808 10 61, 0808 10 63, 0808 10 69	039	111,9		624	111,8
	052	64,0		676	68,6
	064	78,6		999	77,4

(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'.

COUNCIL REGULATION (EC) No 1050/96

of 10 June 1996

extending the provisional anti-dumping duty on imports of polyester staple fibres originating in Belarus

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 23 thereof,

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

Having regard to the proposal from the Commission,

Whereas Commission Regulation (EC) No 394/96⁽³⁾ imposed a provisional anti-dumping duty on imports of polyester staple fibres originating in Belarus;

Whereas examination of the facts has not yet been completed and the Commission has informed the exporters known to be concerned of its intention to propose an extension of the validity of the provisional duty for an additional period of two months;

Whereas the exporters have raised no objections,

HAS ADOPTED THIS REGULATION:

Article 1

The validity of the provisional anti-dumping duty on imports of polyester staple fibres originating in Belarus imposed by Commission Regulation (EC) No 394/96 shall be extended for a period of two months and shall expire on 7 September 1996. The duty shall cease to apply if, before this date, the Council adopts definitive measures or the proceeding is terminated pursuant to Article 9 of Regulation (EC) No 384/96.

Article 2

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

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

Done at Luxembourg, 10 June 1996.

For the Council

The President

L. DINI

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

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

⁽³⁾ OJ No L 54, 5. 3. 1996, p. 10.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 June 1996

amending Decision 96/239/EC on emergency measures to protect against bovine spongiform encephalopathy

(Text with EEA relevance)

(96/362/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 (4) thereof,

Whereas, to protect animal and human health in the Community, the Commission adopted Decision 94/474/EC of 27 July 1994 concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC⁽⁴⁾, as last amended by Decision 95/287/EC⁽⁵⁾, Decision

92/290/EEC of 14 May 1992 concerning certain protection measures relating to bovine embryos in respect of bovine spongiform encephalopathy (BSE) in the United Kingdom⁽⁶⁾, as amended by the Act of Accession of Austria, Finland and Sweden, Decision 94/381/EC of 27 June 1994 concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein⁽⁷⁾, as amended by Decision 95/60/EC⁽⁸⁾, and Decision 94/382/EC of 27 June 1994 on the approval of alternative heat treatment systems for processing animal waste of ruminant origin, with a view to the inactivation of spongiform encephalopathy agents⁽⁹⁾, as amended by Decision 95/29/EC⁽¹⁰⁾;

Whereas the Council, at its meeting on 1 to 3 April 1996, concluded that a Commission decision in accordance with the Standing Veterinary Committee procedure should be adopted to require that all animal waste of mammalian origin in the Community shall be processed by a method that has been demonstrated as being *de facto* effective for the inactivation of the agents of scrapie and BSE;

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 194, 29. 7. 1994, p. 96.

⁽⁵⁾ OJ No L 181, 1. 8. 1995, p. 40.

⁽⁶⁾ OJ No L 152, 4. 6. 1992, p. 37.

⁽⁷⁾ OJ No L 172, 7. 7. 1994, p. 23.

⁽⁸⁾ OJ No L 55, 11. 3. 1995, p. 43.

⁽⁹⁾ OJ No L 172, 7. 7. 1994, p. 25.

⁽¹⁰⁾ OJ No L 38, 18. 2. 1995, p. 17.

Whereas the United Kingdom has taken additional measures as a result of the publication of new information on certain cases of Creutzfeldt-Jakob Disease in that Member State;

Whereas the United Kingdom has banned the use of mammalian meat- and bonemeal for feeding of farm animals;

Whereas the United Kingdom has enlarged the list of bovine tissues which must be destroyed (Specified Bovine Material Order);

Whereas the Commission has adopted Decision 96/239/EC of 27 March 1996 on emergency measures to protect against bovine spongiform encephalopathy⁽¹⁾; whereas that Decision has prohibited the dispatch to the other Member States and to third countries, in particular, of bovine semen, and certain other products from the UK obtained from bovine animals slaughtered in the United Kingdom which are liable to enter the animal feed or human food chains and materials destined for use in medicinal products, cosmetics or pharmaceutical products;

Whereas the Scientific Veterinary Committee was consulted on 18 April 1996 and on 26 April 1996; whereas in the opinion of this Committee, bovine semen is considered to be safe for animal health with respect to BSE;

Whereas the Scientific Committee on Cosmetology was consulted on the safety of certain bovine products on 11 April 1996; whereas the Liaison Committee of European Associations of the Perfume, Cosmetics Products and Toiletries Industries (Colipa) recommended several years ago to its members not to use source materials from United Kingdom bovine animals; whereas this Committee has declared that its members follow this recommendation;

Whereas the Scientific Committee for Food was consulted on the safety of certain bovine products on 15 April 1996;

Whereas the Committee for Proprietary Medicinal Products was consulted on 16 April 1996; whereas the pharmaceutical sector had already introduced measures relating to the sourcing of materials and their treatment; whereas every medicinal product undergoes a pre-marketing approval before it is placed on the market, by virtue of which the treatment process of any raw material is evaluated; whereas at the request of the European Medicines Evaluation Agency, all Community marketing authorization holders, or applicants with a positive opinion from the Committee for Proprietary Medicinal Products or the Committee for Veterinary Medicinal

Products, have confirmed that the products concerned do not contain bovine tissue of United Kingdom origin;

Whereas subsequently, additional information has been made available in order to facilitate a more complete risk assessment; whereas, on this basis, the Scientific Veterinary Committee on 26 April 1996 concluded that a combination of appropriate sourcing of bovine materials used and the application of minimum processing standards which have been shown to effectively inactivate the BSE agent, together give good reassurances about the safety of these products for food or cosmetic use; whereas, consequently, the Scientific Veterinary Committee has recommended safety parameters for the production of these products which are therefore considered to be safe; whereas, furthermore, specific rules for the veterinary control of establishments should be put in place;

Whereas, therefore, the Commission considers that the products covered by the Annex to this Decision (such as gelatin and tallow) are safe;

Whereas these products and bovine semen may therefore be exempted from the prohibition provided for by Decision 96/239/EC;

Whereas in 1988 the United Kingdom introduced a requirement for animals affected with BSE to be completely destroyed; whereas the Council, at its meeting on 1 to 3 April 1996, concluded that bovine animals over the age of 30 months shall not enter the human food or animal food chains or be used for cosmetic or pharmaceutical products; whereas such animals must not be used as source materials for certain bovine products as referred to above;

Whereas furthermore, certain bovine tissues must not be used as source materials for these products;

Whereas it is necessary to lay down appropriate guarantees for the dispatch from the United Kingdom of products obtained from bovine animals which were not slaughtered in the United Kingdom;

Whereas the Commission should carry out Community inspections in the United Kingdom to verify the application of the measures provided for in this Decision;

Whereas the United Kingdom has presented a proposal for measures to control and eradicate BSE in the United Kingdom, in particular selective compulsory slaughter of animals and/or herds identified as being most likely to have been exposed to infected meat- and bonemeal and an improved system of individual identification of bovine animals to ensure effective control of movements and traceability of animals (animal passport system);

Whereas the Standing Veterinary Committee has not given an opinion; whereas the Commission has therefore proposed these measures to the Council on 23 May 1996 in accordance with Article 17 of Directive 89/662/EEC, the Council being required to adopt measures within 15 days;

⁽¹⁾ OJ No L 78, 28. 3. 1996, p. 47.

Whereas, however, the Council has not acted within the required time limit; whereas the Council has not decided against the proposed measures by simple majority within the same time limit; whereas these measures should now be adopted by the Commission,

HAS ADOPTED THIS DECISION:

Article 1

Decision 96/239/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. Pending an overall examination of the situation, and notwithstanding Community provisions adopted to protect against bovine spongiform encephalopathy, the United Kingdom shall not dispatch from its territory to other Member States or to third countries:

- live bovine animals and bovine embryos,
- meat of bovine animals slaughtered in the United Kingdom,
- products obtained from bovine animals slaughtered in the United Kingdom which are liable to enter the human food chain, with the exception of those products listed in the Annex,
- products obtained from bovine animals slaughtered in the United Kingdom which are liable to enter the animal feed chain, with the exception of those products listed in the Annex,
- materials obtained from bovine animals slaughtered in the United Kingdom which are destined for use in cosmetics products, with the exception of those listed in the Annex,
- materials obtained from bovine animals slaughtered in the United Kingdom which are destined for use in medical or pharmaceutical products, with the exception of those listed in the Annex,
- meat meal, bonemeal and meat- and bonemeal derived from mammals.

2. The United Kingdom shall authorize the production of products as referred to in paragraph 1, third, fourth, fifth and sixth indent and mentioned in the Annex only in establishments under official veterinary control which have been shown to be operating in accordance with the conditions set out in the Annex.

3. The United Kingdom shall ensure that the products mentioned in the Annex are labelled or

otherwise identified to show the method and establishment of production.

4. Before any dispatch pursuant to this Decision, the United Kingdom shall forward the list of establishments referred to in paragraph 2 which meet the conditions referred to therein to the Commission and the other Member States.'

2. The following Articles 1 (a), 1 (b) and 1 (c) are inserted:

'Article 1 (a)

1. The United Kingdom shall not dispatch:

- meat for human consumption,
- meat products for human consumption,
- meat preparations for human consumption,
- food for domestic carnivores

obtained from bovine animals which were not slaughtered in the United Kingdom unless they come from establishments in the United Kingdom under official veterinary control which have put in place a system of tracing of the raw material which will guarantee the origin of the material throughout the whole production chain.

2. The United Kingdom shall forward the list of establishments which meet the conditions referred to in paragraph 1 to the Commission and the other Member States.

3. The United Kingdom shall ensure that the products mentioned in paragraph 1 dispatched to other Member States are accompanied by a health certificate issued by an official veterinarian stating that they meet the conditions referred to in paragraph 1.

Article 1 (b)

The United Kingdom shall ensure that products mentioned in the Annex dispatched to other Member States in accordance with this Decision are accompanied by a health certificate issued by an official veterinarian stating that they conform to the conditions laid down in this Decision and attesting to the frequency of official controls carried out.

Article 1 (c)

1. The Commission shall carry out Community inspections on the spot in the United Kingdom to verify the application of the provisions of this Decision, in particular in relation to the implementation of official controls.

2. The inspections mentioned in paragraph 1 shall be carried out in respect of the products referred to in the Annex before the dispatch of those products recommences.

3. The Commission, after having consulted the Member States in the framework of the Standing Veterinary Committee, shall set the date on which dispatch may recommence.'

3. The Annex to this Decision is added.

Article 2

Member States shall amend the measures they apply so that they conform to this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 11 June 1996.

For the Commission

The President

Jacques SANTER

ANNEX

'ANNEX

1. Gelatin and di-calcium phosphate produced in a process which ensures that:
 - all bone material is subjected to degreasing, followed by an acid treatment at a pH < 1,5 for at least four days, followed by an alkaline treatment, which uses either lime at a pH > 12,5 for at least 45 days or 0,3 N Sodium Hydroxide for 10 to 14 days, followed by heating between 138 °C and 140 °C for four seconds,
 - other raw material (hides and skins, tendons and sinews) is subjected to an alkaline treatment as specified in the previous indent, followed by heating between 138 °C and 140 °C for four seconds.
2. Amino acids and peptides produced from hides and skins by a process which involves exposure of the material to a pH of 1 to 2, followed by a pH of > 11, followed by heat treatment at 140 °C for 30 minutes at 3 bars.
3. Tallow and tallow products produced from material from animals fit for human consumption which has been subjected to one of the processes described in Article 2 of Decision 94/382/EC.
4. Products derived from tallow which have been derived by hydrolysis at 250 °C or higher.
5. Products referred to in points 1, 2, 3 and 4 excluding di-calcium phosphate must be filtered after production.
6. In all cases provided for in points 1, 2, 3 and 4, bovine animals which are showing signs of BSE and animals over 30 months of age (as provided for by Commission Regulation (EC) No 716/96⁽¹⁾) must not be used as source materials. Furthermore, the following tissues may not be used: skull, vertebral column, brain, spinal cord, eye, tonsil, thymus, intestine or spleen.

⁽¹⁾ OJ No L 99, 20. 4. 1996, p. 14.'
