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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1416/96
of 22 July 1996
on the supply of common wheat 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 (EC) No 1292/96⁽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, by its Decision of 22 October 1992 on the supply of food aid to Bangladesh, the Commission allocated to this country 75 000 tonnes of cereals to be supplied free at port of landing — undischarged;

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

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to Bangladesh in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in Annex I hereto.

The offer submitted shall be deemed to have been drawn up taking account of the charges and constraints resulting from specific clauses set out in the exchange of letters between the Commission and the recipient, published in part in Annex II. In particular, the laydays should be assessed on the basis of an average daily discharge rate of 2 400 tonnes in such a way that dispatch to be paid to the recipient by the Community will be for the account of the successful tenderer.

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, 22 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽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 I

LOTS A, B, C

1. **Operation Nos** ⁽¹⁾: 971/95 (A); 972/95 (B); 973/95 (C)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Bangladesh
4. **Representative of the recipient**: The Secretary, Ministry of Food, Bangladesh Secretariat, Dhaka, Bangladesh
5. **Place or country of destination** ⁽³⁾: Bangladesh
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.A(1)(a))
8. **Total quantity**: 75 000 tonnes
9. **Number of lots**: 3 (A: 25 000 tonnes; B: 25 000 tonnes; C: 25 000 tonnes)
10. **Packaging and marking**: in bulk
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — undischarged
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Chittagong
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: 19. 8 to 1. 9. 1996; B: 2 to 15. 9. 1996; C: 16 to 29. 9. 1996
18. **Deadline for the supply** ⁽⁴⁾: A: 30. 9 to 13. 10. 1996; B: 14 to 27. 10. 1996; C: 28. 10 to 10. 11. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 6. 8. 1996 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 8. 1996 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: 2 to 15. 9. 1996; B: 16 to 29. 9. 1996; C: 30. 9 to 13. 10. 1996
 - (c) deadline for the supply ⁽⁴⁾: A: 14 to 27. 10. 1996; B: 28. 10 to 10. 11. 1996; C: 11 to 24. 11. 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, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 130, bureau 7/46, 200 rue de la Loi/Wetstraat, 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** ⁽⁴⁾: refund applicable on 26. 7. 1996, fixed by Commission Regulation (EC) No 1206/96 (OJ No L 161, 29. 6. 1996, p. 28)

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 1053/95 (OJ No L 107, 12. 5. 1995, p. 4), shall not apply to this amount.
 - (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
 - (⁶) See Annex II point 4, second paragraph.
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ANNEX II

The recipient shall unload the 75 000 tonnes of wheat as per the following conditions.

1. Type of vessels to be fixed

It is envisaged that three vessels (self-trimming bulk carriers) will be fixed. The vessels must have at least four hatches. Vessels to be geared and each crane/derrick to serve one or two hatches. The vessels must be capable of entering the Chittagong outer anchorage and, after necessary lighterage, be able to shift and berth at Chittagong jetties. To this end vessels should have a maximum length of 610 feet.

Charterers/shipowners must ensure that all certificated officers carry with them on board the original valid certificate of competency and that all vessels are manned strictly according to the *STCW* Convention 1978, failing which any delay to the vessel will be on owner's account.

2. Discharging facilities

Vessels will furnish at the discharge port, free of expenses to the recipient, winches and/or cranes and the power to drive them, gins and falls in good working condition and will also supply sufficient lights for night work, as on board, on deck and in the holds, if required. Vessels will provide winchmen at load and discharge ports at their own expense.

3. Vessels' ETA information

Master to wireless/cable nominees of the recipient, namely Movements Chittagong — telex 642237 CMS C BJ — (simultaneously informing Bengalship Chittagong — telex 66277 BSC BJ — and Movestore Dhaka — telex 642230 CMS BJ) for orders regarding discharge 10 days prior to their arrival at the discharge port, i.e. Chittagong, and state ETA and draft. Orders for discharging will be transmitted to the vessel within five days of the receipt of master's request.

Master to give following notice to the recipient's nominees, i.e. Movements Chittagong, Bengalship Chittagong and Movestore Dhaka:

(a) upon sailing from load port vessels must state:

- (i) quantity loaded;
- (ii) arrival draft;
- (iii) TPI (tonnes per inch).

(b) 10 days beforehand ETA Chittagong port,

five days beforehand ETA Chittagong port,

72 hours, 48 hours and 24 hours beforehand ETA Chittagong port.

4. Discharging rate and discharging port time counting

The cargo is to be discharged by the recipient free of risk and expense to the vessel at the rate of 2 400 tonnes at Chittagong per weather working day of 24 consecutive hours. Time from 12 noon on Thursday or 5 p.m. on a day preceding a holiday until 9 a.m. on Saturday or next working day not to count as laytime even if used. The rate of discharge is based on four or more workable hatches. If, however, the number of workable hatches is less than the specified minimum, the discharging rate will be reduced proportionately.

Notice of readiness is to be tendered and accepted after vessel arrives at the Chittagong outer anchorage and laytime to commence 24 hours after NOR tendered during office hours, whether the vessel is in berth or not. However, in case a time period for the supply has been fixed by the Commission, laytime shall not commence before the first day of the said period. At discharge port, cost of shifting from anchorage to anchorage, anchorage to berth and berth to berth on owner's/charterer's account and time used for such shifting not to count as laytime.

Although stevedores appointed by recipients, all discharging operations to be carried out under masters' direction/approval. All necessary trimming will be at owner's time and expense.

At Chittagong anchorage, if a lighter vessel is required to cast off from the mother ship, due to heavy swell and/or bad weather, all time lost will not count as laytime. The time will stop counting from the time the lighter vessel casts off and will start counting again from the time the lighter ship is re-tied alongside the mother ship.

5. Lighterage at discharge port

All necessary lighterage at Chittagong outer anchorage will be carried out by the recipients at their own cost and time. For vessels unable to enter the Chittagong outer anchorage, due to excessive draft, lighterage may be carried out at Kutubdia anchorage by the charterers/owners at their expense and such lighterage to be treated as transshipment and lighters engaged to be discharged on identical terms as the mother vessel, and time used for lighterage at Kutubdia not to count as laytime. Collision damage, if any, during lighterage to be settled directly between the owners of the mother and the lighter vessels (notwithstanding whether engaged by owners/charterers for Kutubdia lighterage, or by the recipients for outer anchorage lighterage). In case of unsafe anchorage at Chittagong outer anchorage, any lighterage at Kutubdia is for recipients account.

Master of the vessel(s) at all times to extend full cooperation to the recipients and/or their nominees/agents/stevedores/lighterage contractors in order to expedite discharge. Lighter vessels to supply suitable fenders to avoid damage.

6. Demurrage/Despatch

Should the vessel(s) not be discharged at the rate herein stipulated, demurrage shall be paid by the recipient at the rate stipulated in the charter party, subject to a maximum of USD 8 000 per day or part thereof.

For working time saved at the port of discharge, despatch money shall be paid to the recipient at the rate of 50 % of the rate of demurrage stipulated in the charter party, subject to a maximum of USD 4 000 per day saved.

Demurrage of despatch at the discharge port, if any, at the amounts specified above, shall be paid, as the case may be, by the recipient to the Commission or by the Commission to the recipient. Afterwards settlement of despatch/demurrage, if any, between the successful tenderer and the Commission will take place.

Laytime at port of discharge to be non-reversible.

7. Miscellaneous

Overtime expenses, if any, on account of port and customs personnel will be for the account of the party (owner/their agents or receiver/their agents) ordering the same, but if ordered by the Port Authorities, to be on the receiver's/owner's account on 50 : 50 basis. Overtime expenses for vessel's crew always to be on the owner's account.

At the port of discharge opening/closing of hatches on all occasions to be for owner's account and time not to count as laytime. First opening and last closing of hatches at port of discharge to be done by vessel's crew.

Whatever the respective destination of the goods found damaged, they must be disposed of/destroyed as per port rules prior to sailing out of the vessels.

Dock worker management board's levy or any similar levy is for owner's account.

In the case where some extra costs requested by the owner/charterer are to be pre-financed by the recipient, they may be directly paid by the Commission on the recipient's behalf to the successful tenderer.

COMMISSION REGULATION (EC) No 1417/96
of 22 July 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 (EC) No 1292/96⁽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 216 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, 22 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽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⁾: 999/95
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**: Haiti
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (VA(1))
8. **Total quantity (tonnes)**: 216
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: French
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**: 2 to 22. 9. 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**: 5. 8. 1996 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 19. 8. 1996 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 16. 9 to 6. 10. 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. Telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ^(*): periodic refund applicable to white sugar on 11. 7. 1996, fixed by Commission Regulation (EC) No 1337/96 (OJ No L 172, 11. 7. 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.
- (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.
- (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 1418/96

of 22 July 1996

laying down detailed rules for the use of a graphic symbol for quality agricultural products specific to the most remote regions

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 20 (5) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽³⁾, as last amended by Commission Regulation (EC) No 2537/95⁽⁴⁾, and in particular Article 31 (5) thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 2537/95, and in particular Article 26 (5) thereof,

Whereas the Council has decided to introduce a graphic symbol with a view to ensuring greater awareness and consumption of natural and processed quality agricultural products specific to the most remote regions of the Community; whereas detailed rules required for the implementation of this measure should be laid down;

Whereas the Council Decision stipulates that the conditions for the use of the graphic symbol, namely the drafting of the list of natural and processed agricultural products which may bear the symbol and the definition of the quality characteristics, methods of production, packaging and manufacture of processed products must be proposed by the trade organizations in the most remote regions; whereas it should be specified that these requirements may be adopted by reference to existing standards under Community rules or, failing these, to international standards, or by reference to traditional methods of cultivation and manufacture;

Whereas in order to make the best possible use of this specific promotional instrument available to producers

and manufacturers of quality products specific to the most remote regions and in the interests of simplifying management and control and making them more effective, the right to use the graphic symbol should be conferred on the operators directly responsible for the production, packaging with a view to marketing and manufacture of the products concerned, established in those regions who give an undertaking to observe certain rules;

Whereas it is the responsibility of the competent authorities in the regions concerned to adopt the additional administrative requirements needed to ensure the correct operation of the mechanisms put in place and to guarantee observance of the rules undertaken;

Whereas provision should be made for the Commission to be notified of the information required to enable it to ensure that the conditions for the implementation of this measure are as uniform as possible in the various very remote regions;

Whereas the joint Management Committee of the management committees concerned has not delivered an opinion within the period set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The graphic symbol introduced pursuant to Article 20 of Regulation (EEC) No 3763/91, Article 30 of Regulation (EEC) No 1600/92 and Article 26 of Regulation (EEC) No 1601/92 shall be used only with a view to increasing awareness and consumption of natural and processed agricultural products specific to the most remote regions which satisfy requirements laid down on the initiative of trade organizations representative of operators in the abovementioned regions.

2. The requirements referred to in paragraph 1 shall concern quality standards and compliance with cultivation, production and manufacturing techniques and presentation and packaging standards.

These requirements shall be defined by reference to Community rules or, failing these, to international standards or, where necessary, shall be adopted specifically in respect of products from the most remote regions on a proposal from the representative trade organizations.

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽⁵⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 2

The right to use the graphic symbol shall be granted by the competent authorities in the Member States of production, or by a body authorized by them for this purpose, in respect of each product for which the requirements referred to in Article 1 have been adopted, depending on the nature of the product, to operators in one of the following classes hereinafter called 'users':

- individual producers or producer organizations or groups,
- businessmen who package the product for marketing,
- manufacturers of processed products

established in the territory of their remote region who meet the requirements of Article 3.

The right shall be conferred by the grant of approval in respect of one or more marketing campaigns.

Article 3

1. Approval, as provided for in the last paragraph of Article 2, shall be granted, at their request, to users who:

- give an undertaking, depending on the circumstances, to produce, package or manufacture products which meet the requirements of Article 1,
- have at their disposal, where necessary, the technical plant and equipment required for the production or manufacture of the product in question, in accordance with the above requirements,
- undertake to keep accounts that will facilitate the monitoring, in particular, of the production, packaging or manufacture of the product which is eligible for the graphic symbol,
- undertake to comply with all checks and verifications requested by the competent authorities.

2. Approval shall be withdrawn where the competent authority establishes that the approved user has failed to fulfil the requirements relating to the product or an obligation arising from the undertakings referred to in paragraph 1. Withdrawal of approval shall be temporary or permanent depending on the seriousness of the failure established.

Article 4

The competent authorities shall verify at regular intervals compliance by users with the conditions for the use of the

graphic symbol and with the undertakings referred to in Article 3. They may delegate the exercise of these checks to bodies qualified for that purpose which offer the technical competence and impartiality required. In such cases, the bodies shall report regularly to them on the performance of the control tasks.

Article 5

1. The competent French, Portuguese and Spanish authorities shall adopt any additional administrative measures necessary to administer the graphic symbol arrangements. These measures may include, in particular, the levying of a fee on users of the graphic symbol for its printing and to cover the administrative costs and costs arising from control operations.

2. The competent authorities referred to in paragraph 1 shall inform the Commission forthwith of the services or, as appropriate, bodies responsible for the grant of approval to users and for carrying out the checks required for the application of this Regulation. They shall notify also, prior to their adoption, a draft of the additional measures referred to in paragraph 1 within three months of the entry into force of this Regulation.

Article 6

Member States shall apply the relevant existing national provisions to prevent and where necessary penalize the misuse of the graphic symbol or adopt measures necessary to that end. They shall notify the Commission of the measures applicable within six months of the entry into force of this Regulation.

Article 7

The Commission shall ensure that the graphic symbol and products for which it may be used are published in the *Official Journal of the European Communities*.

Article 8

This Regulation shall enter into force on the seventh 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, 22 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1419/96

of 22 July 1996

fixing the amount of the private storage aid for the squid *Loligo patagonica*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EC) No 3318/94⁽²⁾, and in particular Article 16 thereof,

Whereas Commission Regulation (EC) No 1690/94⁽³⁾ lays down detailed rules of application of Regulation (EEC) No 3259/92 for the granting of private storage aid for certain fishery products;

Whereas Commission Regulation (EC) No 2896/94⁽⁴⁾ establishes the rates of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal, i.e. 6 %;

Whereas the average price for the squid *Loligo patagonica* has been below 85 % of its guide price for a significant period;

Whereas it is therefore necessary to fix the amount of the private storage aid for the product concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The private storage aid referred to in Article 16 of Regulation (EEC) No 3759/92 shall be granted for the quantities of *Loligo patagonica* offered for sale during the period 1 October 1995 to 31 December 1995 subject to a maximum quantity of 3 399 tonnes.

2. The amount of the aid for a maximum storage period of three months shall be ECU 55/tonne net weight for the first month and ECU 27/tonne net weight for the second and third months.

Article 2

This Regulation shall enter into force on the seventh 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, 22 July 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 350, 31. 12. 1994, p. 15.

⁽³⁾ OJ No L 179, 13. 7. 1994, p. 4.

⁽⁴⁾ OJ No L 305, 30. 11. 1994, p. 12.

COMMISSION REGULATION (EC) No 1420/96

of 22 July 1996

fixing depreciation percentages to be applied when agricultural products are
bought in, for the 1997 financial year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to the Council Regulation (EEC) No
1883/78 of 2 August 1978 laying down the general rules
for the financing of interventions by the European Agri-
cultural Guidance and Guarantee Fund, Guarantee
Section ⁽¹⁾, as last amended by Regulation (EC) No
1259/96 ⁽²⁾, and in particular Article 8 thereof,

Whereas, pursuant to Article 8 of Regulation (EEC) No
1883/78, systematic depreciation of public intervention
agricultural products must take place when they are
bought in, and whereas accordingly the Commission
determines the depreciation percentage for each product
concerned before the beginning of each year and whereas
such percentage shall not exceed the difference between
the buying-in price and the foreseeable disposal price for
each of these products;

Whereas, pursuant to Article 8 (3) of Regulation (EEC) No
1883/78, the Commission may, at its discretion, restrict
depreciation at the time of buying-in to a proportion of
this depreciation percentage, but such proportion may not
be less than 70 %; whereas, coefficients to be applied also
for the 1997 financial year by the intervention agencies to
the monthly buying-in values of products should be fixed,
to enable the agencies to establish the depreciation
amounts;

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

Done at Brussels, 22 July 1996.

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

HAS ADOPTED THIS REGULATION:

Article 1

In respect of the products listed in the Annex, which,
having been bought in by public intervention have
entered store or been taken over by the intervention agen-
cies between 1 October 1996 and 30 September 1997, the
authorities shall depreciate their value to account for the
difference between the buying-in prices and the foresee-
able selling prices of the relevant products.

Article 2

To establish the amount of the depreciation, the interven-
tion agencies shall apply to the values of the products
bought every month in the coefficients set out in the
Annex.

The expenditure amounts determined in this way shall be
notified to the Commission under the declarations
established pursuant to Commission Regulation (EC) No
296/96 ⁽³⁾.

Article 3

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 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.
⁽²⁾ OJ No L 163, 2. 7. 1996, p. 10.

⁽³⁾ OJ No L 39, 17. 2. 1996, p. 5.

ANNEX

'k' depreciation coefficients (Article 8 (3) of Regulation (EEC) No 1883/78) to be applied to the monthly buying-in values

Products	'k'
Breadmaking common wheat	0,00
Durum wheat	0,00
Barley	0,20
Rye	0,30
Maize	0,15
Sorghum	0,15
Tritical	0,00
Paddy rice	0,20
Olive oil	0,20
Sugar	0,45
Butter	0,50
Skimmed-milk powder	0,45
Beef	0,55
Alcohol as referred to in Article 40 (1) of Council Regulation (EEC) No 822/87 ⁽¹⁾	0,70

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

COMMISSION REGULATION (EC) No 1421/96
of 22 July 1996

**amending Regulation (EEC) No 3461/85 on the organization of campaigns to
promote the consumption of grape juice**

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 Article 46 (4) thereof,

Whereas Commission Regulation (EEC) No 3461/85 ⁽³⁾, as last amended by Regulation (EC) No 1828/95 ⁽⁴⁾, lays down rules for the organization of campaigns to promote the consumption of grape juice;

Whereas, in order to enable certain Member States to comply with national administrative procedures, the time limits laid down for the designation of the body carrying out the promotional campaign and for the submission of the promotional programmes prepared by it should be unified;

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

Done at Brussels, 22 July 1996.

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

The two indents in Article 2 (2) of Regulation (EEC) No 3461/85 are replaced by the following:

'shall designate the body referred to in paragraph 1 after consulting the professional organizations most representative of the production and/or marketing of grape juice, and submit to the Commission, within four months following the determination of the Member States in which the campaigns are to be carried out, as provided for in Article 1 (2), the programmes prepared by that body together with a reasoned opinion on their compliance with the conditions set out in Article 3 and on their effects on consumption trends.'

Article 2

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

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 332, 10. 12. 1985, p. 22.

⁽⁴⁾ OJ No L 175, 27. 7. 1995, p. 46.

COMMISSION REGULATION (EC) No 1422/96

of 22 July 1996

determining the Member States in which the campaigns to promote the consumption of grape juice may be carried out in respect of the 1995/96 wine year

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 Article 46 (5) and Article 81 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾,

Whereas Article 1 (2) of Commission Regulation (EEC) No 3461/85 of 9 December 1985 on the organization of campaigns to promote the consumption of grape juice ⁽⁵⁾, as last amended by Regulation (EC) No 1828/95 ⁽⁶⁾, provides that the Member States in which the campaigns to promote the consumption of grape juice are to be carried out and the total amounts allocated for the financing of the campaigns in each of the said Member States must be determined for each wine year;

Whereas Article 4 (2) of Commission Regulation (EEC) No 2461/88 of 25 August 1988 laying down detailed rules for the application of the aid scheme for the use of grapes, grape must and concentrated grape must to produce grape juice ⁽⁷⁾, as last amended by Regulation (EC) No 2122/95 ⁽⁸⁾, fixes the proportion of the aid intended for financing the promotional campaign at 25 %;

Whereas Annex VII to Commission Regulation (EC) No 1848/95 of 26 July 1995 fixing the buying-in prices, aids and certain other amounts applicable for the 1995/96 wine year to intervention measures in the wine sector ⁽⁹⁾ fixes the amount of aid for the 1995/96 wine year;

Whereas the amount available for such financing depends on the quantities of products in respect of which aid is granted; whereas the amount available for financing the 1995/96 campaign measure is estimated at ECU 6.5 million;

Whereas Member States meeting the conditions for carrying out such promotional campaigns are those where such measures have been carried out in previous wine years; whereas, furthermore, to enable such measures to be carried out with a view to increasing the consumption of grape juice in Austria, which has requested this, an amount should be allocated to that Member State to launch such promotional measures;

Whereas, in order to ensure better management of the budget funds, it has proved necessary to fix a deadline for the signature and payment of contracts;

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. For the 1995/96 wine year, campaigns to promote the consumption of grape juice as provided for in Article 1 (1) of Regulation (EEC) No 3461/85 shall be carried out in Germany, Austria, France, Spain and the Netherlands.

The total amount for financing those campaigns shall be:

- ECU 2 120 000 in Germany,
- ECU 300 000 in Austria,
- ECU 1 700 000 in France,
- ECU 1 500 000 in Spain,
- ECU 620 000 in the Netherlands.

2. Contracts for that campaign shall be signed within nine months at the latest following the date of entry into force of this Regulation. The payment of contracts shall be made three months at the latest after the successful fulfilment of the contracts.

3. The amounts referred to in paragraph 1 shall be converted into national currencies using the agricultural conversion rate in force on 1 September 1996.

Article 2

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 31.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁶⁾ OJ No L 175, 27. 7. 1995, p. 46.

⁽⁷⁾ OJ No L 236, 26. 8. 1988, p. 25.

⁽⁸⁾ OJ No L 212, 7. 9. 1995, p. 7.

⁽⁹⁾ OJ No L 177, 28. 7. 1995, p. 35.

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

Done at Brussels, 22 July 1996.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1423/96
of 23 July 1996
establishing the standard import values for determining the entry price of
certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

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

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 July 1996.

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

Done at Brussels, 23 July 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 23 July 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	73,4		388	97,9
	060	80,2		400	77,2
	064	70,8		404	63,6
	066	60,3		416	72,7
	068	80,3		508	113,5
	204	86,8		512	89,6
	208	44,0		524	100,3
	212	97,5		528	96,9
	624	95,8		624	86,5
	999	76,6		728	107,3
				800	110,5
				804	89,0
				999	90,0
ex 0707 00 25	052	62,4	0808 20 51	039	104,1
	053	156,2		052	138,2
	060	61,0		064	72,5
	066	53,8		388	95,9
	068	69,1		400	70,4
	204	144,3		512	81,6
	624	87,1		528	132,9
0709 90 77	999	90,6		624	79,0
	052	54,3		728	115,4
	204	77,5		800	83,9
	412	54,2		804	73,0
	624	151,9		999	95,2
0805 30 30	999	84,5	0809 10 40	052	144,4
	052	131,1		061	51,3
	204	88,8		064	81,9
	220	74,0		091	57,0
	388	67,2		400	338,0
	400	68,2	0809 20 59	999	134,5
	512	54,8		052	192,5
	520	66,5		061	182,0
	524	64,8		064	137,1
	528	68,7		066	73,7
	600	96,5		068	91,0
	624	48,9		400	391,8
	999	75,4		404	170,6
0806 10 40	052	155,8	0809 30 31, 0809 30 39	600	94,9
	064	75,6		616	171,8
	066	49,4		624	63,7
	220	110,8		676	166,2
	400	343,5		999	157,8
	412	132,4		052	63,1
	508	307,2		220	121,8
	512	186,0	0809 40 30	624	106,8
	600	64,5		999	97,2
	624	123,2		052	78,8
	999	154,8		064	72,9
0808 10 71, 0808 10 73, 0808 10 79				066	84,9
	039	120,4		068	61,2
	052	64,0		400	143,5
	064	78,6		624	209,2
				676	68,6
	284	72,1		999	102,7

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

COMMISSION REGULATION (EC) No 1424/96

of 22 July 1996

determining the extent to which the applications for import licences submitted in July 1996 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 1600/95 can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1600/95 of 30 June 1995 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1170/96⁽²⁾, and in particular Article 14 (4) thereof,

Whereas applications lodged for the products referred to in Annex II of Regulation (EC) No 1600/95 concern quantities greater than those available; whereas, therefore, the allocation factors should be fixed for the quantities applied for the period 1 July to 30 September 1996,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for for products falling within the order numbers in Annex 7 to the CN listed in the Annex hereto, lodged under Regulation (EC) No 1600/95 for the period 1 July to 30 September 1996, shall be awarded in accordance with the allocation factors indicated.

Article 2

This Regulation shall enter into force on 23 July 1996.

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

Done at Brussels, 22 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 151, 1. 7. 1995, p. 12.

⁽²⁾ OJ No L 155, 28. 6. 1996, p. 10.

ANNEX

Order number in Annex 7 to the combined nomenclature	Allocation factor
36	0,0147
37	0,0104
39	0,0412
40	0,0126
41	0,0205
42	0,0142
44	0,0073
47	0,0048

COMMISSION REGULATION (EC) No 1425/96
of 22 July 1996
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 1366/96⁽⁴⁾, as last amended by Regulation (EC) No 1413/96⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1366/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EC) No 1366/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 23 July 1996.

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

Done at Brussels, 22 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 177, 16. 7. 1996, p. 9.

⁽⁵⁾ OJ No L 181, 20. 7. 1996, p. 20.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	9,98	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	9,98	0,00
	medium quality	18,82	8,82
	low quality	39,38	29,38
1002 00 00	Rye	46,09	36,09
1003 00 10	Barley, seed	46,09	36,09
1003 00 90	Barley, other ⁽³⁾	46,09	36,09
1005 10 90	Maize seed other than hybrid	40,27	30,27
1005 90 00	Maize other than seed ⁽³⁾	40,27	30,27
1007 00 90	Grain sorghum other than hybrids for sowing	60,20	50,20

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

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

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties (period from 15. 7. 1996 to 19. 7. 1996):

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	145,82	151,42	141,67	122,33	179,15 (¹)	130,76 (¹)
Gulf premium (ECU/tonne)	—	15,24	3,63	37,02	—	—
Great lake premium (ECU/tonne)	21,07	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 9,24 per tonne; Great Lakes — Rotterdam: ECU 17,87 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 June 1996

concerning a request for exemption made by Belgium pursuant to Article 8 (2) (c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Only the Dutch and French texts are authentic)

(96/444/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 95/54/EC ⁽²⁾, and in particular Article 8 (2) (c) thereof,

Whereas on 9 February 1996 Belgium lodged a request, received by the Commission on 13 February 1996, which contained the information required by Article 8 (2) (c); whereas the request concerns the fitting of 13 types of vehicle with six types of third stop lamp, falling within category ECE S3 by virtue of ECE (United Nations Economic Commission for Europe) Regulation No 7 and fitted in accordance with ECE Regulation No 48;

Whereas the reasons given in the request, according to which the fitting of the stop lamps and the stop lamps themselves do not meet the requirements of Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers ⁽³⁾, as last amended by Commission Directive 89/516/EEC ⁽⁴⁾, and of Council Directive

76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers ⁽⁵⁾, as last amended by Commission Directive 91/663/EEC ⁽⁶⁾, are well founded; whereas the description of the tests, the results thereof and their compliance with ECE Regulations Nos 7 and 48 ensure a satisfactory level of safety;

Whereas the Community Directives concerned will be amended in order to authorize the production and fitting of such stop lamps;

Whereas the measure provided for in this Decision is in accordance with the opinion of the Committee on the Adaptation to Technical Progress, set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request for exemption made by Belgium concerning the production and fitting of six types of third stop lamp, falling within category ECE S3 by virtue of ECE Regulation No 7 and fitted in accordance with ECE Regulation No 48 on the type of vehicle for which they are intended, is approved.

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 266, 8. 11. 1995, p. 1.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 54.

⁽⁴⁾ OJ No L 265, 12. 9. 1989, p. 1.

⁽⁵⁾ OJ No L 262, 27. 9. 1976, p. 1.

⁽⁶⁾ OJ No L 366, 31. 12. 1991, p. 17.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 21 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission
