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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1125/96
of 24 June 1996**

amending Regulation (EC) No 97/95 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the minimum price and compensatory payment to be paid to potato producers and of Council Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch

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 Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 8 (5) thereof,

Having regard to Council Regulation (EC) No 1868/94 of 27 July 1994 establishing a quota system in relation to the production of potato starch⁽³⁾, as last amended by Regulation (EC) No 206/96⁽⁴⁾, and in particular Article 8 thereof,

Whereas Commission Regulation (EC) No 97/95⁽⁵⁾, as last amended by Regulation (EC) No 206/96, lays down the detailed rules for the application of Regulation (EEC) No 1766/92 as regards the minimum price and compensatory payment to be paid to potato producers and of Council Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch;

Whereas Regulation (EC) No 97/95 fixes, among other things, the minimum starch content of potatoes delivered to starch producing undertakings at 13 %; whereas however, Commission Regulation (EC) No 2953/95 of 20 December 1995 fixing the minimum starch content for starch potatoes in certain Member States in the 1995/96 marketing year⁽⁶⁾ derogates from this rule on the basis of the second subparagraph of Article 6 (2) of Regulation (EC) No 97/95 by fixing the minimum starch content for Austria, France, the Netherlands, Germany and Denmark at 12,8 %;

Whereas, in the light of experience, this derogation should be permanently introduced into Regulation (EC) No 97/95, allowing starch producers to accept consignments of potatoes with a starch content of less than 13 % provided that the quantity of starch that can be manufac-

tured from those potatoes does not exceed 1 % of their sub-quota; whereas the penalties for accepting consignments with a starch content lower than the minimum permitted content should be specified by supplementing Article 13;

Whereas the definition of potatoes in Article 1 (f) must be revised;

Whereas the conditions for the grant of the compensatory payment should be clarified by supplementing Article 7 and the conditions for the grant of the premium should be clarified by supplementing Article 11;

Whereas the Management Committee for Cereals has not delivered an opinion within the time-limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 97/95 is amended as follows:

1. Article 1 (f) is replaced by the following:

'(f) potatoes: potatoes intended for the manufacture of potato starch as referred to in Article 8 of Regulation (EEC) No 1766/92 and having a starch content of at least 13 %, except where the second subparagraph of Article 6 (2) applies;'

2. Article 6 (2) is replaced by the following:

'2. Accepted consignments must have a starch content of not less than 13 %.

However, processing starch undertakings may accept consignments of potatoes with a starch content below 13 % provided that the quantity of starch that can be manufactured from these potatoes does not exceed 1 % of the sub-quota. The minimum price to be paid in this case shall be that valid for a starch content of 13 %;'

3. the following sentence is added to the end of the first subparagraph of Article 7 (1):

'No premium shall be granted for starch produced from potatoes that are not of sound and fair marketable quality nor for starch produced from potatoes whose starch content is below 13 %, except where the second subparagraph of Article 6 (2) applies;'

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽⁴⁾ OJ No L 27, 3. 2. 1996, p. 7.

⁽⁵⁾ OJ No L 16, 24. 1. 1995, p. 3.

⁽⁶⁾ OJ No L 308, 21. 12. 1995, p. 44.

4. the following Article 7 (a) is added:

'Article 7(a)

The compensatory payment shall be granted to producers for potatoes which are of sound and fair marketable quality, on the basis of the starch content of the potatoes delivered, in accordance with the rates fixed in Annex II. No compensatory payment shall be granted for potatoes which are not of sound and fair marketable quality nor for potatoes whose starch content is below 13 %, except where the second subparagraph of Article 6 (2) applies.'

5. Article 11 (1) (b) is replaced by the following:

'(b) In the case of the premium referred to in Article 5 of Regulation (EC) No 1868/94, to the conditions that:

- the processing undertaking provides proof that it produced the starch in question during the marketing year concerned,
- the undertaking proves that it paid a price not less than that referred to in Article 8 (1) of Regulation (EEC) No 1766/92 at the delivered-to-factory stage for the whole quantity of potatoes produced in the Community and used for the production of starch,

— that the undertaking provides proof that the starch in question was produced using potatoes covered by the cultivation contracts referred to in Article 4.'

6. in the first indent of Article 13 (4), the words 'percentage in question' are replaced by 'percentage recorded';

7. the following paragraph is inserted after Article 13 (4):

'4 (a) If, contrary to Article 6 (2), the starch that can be manufactured from consignments accepted with a starch content below 13 %:

- exceeds 1 % of the processing undertaking's sub-quota, no premium shall be granted for the excess quantity. Furthermore, the premium granted for the sub-quota shall be reduced by ten times the excess percentage recorded;
- exceeds 11 % of the processing undertaking's sub-quota, no premium shall be granted for the marketing year in question. Furthermore, the processing undertaking shall be ineligible for the premium for the following marketing year.'

Article 2

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

It shall apply from 1 July 1996.

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1126/96
of 24 June 1996

adapting the codes and descriptions of goods in the sugar sector appearing in Annex I to Regulation (EEC) No 1785/81, the Annex to Regulation (EEC) No 1010/86 and the Annex to Regulation (EEC) No 1729/78 to accord with the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 2 (1) thereof,

Whereas Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, as last amended by Commission Regulation (EC) No 586/96 ⁽⁴⁾, contains the combined nomenclature in force since 1 January 1996;

Whereas certain codes and descriptions appearing in Annex I to Council Regulation (EEC) No 1785/81 ⁽⁵⁾, the Annex to Council Regulation (EEC) No 1010/86 ⁽⁶⁾ and the Annex to Commission Regulation (EEC) No 1729/78 ⁽⁷⁾, no longer correspond to those of the combined nomenclature; whereas those Annexes should consequently be adapted;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex I to Regulation (EEC) No 1785/81 is replaced by Annex I hereto.
2. The Annex to Regulation (EEC) No 1010/86 is replaced by Annex II hereto.
3. The Annex to Regulation (EEC) No 1729/78 is replaced by Annex III hereto.

Article 2

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

It shall apply from 1 January 1996.

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 34, 9. 2. 1979, p. 2.
⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.
⁽⁴⁾ OJ No L 84, 3. 4. 1996, p. 18.
⁽⁵⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽⁶⁾ OJ No L 94, 9. 4. 1986, p. 9.
⁽⁷⁾ OJ No L 201, 25. 7. 1978, p. 26.

ANNEX I

ANNEX I

CN code	Description of goods
ex 0403	Buttermilk, curdled milk and cream flavoured or containing added fruit, nuts or cocoa, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter
0403 10 51 to 0403 10 99 0403 90 71 to 0403 90 99	
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:
0710 40 00	– Sweet corn
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:
0711 90	– Other vegetables: Mixtures of vegetables:
	– – Vegetables:
0711 90 30	– – – Sweet corn
ex 1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products:
	– Mucilages and thickeners, whether or not modified, derived from vegetable products:
1302 31 00	– – Agar-agar
1302 32	– – Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar seeds:
1302 32 10	– – – from locust beans or locust bean seeds
1302 32 90	– – – from guar seeds
1302 39 00	– – other
1702 50 00	– Chemically pure fructose:
1702 90 10	– – Chemically pure maltose
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, except liquorice extract from sub-heading 1704 90 10
1806	Chocolate and other food preparations containing cocoa
ex 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:
1901 10 00	– Preparations for infant use, put up for retail sale
1901 20 00	– Mixes and doughs for the preparation of bakers' wares of heading No 1905
1901 90	– other:
	– – other:
1901 90 91	– – – Containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of heading Nos 0401 to 0404
1901 90 99	– – – other

CN code	Description of goods
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:
1902 20	– Stuffed pasta, whether or not cooked or otherwise prepared:
	– – other:
1902 20 91	– – – cooked
1902 20 99	– – – other
1902 30	– other pasta
1902 40	– Couscous:
1902 40 90	– – other
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:
1905 10 00	– Crispbread
1905 20	– Gingerbread and the like
1905 30	– Sweet biscuits; waffles and wafers
1905 40	– Rusks, toasted bread and similar toasted products
1905 90	– other:
	– – other:
1905 90 40	– – – Waffles and wafers with a water content exceeding 10 % by weight
1905 90 45	– – – Biscuits
1905 90 55	– – – Extruded or expanded products, savoury or salted
	– – – other:
1905 90 60	– – – – With added sweetening matter
1905 90 90	– – – – other
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:
2001 90	– other:
2001 90 30	– – Sweet corn (<i>Zea mays var. saccharata</i>)
2001 90 40	– – Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading No 2006:
2004 10	– Potatoes:
	– – other:
2004 10 91	– – – In the form of flour, meal or flakes
2004 90	– Other vegetables and mixtures of vegetables:
2004 90 10	– – Sweet corn (<i>Zea mays var. saccharata</i>)
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006:
2005 20	– Potatoes:
2005 20 10	– – In the form of flour, meal or flakes
2005 80 00	– Sweet corn (<i>Zea mays var. saccharata</i>)

CN code	Description of goods
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:
	– Nuts, ground-nuts and other seeds, whether or not mixed together
2008 11	– – Ground-nuts:
2008 11 10	– – – Peanut butter
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:
2102 10	– Active yeasts:
	– – Bakers' yeast:
2102 10 31	– – – Dried
2102 10 39	– – – other
2102 20	– Inactive yeasts; other single-cell micro-organisms, dead:
	– – Inactive yeasts:
2102 20 11	– – – In tablet, cube or similar form, or in immediate packings of a net content not exceeding 1 kg
2102 20 19	– – – other
ex 2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:
2103 10 00	– Soya sauce
2103 20 00	– Tomato ketchup and other tomato sauces
2103 90	– other
2105 00	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included, except for compound alcoholic preparations of sub-heading 2106 90 20 and flavoured or coloured sugar syrups of sub-headings 2106 90 30 to 2106 90 59
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit of vegetable juices of heading No 2009
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:
2208 20	– Spirits obtained by distilling grape wine or grape marc
2208 50 91 and 2208 50 99	– – Geneva
2208 70	– Liqueurs and cordials
2208 90 41 to 2208 90 78	– – Other spirits, and other spirituous beverages

CN code	Description of goods
ex 2520	Gypsum; anhydrite; plasters whether or not coloured, with or without small quantities of accelerators or retarders:
2520 20	— Plasters
ex 2839	Silicates; commercial alkali metal silicates:
2839 90 00	— other
Chapter 29	Organic chemicals
Chapter 30	Pharmaceutical products
3203 00 90	— Colouring matter of vegetable or animal origin and preparations based on this matter
ex 3204	Synthetic organic colouring matter and preparations as specified in note 3 to this Chapter based on this colouring matter
3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:
3302 10	— Of a kind used in the food or drink industries:
3302 10 21	— — — — — Containing no milkfats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch
3302 10 29	— — — — — other
3307	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorizers, whether or not perfumed or having disinfectant properties:
	— Preparations for perfuming or deodorizing rooms, including odoriferous preparations used during religious rites:
3307 49 00	— — other
3307 90 00	— other
ex 3401	Soap, organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent:
3401 19 00	— — other
3402	Organic surface-active agents (other than soap); surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading No 3401
3403	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals:
	— Containing petroleum oils or oils obtained from bituminous minerals:
3403 19	— — other
3403 19 10	— — — containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent

CN code	Description of goods
3405	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations (whether or not in the form of paper, wadding, felt, non-wovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No 3404
3407 00 00	Modelling pastes, including those put up for children's amusement; preparations known as 'dental wax' or as 'dental impression compounds', put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster
ex Chapter 35	Albuminoidal substances; modified starches; glues; enzymes, except those of headings 3501 and 3505
ex Chapter 38	Miscellaneous chemical products except those of heading 3809
ex Chapter 39	Plastics and articles thereof:
3901 to 3914	— primary forms
ex 6809	Articles of plaster or of compositions based on plaster (boards, sheets, panels, tiles and similar articles)

ANNEX II

ANNEX

CN code	Description of goods
1302 31 00	— — Agar-agar
1302 32	— — Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar seeds:
1302 32 10	— — — Of locust beans or locust bean seeds
1302 32 90	— — — Of guar seeds
1302 39 00	— — other
1702 90 10	— — Chemically pure maltose
ex 2520	Gypsum; anhydrite; plasters whether or not coloured, with or without small quantities of accelerators or retarders:
2520 20	— Plasters
ex 2839	Silicates; commercial alkali metal silicates:
2839 90 00	— other
Chapter 29	Organic chemicals, except those of sub-headings 2905 43 00 and 2905 44
Chapter 30	Pharmaceutical products
3203 00 90	Colouring matter of vegetable or animal origin and preparations based on this matter
ex 3204	Synthetic organic colouring matter, and preparations as specified in note 3 to this Chapter based on this colouring matter
3307	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorizers, whether or not perfumed or having disinfectant properties:
	— Preparations for perfuming or deodorizing rooms, including odoriferous preparations used during religious rites:
3307 49 00	— — other
3307 90 00	— other
ex 3401	Soap, organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent:
3401 19 00	— other
3402	Organic surface-active agents (other than soap); surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading No 3401
3403	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals:
	— Containing petroleum oils or oils obtained from bituminous minerals:
3403 19	— — other:
3403 19 10	— — — Containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent

CN code	Description of goods
3405	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations (whether or not in the form of paper, wadding, felt, non-wovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No 3404
3407 00 00	Modelling pastes, including those put up for children's amusement; preparations known as 'dental wax' or as 'dental impression compounds', put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster
ex Chapter 35	Albuminoidal substances; modified starches; glues; enzymes, except those products of heading 3501 and subheadings 3505 10 10, 3505 10 90 and 3505 20
ex Chapter 38	Miscellaneous chemical products except those of subheadings 3809 10, 3809 91 00, 3809 92 00, 3809 93 00 and ex 3824 60
ex Chapter 39	Plastics and articles thereof:
3901 to 3914	— primary forms
ex 6809	Articles of plaster or of compositions based on plaster (boards, sheets, panels, tiles and similar articles)

ANNEX III

ANNEX

CN code	Description	Coefficient
1	2	3
ex 1702 90 71	Caramel containing 50 % or more by weight of sucrose in the dry matter	1,00 ⁽¹⁾
ex 1702 90 99	Invert sugar	1,00 ⁽¹⁾
2905	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives:	
	— other polyhydric alcohols:	
2905 43 00	— — Mannitol	1,06
2905 44	— — D-Glucitol (sorbitol):	
	— — — In aqueous solution:	
2905 44 11	— — — — Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0,74 ⁽²⁾
2905 44 19	— — — — other	0,74 ⁽²⁾
	— — — other:	
2905 44 91	— — — — Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	1,06
2905 44 99	— — — — other	1,06
3824 60	— Sorbitol other than that of No 2905 44:	
	— — In aqueous solution:	
3824 60 11	— — — Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0,74 ⁽²⁾
3824 60 19	— — — other:	0,74 ⁽²⁾
	— — other:	
3824 60 91	— — — Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	1,06
3824 60 99	— — — other	1,06

⁽¹⁾ The production refunds determined according to this coefficient shall be understood to be calculated for an invert sugar or for a caramel having respectively a dry matter content by weight of 100 %.

For invert sugars or caramels respectively with a different dry matter content, the refunds shall be calculated per 100 kilograms of intermediate product by applying the following formula:

$$(a) \times 1,00 \times (b)$$

⁽²⁾ The production refunds determined according to this coefficient shall be understood to be calculated for an aqueous solution of D-glucitol (sorbitol) with a dry matter content by weight of 70 %. For aqueous solutions of D-glucitol (sorbitol) with a different dry matter content, the refunds shall be calculated per 100 kilograms of intermediate product by applying the following formula:

$$(a) \times 0,74 (b)/0,70$$

Where:

(a) = white sugar production refund in question,

(b) = dry matter content of the product, in % by weight.

**COMMISSION REGULATION (EC) No 1127/96
of 24 June 1996**

**amending Regulation (EC) No 1423/95 laying down detailed implementing rules
for the import of products in the sugar sector other than molasses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1101/95 ⁽²⁾, and in particular Articles 14 (2) and 15 (4) thereof,

Whereas the customs tariff rates and additional import duties for raw sugar are fixed, where such sugar is intended for refining, with reference to sugars with a yield of 92 % of that of the standard quality defined by the Community; whereas it is laid down that where the yield of such sugars differs from the yield fixed for the standard quality, an adjustment should be made; whereas, in the interests of clarity, it should therefore be laid down that the corresponding provisions of Commission Regulation (EC) No 1423/95 ⁽³⁾, as amended by Regulation (EC) No 2528/95 ⁽⁴⁾, only apply to raw sugars;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (1) of Regulation (EC) No 1423/95 is replaced by the following:

'1. If the yield of imported raw sugar as determined in accordance with Article 1 of Regulation (EEC) No 431/68, differs from the yield fixed for the standard quality, the customs tariff duty for products falling within CN codes 1701 11 10 and 1701 12 10, and the additional duty for products falling within CN codes 1701 11 10, 1701 11 90, 1701 12 10 and 1701 12 90 to be levied per 100 kilograms of the said raw sugar shall be calculated by multiplying the corresponding duty fixed for raw sugar of the standard quality by a correcting coefficient. The correcting coefficient shall be obtained by dividing the percentage of the yield of the imported raw sugar by 92.'

Article 2

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

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 50.

COMMISSION REGULATION (EC) No 1128/96

of 24 June 1996

laying down detailed rules for the coupage of table wine in Spain

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⁾, and in particular Articles 16 (5) and 83 thereof,

Whereas Article 16 (5) of Regulation (EEC) No 822/87 forbids in principle the coupage of a white table wine with a red table wine; whereas, a derogation is provided for Spain;

Whereas special detailed rules for the application of that derogation for Spain should be laid down based on the structure of the wine growing sector and consumer attitudes, which change slowly, pending resolution of the problem by the reform of the wine growing sector;

Whereas so that the possibility of carrying out coupage of white table wine and red table wine remains limited to the country where it is necessary, it is vital to ensure that wine produced by this practice cannot be consumed outside Spain;

Whereas Commission Regulation (EEC) No 2238/93 ⁽³⁾ provides for accompanying documents for the transport of wine products;

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

1. In application of Article 16 (5) of Regulation (EEC) No 822/87, coupage of a wine suitable for yielding a white table wine or of a white table wine with a wine suitable for yielding a red table wine or with a red table wine shall be permitted in Spain provided that the product obtained has the characteristics of a red table wine and that the proportion of red wine used is not less than 75 %.

2. Spanish red and rosé table wine resulting from coupage as referred to in paragraph 1 may not be traded with other Member States or exported to third countries.

3. For the application of paragraph 2, the competent authority designated by Spain shall guarantee the origin of Spanish red and rosé table wine by affixing a stamp in the box reserved for official comments on the document provided for by Regulation (EEC) No 2238/93 preceded by the words 'wine not produced by white/red coupage'.

Article 2

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

It shall apply from 1 January 1996.

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

⁽³⁾ OJ No L 200, 10. 8. 1993, p. 10.

COMMISSION REGULATION (EC) No 1129/96

of 24 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

Five sales by individual invitation to tender Nos 201/96 EC, 202/96 EC, 203/96 EC, 204/96 EC and 205/96 EC shall be held for a total quantity of 250 000 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 201/96 EC, 202/96 EC, 203/96 EC, 204/96 EC and 205/96 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 201/96 EC and 202/96 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 203/96 EC, 204/96 EC and 205/96 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 sales shall take place in accordance with Articles 13 to 18 and 30 to 38 of Regulation (EEC) No 377/93.

However, notwithstanding Article 15 of Regulation (EEC) No 377/93, the final date for the submission of tenders for the invitations to tender referred to in this Regulation, shall fall between the eighth and the 25th day following the date of publication of the individual invitations to tender.

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 time limit 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) 0,33 % of the amount remaining after deduction of the 15 %, for each day the time limit 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 31 March 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 201/96 EC and 202/96 EC of the one part, and successful tenderers for the individual invitations to tender Nos 203/96 EC, 204/96 EC and 205/96 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, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 201/96 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	Deulep Boulevard Chanzy 30800 Saint-Gilles-du-Gard	72	15 494	35 + 36	Raw alcohol
	Longuefuye 53200 Château-Gontier	2	21 840	35 + 36	Raw alcohol
		5	12 666	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 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 201/96 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 8 July 1996.

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

- (a) include a reference to individual sale by tender No 201/96 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 202/96 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	Mazzari SpA S. Agata Santerno (RA)		12 500	35	Raw alcohol
	Del Sud — Rutigliano (BA)		10 000	36	Raw alcohol
	Neri Srl — Faenza (RA)		10 000	39	Raw alcohol
	G. De Luca Sas — Novoli (LE)		5 000	35	Raw alcohol
	G. Di Lorenzo Snc — Pontevallecepi		2 500	36	Raw alcohol
	Caviro Scrl — Faenza (RA)		10 000	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 202/96 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 8 July 1996.

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

- (a) include a reference to individual sale by tender No 202/96 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:

- AIMA, 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 203/96 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	15	34 541	35 + 36	Raw alcohol
	Villarrobledo	17	15 459	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 203/96 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 8 July 1996.

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

- (a) include a reference to individual sale by tender No 203/96 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 204/96 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 — Partinico (PA)		10 000	35	Raw alcohol
	Bonollo SpA — Formigine (MO)		15 000	36	Raw alcohol
	I.C.V. SpA — Borgoricco (PD)		5 000	39	Raw alcohol
	F.lli Cipriani SpA — Chizzola d'Ala (TN)		7 500	35	Raw alcohol
	Villapana SpA — Faenza (RA)		7 500	35	Raw alcohol
	Ge.Dis. SpA — Marsala		5 000	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 204/96 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 8 July 1996.

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

- (a) include a reference to individual sale by tender No 204/96 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:

- AIMA, 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 205/96 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	Enodistil SpA — Alcamo (TP)		5 000	35	Raw alcohol
	Dist. Centro Adriatico Ascoli Piceno (AP)		7 500	35	Raw alcohol
	Caviro Scrl — Faenza (RA)		7 500	35	Raw alcohol
	Balice Sno — Valenzano (BA)		5 000	36	Raw alcohol
	Caviro Scrl — Faenza (RA)		5 000	36	Raw alcohol
	Di Trani SpA — Trani (BA)		10 000	39	Raw alcohol
	Kronion Scrl — Agrigento (AG)		5 000	39	Raw alcohol
	Distercoop Scrl — Faenza (RA)		5 000	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 205/96 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 8 July 1996.
5. Tenders must state the name and address of the tenderer and must:
 - (a) include a reference to individual sale by tender No 205/96 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:
 - AIMA, 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 1129/96

- 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 1130/96
of 24 June 1996
on the supply of white sugar as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 72 tonnes of sugar;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time

limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

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, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 908/95
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag, Nederland (tel: (31-70) 33 05 757; fax: (31-70) 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: Sudan
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (VA(1))
8. **Total quantity (tonnes)**: 72
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹⁰⁾: see OJ No C 114, 29. 4. 1991, p. 1 (VA(2) and VA(3))
Language to be used for the marking: English
Supplementary markings: 'Expiry date ...'
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
— A or B sugar (points (a) and (b))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 29. 7 to 18. 8. 1996
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 7. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 7. 1996
 - (b) period for making the goods available at the port of shipment: from 12. 8 to 1. 9. 1996
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels (Attention! New numbers: telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: periodic refund applicable to white sugar on 11. 6. 1996, fixed by Commission Regulation (EC) No 1007/96 (OJ No L 135, 6. 6. 1996, p. 1)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

Radiation certificate must be issued by official authorities and be legalized for the following country: Sudan.

- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 2853/95 (OJ No L 299, 12. 12. 1995, p. 1), shall not apply to this amount.

- (⁵) The supplier should send a duplicate of the original invoice to: Willis Corroon Scheuer, Postbus 1315, NL-1000 BH Amsterdam.
- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
 - health certificate (+ expiry date).
- (⁹) Notwithstanding OJ No C 114, point V.A(3)(c) is replaced by the following: 'the words "European Community"'.
(¹⁰) Shipment to take place in 20-foot containers, condition FCL/FCL.

The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which to be provided to the beneficiary's forwarder.

COMMISSION REGULATION (EC) No 1131/96
of 24 June 1996
on the supply of pasta as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain beneficiaries 1 250 tonnes of pasta;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is

necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Pasta shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

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, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A and B

1. **Operation Nos** ⁽¹⁾: 924/95 (A); 925/95 (B)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Solidaridad Internacional, Glorieta de Quevedo 7, 6-D, E-28015 Madrid; tel: (34-1) 593 11 13; fax: 448 44 69 / Oxfam Belgique, rue du Conseil 39, B-1050 Bruxelles; tel: (32-2) 512 99 90; fax: 511 89 19 (contact: J.M. Biquet)
4. **Representative of the recipient**: Croissant Rouge Sahraoui, 17 rue Ben M'Hidi Lardi, Oran; Tel: (213-6) 396424, fax: 331065. Contact: Mr Nanni Yamma
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: pasta
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1993, p. 1 (I.L.C. (1) (a))
8. **Total quantity (tonnes)**: 1 250
9. **Number of lots**: 2 (A: 625 tonnes; B: 625 tonnes)
10. **Packaging and marking** ⁽⁵⁾: see OJ No C 34, 6. 2. 1993, p. 3 (I.L.C. (2) (a) and I.L.C. (3))
Language to be used for the marking: French
11. **Method of mobilization**: the Community market
12. **Stage of supply**: port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Oran
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: A: from 5 to 18. 8. 1996; B: from 12 to 25. 8. 1996
18. **Deadline for the supply**: A: 1. 9. 1996; B: 8. 9. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon Brussels time on 8. 7. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon Brussels time on 22. 7. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: from 19 to 1. 9. 1996; B: 26. 8 to 8. 9. 1996
 - (c) deadline for the supply: A: 15. 9. 1996; B: 22. 9. 1996
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (Attention! New numbers! tlx: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽⁶⁾: refund applicable on 30. 6. 1996, fixed by Commission Regulation (EC) No 978/96 (OJ No L 131, 1. 6. 1996, p. 30)

Notes:

- (1) The operation number should be mentioned in all correspondence.
 - (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
 - (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
 - (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 2853/95 (OJ No L 299, 12. 12. 1995, p. 1), shall not apply to this amount.
 - (5) Placed in one-way 20-foot containers.
 - (6) See third amendment to OJ No C 114 published in OJ No C 254, 1. 10. 1992, p. 14.
 - (7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
 - sanitary certificate.
-

COMMISSION REGULATION (EC) No 1132/96
of 24 June 1996
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients 1 011 tonnes of vegetable oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, for a given lot, given the small quantities to be supplied, the packaging methods and the large number of

destinations of the supplies, provision should be made for the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The supply shall cover the mobilization of vegetable oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward processing arrangements.

For lot E notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

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, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A, B, C and D

1. **Operation Nos** ⁽¹⁾: 952/95 (A); 953/95 (B); 954/95 (C); 955/95 (D)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: WFP (World food programme), via Cristoforo Colombo 426, I-00145 Roma; (tel.: (39-6) 57 971; telex: 626675 WFP I)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination** ⁽³⁾: A: Jordan; B: Kenya; C: Tunisia; D: Zambia
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (III. A (1) (a))
8. **Total quantity**: 276 tonnes
9. **Number of lots**: four (lot A: 60 tonnes; lot B: 79 tonnes; lot C: 51 tonnes; lot D: 86 tonnes)
10. **Packaging and marking** ⁽⁴⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (2) (1), IIIA (2) (3) and IIIA (3))
 - five-litre metal canister, without cardboard cross-pieces
 - language to be used for the marking: English (A, B, D); French (C)
 - supplementary markings (A): 'NOT FOR SALE' and 'Expiry date: ...'
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: A, B, C: free at port of landing — landed
D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: A: Aqaba; B: Mombasa; C: Tunis
16. **Address of the warehouse and, if appropriate, port of landing**: D: WFP warehouse, Lusaka
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 18. 8. 1996
18. **Deadline for the supply**: A, C: 1. 9. 1996; B: 15. 9. 1996; D: 29. 9. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 9. 7. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 7. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: 19. 8 — 1. 9. 1996
 - (c) deadline for the supply: A, C: 15. 9. 1996; B: 29. 9. 1996; D: 13. 10. 1996
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

LOT E

1. **Operation Nos** ⁽¹⁾: 922/95 (E1); 923/95 (E2)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag, (tel.: (31-70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: E1: Sudan; E2: Nicaragua
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (1) (a))
8. **Total quantity**: 735 tonnes
9. **Number of lots**: one in 2 parts (E1: 405 tonnes; E2: 330 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽¹⁰⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (2) (1), IIIA (2) (3) and IIIA (3))
 - five-litre metal canister, without cardboard cross-pieces
 - language to be used for the marking: English (E1); Spanish (E2)
 - supplementary markings (E1): 'Expiry date ...'
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment ⁽⁸⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5 — 25. 8. 1996
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 9. 7. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 23. 7. 1996
 - (b) period for making the goods available at the port of shipment: 19. 8 — 8. 9. 1996
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:

Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on request by the successful tenderer** ⁽⁹⁾: —

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
Lot E: Radiation certificate (E2: and certificate of origin) must be issued by official authorities and be legalized.
- (⁴) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) Notwithstanding OJ No C 114, point III.A (3) (c) is replaced by the following: 'the words "European Community"'.
(⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
- (⁸) Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
- (⁹) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.
- (¹⁰) Shipment to take place in 20-foot containers, FCL/FCL (each containing 15 tonnes net). The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The beneficiary will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The successful tenderer must stow the cartons in the containers in such a way that any empty spaces are filled; he must stabilize the final row of cartons using stowage belts.

The successful tenderer must seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.

COMMISSION REGULATION (EC) No 1133/96

of 24 June 1996

amending representative prices and additional duties for the import of certain products in the sugar sector

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

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

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95⁽⁵⁾, as last amended by Regulation (EC) No 1104/96⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 25 June 1996.

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 50.

⁽⁵⁾ OJ No L 150, 1. 7. 1995, p. 36.

⁽⁶⁾ OJ No L 146, 20. 6. 1996, p. 34.

ANNEX

to the Commission Regulation of 24 June 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	23,94	4,33
1701 11 90 ⁽¹⁾	23,94	9,56
1701 12 10 ⁽¹⁾	23,94	4,14
1701 12 90 ⁽¹⁾	23,94	9,13
1701 91 00 ⁽²⁾	31,77	9,35
1701 99 10 ⁽²⁾	31,77	4,83
1701 99 90 ⁽²⁾	31,77	4,83
1702 90 99 ⁽³⁾	0,32	0,34

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

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

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1134/96

of 24 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 25 June 1996.

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

Done at Brussels, 24 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 24 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	75,8		284	72,1
	060	80,2		388	78,7
	064	88,4		400	73,4
	066	60,2		404	63,6
	068	62,3		416	72,7
	204	86,8		508	74,3
	208	44,0		512	68,0
	212	97,5		524	63,9
	624	95,8		528	72,2
	999	76,8		624	86,5
				728	107,3
				800	78,0
ex 0707 00 25	052	55,3		804	98,7
	053	156,2		999	79,0
	060	61,0		0809 10 30	052
	066	53,8			061
	068	69,1			064
	204	144,3			400
	624	87,1			999
	999	89,5			159,7
0709 10 20	220	317,0		0809 20 49	052
	999	317,0			061
0709 90 77	052	41,6			064
	204	77,5			068
	412	54,2			400
	624	151,9			600
	999	81,3			624
0805 30 30	052	134,0			676
	204	88,8			999
	220	74,0			162,0
	388	69,9		0809 30 31, 0809 30 39	052
	400	68,2			220
	512	54,8			624
	520	66,5			999
	524	100,8			97,2
	528	66,3		0809 40 20	052
	600	84,0			064
	624	48,9			066
	999	77,8			068
0808 10 61, 0808 10 63, 0808 10 69					400
	039	112,1			624
	052	64,0			676
	064	78,6			999

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1135/96
of 24 June 1996**

**correcting the German language version of Regulation (EC) No 2257/94 laying
down quality standards for bananas and the English language version of
Regulation (EC) No 2898/95 concerning verification of compliance with quality
standards for bananas**

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

Having regard to Council Regulation (EEC) No 404/93 of
13 February 1993 on the common organization of the
market in bananas ⁽¹⁾, as amended by Regulation (EC) No
3290/94 ⁽²⁾, and in particular Article 4 thereof,

Whereas the German language version of Commission
Regulation (EC) No 2257/94 ⁽³⁾ and the English language
version of Commission Regulation (EEC) No 2898/95 ⁽⁴⁾,
amended by Regulation (EC) No 465/96 ⁽⁵⁾, differ from
the texts in the other official Community languages;
whereas, therefore, the necessary corrections should be
made to those two language versions;

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

HAS ADOPTED THIS REGULATION:

Article 1

A correction is hereby made to Article 2 of and Annex I
to Regulation (EC) No 2257/94.

This correction concerns only the German language
version of the Regulation.

Article 2

The English language version of Regulation (EC) No
2898/95 is amended as follows:

1. the second paragraph of Article 2 is replaced by the
following:

‘Bananas which are marketed outside their region of
production shall be subject to spot checks when they
are first unloaded elsewhere in the Community.’;

2. in the second subparagraph of Article 7 (3) the word
‘They’ is replaced by ‘The competent departments or
agencies of the Member States’;

3. Article 8 is replaced by the following:

‘This Regulation shall apply without prejudice to any
spot checks carried out subsequently up to the ripen-
ing depot stage’.

Article 3

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

Article 2 shall, however, enter into force on 1 July 1996.

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

Done at Brussels, 24 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.
⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.
⁽³⁾ OJ No L 245, 20. 9. 1994, p. 6.
⁽⁴⁾ OJ No L 304, 16. 12. 1995, p. 17.
⁽⁵⁾ OJ No L 65, 15. 3. 1996, p. 5.