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Contents

I *Acts whose publication is obligatory*

- ★ **Commission Regulation (EC) No 1644/96 of 30 July 1996 laying down detailed rules for the grant of aid for certain grain legumes** 1
- ★ **Commission Regulation (EC) No 1645/96 of 30 July 1996 amending Regulation (EEC) No 1201/89 laying down rules implementing the system of aid for cotton** 3
- ★ **Commission Regulation (EC) No 1646/96 of 30 July 1996 amending Regulation (EEC) No 3461/85 on the organization of campaigns to promote the consumption of grape juice** 5
- ★ **Commission Regulation (EC) No 1647/96 of 30 July 1996 amending Regulation (EC) No 658/96 on certain conditions for granting compensatory payments under the support system for producers of certain arable crops** 6
- ★ **Commission Regulation (EC) No 1648/96 of 30 July 1996 amending for the third time Regulation (EEC) No 3590/85 on the certificate and analysis report required for the importation of wine, grape juice and grape must** 7
- ★ **Commission Regulation (EC) No 1649/96 of 16 August 1996 on the transitional measures applicable in Austria in the wine sector for the 1996/97 wine year** 8
- ★ **Commission Regulation (EC) No 1650/96 of 16 August 1996 fixing the buying-in prices, aids and certain other amounts applicable for the 1996/97 wine year to intervention measures in the wine sector** 10
- Commission Regulation (EC) No 1651/96 of 16 August 1996 amending the import duties in the cereals sector 19
- Commission Regulation (EC) No 1652/96 of 16 August 1996 regarding that the market in nectarines is in a state of serious crisis 22
- Commission Regulation (EC) No 1653/96 of 16 August 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables 23

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1644/96

of 30 July 1996

laying down detailed rules for the grant of aid for certain grain legumes

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

Having regard to Council Regulation (EC) No 1577/96 of 30 July 1996 on a specific measure for certain grain legumes⁽¹⁾, and in particular Article 6 thereof,

Whereas, pursuant to Article 2 (2) of Regulation (EC) No 1577/96, aid is granted per hectare of area sown and harvested; whereas Article 3 provides that, where the maximum guaranteed area is exceeded, the amount of aid is to be reduced proportionally in the marketing year in question; whereas, in that respect, provision should be made for the aid not to be paid until after the final amount of the aid has been fixed;

Whereas, in accordance with Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes⁽²⁾, as last amended by Regulation (EC) No 2015/95⁽³⁾, for the aid system to function properly, the Member States must make checks ensuring that there is no duplicate payment of the aid for areas concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid shall be granted for areas:

- (a) which have been completely sown and harvested and maintained in normal growing conditions;
and
- (b) for which an 'area' aid application has been submitted in accordance with Article 4 of Regulation (EEC) No 3887/92.

Article 2

1. The Commission shall determine the overrun of the maximum guaranteed area and fix the final amount of the

aid no later than 15 November of the marketing year in question.

2. The Member State shall pay the aid no later than 60 days after the date of publication of the final amount of the aid in the *Official Journal of the European Communities*.

Article 3

Each Member State shall notify the Commission not later than:

- (a) 15 September of the areas (expressed in hectares and ares) in respect of which aid has been applied for, broken down by product;
- (b) 1 November of the areas in respect of which the aid must be awarded.

Article 4

Commission Regulation (EEC) No 2353/89⁽⁴⁾ is hereby repealed.

Article 5

However, for the 1996/97 marketing year, the following transitional measures shall apply:

1. Notwithstanding Article 1 (b), applications for aid shall be submitted no later than 31 July 1996.

Applications for aid shall contain at least the following information:

- identification of the producer,
- the areas sown and cultivated in order to grow the product or products in question (in hectares and ares) and, if the producer has not submitted an 'area' aid application for the 1995/1996 marketing year, identification of the agricultural parcels on the holding,
- a declaration by the producer that the areas in question are not the subject of other applications for hectare aid, in particular the aid provided for under Article 1 (2) of Council Regulation (EEC) No 729/70⁽⁵⁾.

⁽¹⁾ OJ No L 206, 16. 8. 1996, p. 4.

⁽²⁾ OJ No L 391, 31. 12. 1992, p. 36.

⁽³⁾ OJ No L 197, 22. 8. 1995, p. 2.

⁽⁴⁾ OJ No L 222, 1. 8. 1989, p. 56.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 13.

2. Member States shall verify that aid is not granted for areas in respect of which hectare aid has already been applied for pursuant to Article 1 (2) of Regulation (EEC) No 729/70; in addition, they shall take the appropriate control measures and inform the Commission of the measures taken in this respect.

Article 6

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

It shall apply from the 1996/1997 marketing year.

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

Done at Brussels, 30 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1645/96
of 30 July 1996
amending Regulation (EEC) No 1201/89 laying down rules implementing the
system of aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995, laying down the general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81⁽²⁾, as last amended by Regulation (EC) No 1584/96⁽³⁾, and in particular Article 11 (1) thereof,

Whereas Regulation (EC) No 1584/96 amends the system of aid for cotton with effect from 1 September 1996 in that it abolishes the mechanism for the advance fixing of the aid and amends the system of advances by making it variable to follow changes in the world market price for unginning cotton; whereas Commission Regulation (EEC) No 1201/89 of 3 May 1989, laying down rules implementing the system of aid for cotton⁽⁴⁾, as last amended by Regulation (EC) No 1437/96⁽⁵⁾, must be adapted in consequence in order to abolish or amend the provisions referring to the aforementioned mechanism for the advance fixing of the aid, and to provide for the fixing of the advance for the same periods as the world market price for unginning cotton is fixed;

Whereas Article 5 (3) of Regulation (EEC) No 1201/89 provides for a reduction of the aid where the deadline for the lodging of aid applications is not met; whereas, for the sake of harmonization with other sectors, a gradation of that reduction should be introduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1201/89 is hereby amended as follows:

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

‘2. The Commission shall fix the amount of the advance referred to in Article 5 (3) of Regulation (EC) No 1554/95 on the same date as the world market

price for unginning cotton referred to in Article 1 (1) is fixed, and for the same period.’

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

‘3. Without prejudice to Article 6 of Regulation (EC) No 1554/95 and Article 6 of this Regulation, the aid to be granted shall be that which is valid on the day the application for aid referred to in Article 7 of Regulation (EC) No 1554/95 is lodged in accordance with Article 7 of this Regulation. However, if the aid application is lodged:

- between 1 and 15 April of the marketing year for which the aid is applied for, the aid to be granted shall be that valid on the preceding 31 March, less 1 % per working day of delay,
- after 15 April of the said marketing year, the aid application shall be rejected.’

3. The last sentence of Article 7 (1) is replaced by the following:

‘It shall be lodged, for each harvest, between 1 September and 31 March of the marketing year in question, but in no event before the date on which the application for supervised storage referred to in Article 9 is lodged.’

4. Article 7 (2) and (3) are deleted.

5. The last indent of Article 9 (3) is replaced by the following:

‘— as the case may be, a reference to the aid application lodged on the same day or a statement that it will be lodged at a later date.’

6. Article 9 (4) is replaced by the following:

‘4. Where the aid application is lodged after the application for supervised storage is lodged, the quantities for which the aid is applied for shall be set off against the applications for supervised storage, in chronological order of the lodging of the applications.’

7. Article 9 (5) and (7) are deleted.

8. In Article 9 (8), ‘and from 16 October following the beginning of the marketing year’ is inserted after ‘As soon as the unginning cotton is taken into supervised storage.’

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 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 206, 16. 8. 1996, p. 16.

⁽⁴⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ No L 184, 24. 7. 1996, p. 29.

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

Done at Brussels, 30 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1646/96
of 30 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 1592/96 ⁽²⁾, and in particular Article 46 (4) thereof,

Whereas Commission Regulation (EEC) No 3461/85 ⁽³⁾, as last amended by Regulation (EC) No 1421/96 ⁽⁴⁾, lays down rules for the organization of campaigns to promote the consumption of grape juice;

Whereas Article 1 of Regulation (EEC) No 3461/85 provides that the campaigns to promote the consumption of grape juice may be implemented only up to the 1995/96 wine year; whereas it is therefore necessary to amend it, given that Article 46 (4) of Regulation (EEC) No 822/87 extends the implementation of such campaigns up to the 1996/97 wine year;

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

Article 1 (1) of Regulation (EEC) No 3461/85 is replaced by the following:

In Article 1 (1), '1995/96' is replaced by '1996/97'.

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, 30 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁴⁾ OJ No L 182, 23. 7. 1996, p. 14.

COMMISSION REGULATION (EC) No 1647/96
of 30 July 1996

**amending Regulation (EC) No 658/96 on certain conditions for granting
compensatory payments under the support system for producers of certain
arable crops**

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

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149 thereof,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EC) No 1575/96⁽²⁾, and in particular Article 11 thereof,

Whereas Commission Regulation (EC) No 658/96 of 9 April 1996 on certain conditions for granting compensatory payments under the support system for producers of certain arable crops⁽³⁾, as last amended by Regulation (EC) No 1326/96⁽⁴⁾, restricts eligibility for compensatory payments to producers of colza who use seeds of specified qualities and varieties;

Whereas the main variety of colza cultivated in Sweden does not meet the eligibility criteria; whereas Sweden, following Accession, was granted a transitional period to enable it to produce replacement varieties that can be cultivated in the climatic conditions in that country; whereas the varieties developed during that transitional period do not make it possible for the existing variety to be replaced, in particular as a result of the insufficient

quantity of new seeds available and their lower resistance to low temperatures; whereas the variety 'Per' should be considered, for an additional marketing year, to be an eligible variety in the regions in which it is traditionally cultivated,

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (3) (f) of Regulation (EC) No 658/96 is replaced by the following:

'(f) notwithstanding paragraph 2, for the marketing years 1995/96, 1996/97 and 1997/98 and in the areas of Sweden set out in Annex III only, certified seed of the variety "Per".'

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, 30 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 1.

⁽³⁾ OJ No L 91, 12. 4. 1996, p. 46.

⁽⁴⁾ OJ No L 171, 10. 7. 1996, p. 7.

COMMISSION REGULATION (EC) No 1648/96
of 30 July 1996

amending for the third time Regulation (EEC) No 3590/85 on the certificate and analysis report required for the importation of wine, grape juice and grape must

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 1592/06 ⁽²⁾, and in particular Article 70 (8) thereof,

Whereas, pursuant to Article 4 (2) (c) of Council Regulation (EEC) No 2390/89 of 24 July 1989 laying down general rules for the import of wines, grape juice and grape must ⁽³⁾, as last amended by Regulation (EC) No 120/96 ⁽⁴⁾, third countries exporting into the Community wine or grape juice in labelled containers of not more than five litres fitted with a non-reusable closing device, in a total quantity of less than 1 000 hectolitres per year, are exempt from the certificate and analysis report; whereas the third countries benefiting from that exemption for their exports into the Community are listed in Annex V to Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must ⁽⁵⁾, as last amended by Regulation (EEC) No 2039/88 ⁽⁶⁾; whereas the Republic of San Marino has submitted a request to the Commission to benefit from

this exemption stating that it is willing to respect the conditions relating thereto; whereas, as a result, that third country should be entered on the list in Annex V to the abovementioned Regulation;

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 following third country is hereby added to Annex V to Regulation (EEC) No 3590/85:

‘— the Republic of San Marino’.

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, 30 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 232, 9. 8. 1989, p. 7.

⁽⁴⁾ OJ No L 20, 26. 1. 1996, p. 2.

⁽⁵⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽⁶⁾ OJ No L 179, 9. 7. 1988, p. 29.

COMMISSION REGULATION (EC) No 1649/96

of 16 August 1996

on the transitional measures applicable in Austria in the wine sector for the 1996/97 wine year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden and in particular Article 149 (1) thereof,

Whereas 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 1592/96⁽²⁾, lays down the basic rules for the management of the market in that sector; whereas, in particular, Article 1 (6) thereof lays down that the wine year lasts from 1 September to 31 August;

Whereas, by virtue of the abovementioned Act of Accession, the common organization of the market in wine has applied in Austria since the moment of accession; whereas, however, the Commission, by Regulation (EC) No 1834/95 of 26 July 1995 on transitional measures applicable in Austria in the wine-growing sector⁽³⁾, postponed the whole application of important market management measures;

Whereas the compulsory distillation measures imposed on Community table wine producers pursuant to Article 39 of Regulation (EEC) No 822/87 require the setting up of a large administrative organization; whereas, moreover, if the measure in question were to be initiated in Austria its impact would be negligible given the small proportion of table wine by comparison with quality wine; whereas, therefore, producers should be exempted from that distillation obligation for the 1996/97 wine year; whereas, however, given that they could be eligible for other forms of voluntary distillation, a distillation price and an *ad hoc* wine quantity should be fixed for Austrian producers taking account of the possibility that compulsory distillation may not be applied;

Whereas, to smooth the transition from the former national arrangements to the Community arrangements and to ensure stability on the market in Austrian wines, wine producers in Austria should be exempted from the distillation obligation laid down in Articles 35 and 39 of

Regulation (EEC) No 822/87 and at the same time special provisions appropriate to that situation should be adopted;

Whereas, to respond to the current absence of suitable distillation structures for wine-making by-products in Austria, that Member State's producers should be exempted from the distillation obligation laid down by Article 35 of the above Regulation and at the same time, in order to establish equitable treatment for all Community producers, they should be obliged to withdraw those by-products under supervision;

Whereas the overpressing of grapes, whether crushed or not, and of wine lees should also be avoided; whereas the marcs and lees withdrawn under supervision must present the minimum characteristics required by Commission Regulation (EEC) No 3105/88⁽⁴⁾, as last amended by Regulation (EC) No 2365/95⁽⁵⁾; whereas the impact of that operation should be equivalent to that of normal legal instruments;

Whereas the development of the situation on the Austrian wine market, and in particular the current phase of transition to the Community arrangements, should be monitored with a view to facilitating that transition;

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. Without prejudice to the special transitional measures laid down in the Act of Accession, the measures provided for in Articles 35 and 39 of Regulation (EEC) No 822/87 shall not apply in Austria in the 1996/97 wine year.

2. However, notwithstanding paragraph 1, any legal or natural person or group of persons processing grapes harvested in Austria shall be obliged to withdraw under supervision the by-products of such processing. Such

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 175, 27. 7. 1995, p. 57.

⁽⁴⁾ OJ No L 277, 8. 10. 1988, p. 21.

⁽⁵⁾ OJ No L 241, 10. 10. 1995, p. 17.

by-products shall present the minimum characteristics required by Regulation (EEC) No 3105/88. The competent Austrian authorities shall adopt suitable national measures to ensure the proper application of this measure.

3. Where the voluntary distillation measures laid down in Articles 38 and 42 of Regulation (EEC) No 822/87 are initiated, the Commission shall, in establishing the quantities of wine concerned, the prices and aids in Austria,

take account of the impact of compulsory distillation on producers' incomes in that Member State.

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 September 1996.

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

Done at Brussels, 16 August 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 1650/96**of 16 August 1996****fixing the buying-in prices, aids and certain other amounts applicable for the
1996/97 wine year to intervention measures in the wine sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149 (1) thereof,

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 1592/96 ⁽²⁾, and in particular Articles 35 (8), 36 (6), 38 (5), 41 (10), 44, 45 (9) and 46 (5) thereof,

Whereas Article 4 of Commission Regulation (EC) No 3299/94 of 21 December 1994 on transitional measures applicable in Austria in the wine-growing sector ⁽³⁾, as amended by Regulation (EC) No 670/95 ⁽⁴⁾, provides for Title III of Regulation (EEC) No 822/87 to apply in its entirety in Austria from the 1995/96 wine year; whereas, however, Austria should, in the interests of administrative clarity, be considered to form part of the wine-growing zone B provided for in Annex IV to Regulation (EEC) No 822/87;

Whereas Council Regulation (EC) No 1593/96 ⁽⁵⁾ fixes the guide prices for wine for the 1996/97 wine year; whereas the prices, aids and other amounts for the various intervention measures to be adopted for that wine year should accordingly be fixed on that basis;

Whereas this Regulation applies to Portugal; whereas, however, since wine-growing zones have not been delimited in that country, the oenological practices authorized in accordance with the rules laid down under Title II of Regulation (EEC) No 822/87 should be defined;

Whereas, since enrichment is an exceptional practice, the same reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 and laid down in Annex VIII should be applied as in wine-growing zone C; whereas, in the light of experience the derogations in force for 'vinho verde' should be extended;

Whereas the aid for the use in wine-making of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) of Regulation (EEC) No 822/87 must be fixed taking into account the difference between the cost of enrichment achieved using concentrated grape must and using sucrose; whereas, in the light of the data available to the Commission, the amount of the aid should be varied with the product used for enrichment;

Whereas distillers may, in accordance with Articles 35 (6) and 36 (4) of Regulation (EEC) No 822/87, either receive aid for the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Council Regulation (EEC) No 2046/89 ⁽⁶⁾, as last amended by Regulation (EC) No 1546/95 ⁽⁷⁾;

Whereas the price of wine to be distilled under Articles 38 and 41 of Regulation (EEC) No 822/87 does not normally allow the marketing at market prices of products obtained from distillation; whereas provision must therefore be made for aid, the amount of which is to be fixed on the basis of the criteria laid down in Article 8 of Regulation (EEC) No 2046/89, account also being taken of the present uncertainty of prices on the market for distillation products;

Whereas some wine delivered for one of the distillation operations may be processed into wine fortified for distillation; whereas the amounts applicable to distillation in accordance with the rules laid down in Article 26 of Regulation (EEC) No 2046/89 should be adjusted accordingly;

Whereas experience gained in sales by invitation to tender of alcohol held by intervention agencies shows that the difference between prices which may be obtained for neutral spirits and raw alcohol does not justify the take-over of the former; whereas, moreover, quantities of neutral spirits currently available are sufficient to satisfy,

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 37.

⁽⁴⁾ OJ No L 70, 30. 3. 1995, p. 1.

⁽⁵⁾ OJ No L 206, 16. 8. 1996, p. 34.

⁽⁶⁾ OJ No L 202, 14. 7. 1989, p. 14.

⁽⁷⁾ OJ No L 148, 30. 6. 1995, p. 34.

at least for one wine year, any demand for that product; whereas under these circumstances the possibility provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 should be used by producing for the buying-in of all alcohol at the price for raw alcohol;

Whereas Article 4 of Commission Regulation (EEC) No 3105/88⁽¹⁾, as last amended by Regulation (EC) No 2365/95⁽²⁾, laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 sets a standard natural alcohol strength by volume to be applied in the various wine-growing zones for the purpose of determining the volume of alcohol to be delivered for distillation under Article 35 of Regulation (EEC) No 822/87; whereas it has not been possible to fix this standard natural alcoholic strength in Portugal because the wine-growing zones in that country have not yet been delimited; whereas, therefore, a provisional standard natural alcohol strength should be fixed;

Whereas Article 46 (3) of Regulation (EEC) No 822/87 lays down criteria for fixing the aid provided for in that Article; whereas, as regards the aid for the use of grapes, grape must and concentrated grape must for the manufacture of grape juice, paragraph 4 of that Article stipulates that a part of the aid should be set aside for the organization of campaigns to promote the consumption of grape juice and whereas the aid may be increased to that end; whereas, having regard to the criteria laid down and of the need to finance those campaigns, the aid should be fixed at a level permitting sufficient quantities to be obtained for the effective promotion of the product;

Whereas the reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 depends on the average increase in the natural alcoholic strength in each wine-growing zone; whereas experience shows that that increase corresponds on average to half the maximum increase authorized; whereas the reduction in the buying-in price must accordingly correspond to the added alcoholic strength as a percentage of the alcoholic strength of wine delivered for distillation;

Whereas Commission Regulation (EEC) No 3800/81 of 16 December 1981 determining the classification of vine varieties⁽³⁾, as last amended by Regulation (EC) No 2276/95⁽⁴⁾, establishes the list of vine varieties recommended and authorized in Portugal; whereas, in assessing the production of wine in Portugal, reference should be made to those vine varieties;

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

This Regulation fixes the buying-in prices, the aids and certain other amounts applicable for the 1996/97 wine year to intervention measures in the wine sector in the Community. As regards the measures provided for in Articles 38 and 41 of Regulation (EEC) No 822/87, those amounts shall be fixed subject to a subsequent decision on the activating of those measures.

Article 2

1. The buying-in prices of the products and of wine delivered during the 1996/97 wine year for compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 and, for those products:

- aid to distillers,
- aid to fortifiers of wine of distillation,
- the buying-in prices of alcohol obtained, delivered to an intervention agency,
- the contribution from the European Agricultural Guidance and Guarantee Fund towards the taking over of that alcohol,

shall be as set out in Annexes I and II hereto.

2. In accordance with the second subparagraph of Article 35 (6), the second subparagraph of Article 36 (4) and the second subparagraph of Article 39 (7), the intervention agency shall pay the raw alcohol price for the alcohol delivered to it.

Article 3

The buying-in prices for wine delivered during the 1996/97 wine year for voluntary distillation as provided for in Articles 38 and 41 of Regulation (EEC) No 822/87 and, for those products:

- aid to distillers,
- aid to fortifiers of wine for distillation,

shall be as set out respectively in Annexes III and IV.

Article 4

The aid for utilization during the 1996/97 wine year of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) and in the first subparagraph of Article 46 (1) of Regulation (EEC) No 822/87 shall be as set out respectively in Annexes V, VI and VII hereto.

⁽¹⁾ OJ No L 277, 8. 10. 1988, p. 21.

⁽²⁾ OJ No L 241, 10. 10. 1995, p. 17.

⁽³⁾ OJ No L 381, 31. 12. 1981, p. 1.

⁽⁴⁾ OJ No L 232, 29. 9. 1995, p. 2.

Article 5

The reductions provided for in Article 44 of Regulation (EEC) No 822/87 applicable to the buying-in prices for wine delivered during the 1996/97 wine year for distillation as provided for in Articles 36, 38, 39 or 41 of that Regulation and, for that wine:

- to the aid to the distiller,
- to the buying-in prices of alcohol obtained, delivered to an intervention agency,
- to the contribution from the European Agricultural Guidance and Guarantee Fund to the taking over of that alcohol,

shall be as set out in Annex VIII hereto.

For the purposes of this Article, Portugal shall be considered to form part of wine-growing zone C, and Austria of wine-growing zone B.

Article 6

1. The rules governing oenological practices and processes laid down in Title II of Regulation (EEC) No 822/87 shall apply to Portugal during the 1996/97 wine year subject to the following conditions:

- (a) increase in alcoholic strength shall be limited to 2 % vol. Products eligible under this measure shall have a natural alcoholic strength by volume of at least 7,5 % vol, before enrichment and total alcoholic strength by volume of not more than 13 % after enrichment.

However, products upstream of table wine originating in the 'Vinho verde' region must have an alcoholic strength by volume of at least 7 % before enrichment.

The addition of concentrated grape must or rectified concentrated grape must shall not have the effect of increasing the initial volume of fresh crushed grapes, grape must, grape must in fermentation or new wine still in fermentation by more than 6,5 %;

- (b) fresh grapes, grape must, grape must in fermentation, new wine still in fermentation and wine may be the subject of acidification or deacidification.

2. The wine varieties which may be used to produce table wine shall be those listed in the Annex to Regulation (EEC) No 3800/81.

'Vinho verde' may:

- be marketed with a minimum total alcoholic strength by volume 8,5 % for wines which have not been subject to enrichment,
- possess a total content of sulphine dioxide no greater than 300 milligrams per litre for white 'Vinho verde' wines with a residual sugar content not less than 5 g/l.

3. The quantity of alcohol which producers of table wine in Portugal must deliver for distillation in accordance with Article 35 of Regulation (EEC) No 822/87 shall be calculated on the basis of a standard natural alcoholic strength, to be taken into consideration for the assessment of the volume of alcohol contained in the wine produced, equal to 9 % by volume, with the exception of wines produced in the delimited 'Vinho verde' region, for which the alcoholic strength to be taken into consideration shall be 8,5 %.

Article 7

This Regulation shall enter into force on 1 September 1996.

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

Done at Brussels, 16 August 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX I

DISTILLATION AS PROVIDED FOR IN ARTICLE 35 OF REGULATION (EEC) No 822/87

1996/97 WINE YEAR

	(ECU/% vol/bl)
1. Buying-in price to be paid to the producer by the distiller	0,9902
2. Aid:	
(a) for distillation:	
1. neutral spirits:	
— flat-rate	0,6279
— of marc	0,8453
— of wine and lees	0,4106
2. spirits distilled from marc	0,3985
3. spirits distilled from wine	0,2777
4. raw spirits:	
— flat-rate	0,4951
— of marc	0,7124
— of wine and lees	0,2777
(b) for the fortification of wine for distillation	0,2657
3. Prices of raw spirits delivered ⁽¹⁾ :	
— flat-rate	1,654
— spirits distilled from marc	1,872
— spirits distilled from wine and lees	1,437
4. EAGGF contribution for spirits ⁽²⁾	0,4951

⁽¹⁾ If the distiller has received the aid under 2, these prices are to be reduced by an amount equal to the aid (third subparagraph of Article 18 (2) of Regulation (EEC) No 2046/89).

⁽²⁾ For quantities of alcohol delivered to the intervention agency in respect of which aid has been paid to the distiller, this contribution is to be reduced by the amount of the flat-rate aid paid.

ANNEX II

DISTILLATION AS PROVIDED FOR IN ARTICLE 36 OF REGULATION (EEC) No 822/87

1996/97 WINE YEAR

	(ECU/% vol/bl)
1. Buying-in price to be paid to the producer by the distiller	1,340
2. Aid:	
(a) for distillation:	
1. neutral spirits	0,7728
2. spirits distilled from wine and raw spirits	0,6400
(b) for the fortification of wine for distillation	0,6158
3. Prices of raw spirits delivered ⁽¹⁾	1,799
4. EAGGF contribution for spirits ⁽²⁾	0,6400

⁽¹⁾ If the distiller has received the aid under 2, these prices are to be reduced by an amount equal to the aid (third subparagraph of Article 18 (2) of Regulation (EEC) No 2046/89).

⁽²⁾ For quantities of alcohol delivered to the intervention agency in respect of which aid has been paid to the distiller, this contribution is to be reduced by the amount of the flat-rate aid paid.

ANNEX III

DISTILLATION AS PROVIDED FOR IN ARTICLE 38 OF REGULATION (EEC) No 822/87

1996/1997 WINE YEAR

	(ECU/% vol/bl)
1. Buying-in price to be paid to the producer by the distiller:	
— type A I, R I and R II ⁽¹⁾	2,487
— type A II	5,385
— type A III	6,146
— type R III	3,852
2. Aid:	
(a) for distillation:	
1. neutral spirits:	
— type A I, R I and R II	1,884
— type A II	4,818
— type A III	5,603
— type R III	3,272
2. spirits distilled from wine and raw spirits:	
— type A I, R I and R II	1,751
— type A II	4,685
— type A III	5,470
— type R III	3,140
(b) for the fortification of wine for distillation:	
— type A I, R I and R II	1,715
— type A II	4,613
— type A III	5,373
— type R III	3,079

⁽¹⁾ And table wine in a close economic relationship with these types of table wine, or wines suitable for yielding table wine.

ANNEX IV

DISTILLATION AS PROVIDED FOR IN ARTICLE 41 OF REGULATION (EEC) No 822/87

1996/1997 YEAR

	(ECU/% vol/bl)
1. Buying-in price to be paid to the producer by the distiller:	
— type A I, R I and R II ⁽¹⁾	3,140
— type A II	6,798
— type A III	7,752
— type R III	4,854
2. Aid:	
(a) for distillation:	
1. neutral spirits:	
— type A I, R I and R II	2,548
— type A II	6,255
— type A III	7,233
— type R III	4,287
2. spirits distilled from wine and raw spirits:	
— type A I, R I and R II	2,415
— type A II	6,122
— type A III	7,100
— type R III	4,154
(b) for the fortification of wine for distillation:	
— type A I, R I and R II	2,367
— type A II	6,025
— type A III	6,979
— type R III	4,081

⁽¹⁾ And table wine in a close economic relationship with these types of table wine.

ANNEX V

**AID FOR THE USE IN WINE-MAKING OF CONCENTRATED GRAPE MUST AND
RECTIFIED CONCENTRATED GRAPE MUST (ARTICLE 45 (1) OF REGULATION (EEC)
No 822/87)**

1996/97 WINE YEAR

	<i>(ECU/% vol/bl)</i>
Amount of the aid:	
(a) concentrated grape must:	
— wine-growing zones C III (a) and C III (b)	1,699
— others, including Portugal	1,446
(b) rectified concentrated grape must:	
— wine-growing zones C III (a) and C III (b)	2,206
— others, if production commenced before 30 June 1982 (EUR 10) or before 1 January 1986 (Spain)	2,206
— others, including Portugal	1,953

ANNEX VI

**AID FOR THE USE OF GRAPE MUST AND CONCENTRATED GRAPE MUST FOR THE
PURPOSE OF MANUFACTURING CERTAIN PRODUCTS IN THE UNITED KINGDOM
AND IN IRELAND (SECOND AND THIRD INDENTS OF ARTICLE 46 (1) OF REGULATION
(EEC) No 822/87)**

1996/97 WINE YEAR

	<i>(ECU/kg)</i>
Flat-rate amount of the aid:	
1. Products referred to in the second indent of Article 46 (1) of Regulation (EEC) No 822/87	0,2379
2. Products referred to in the third indent of Article 46 (1) of Regulation (EEC) No 822/87	0,3103

ANNEX VII

**AID FOR THE USE OF GRAPES, GRAPE MUST AND CONCENTRATED GRAPE MUST FOR
THE PURPOSE OF MANUFACTURING GRAPE JUICE (FIRST INDENT OF ARTICLE 46 (1)
OF REGULATION (EEC) No 822/87)**

1996/97 WINE YEAR

		(ECU)
Flat-rate amount of the aid:		
(a) grapes (per 100 kg)		6,603
(b) grape must (per hl)		8,257
(c) concentrated grape must (per hl)		28,873
Percentage of the amount of the aid withheld for the financing of the promotion campaign		25

ANNEX VIII

**REDUCTION IN THE BUYING-IN PRICE OF WINE AS PROVIDED FOR IN ARTICLE 44 OF
REGULATION (EEC) No 822/87**

1996/97 WINE YEAR

			(ECU/% vol/hl)
Zone A	Zone B	Zone C and Portugal	
0,3623	0,3019	0,1811	

COMMISSION REGULATION (EC) No 1651/96
of 16 August 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 1636/96⁽⁴⁾;

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 1636/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1636/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 17 August 1996.

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

Done at Brussels, 16 August 1996.

For the Commission

Martin BANGEMANN

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 205, 15. 8. 1996, p. 6.

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⁾	4,69	0,00
1001 90 91	Common wheat seed	22,01	12,01
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	22,01	12,01
	medium quality	35,23	25,23
	low quality	48,79	38,79
1002 00 00	Rye	66,99	56,99
1003 00 10	Barley, seed	66,99	56,99
1003 00 90	Barley, other ⁽³⁾	66,99	56,99
1005 10 90	Maize seed other than hybrid	41,89	31,89
1005 90 00	Maize other than seed ⁽³⁾	41,89	31,89
1007 00 90	Grain sorghum other than hybrids for sowing	81,10	71,10

⁽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 14. 8. 1996 to 15. 8. 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)	133,80	136,84	129,70	115,70	172,36 ⁽¹⁾	110,06 ⁽¹⁾
Gulf premium (ECU/tonne)	—	13,53	7,12	42,09	—	—
Great lake premium (ECU/tonne)	21,24	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 9,17 per tonne; Great Lakes — Rotterdam: ECU 17,70 per tonne.

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

COMMISSION REGULATION (EC) No 1652/96

of 16 August 1996

regarding that the market in nectarines is in a state of serious crisis

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 1363/95⁽²⁾, and in particular Article 19 (1) thereof,

Whereas, under Article 19 (1) of Regulation (EEC) No 1035/72, if, for a given product on one of the representative markets referred to in Article 17 (2) of that Regulation, the prices communicated to the Commission pursuant to paragraph 1 of that same Article remain below the buying-in-price, for three consecutive market days, the Commission shall without delay record that the market in the product in question is in a state of serious

crisis if the Member State in which the situation has arisen so requests;

Whereas the situation has arisen in Spain for nectarines; whereas it should consequently be recorded that the market in this product is in a state of serious crisis,

HAS ADOPTED THIS REGULATION:

Article 1

It is recorded that the market in nectarines is in a state of serious crisis.

Article 2

This Regulation shall enter into force on 17 August 1996.

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

Done at Brussels, 16 August 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

COMMISSION REGULATION (EC) No 1653/96

of 16 August 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 17 August 1996.

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

Done at Brussels, 16 August 1996.

For the Commission

Martin BANGEMANN

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 16 August 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	69,4	0808 10 92, 0808 10 94, 0808 10 98	624	67,7
	060	80,2		999	117,6
	064	70,8		039	121,0
	066	54,0		052	64,0
	068	80,3		064	80,4
	204	86,8		070	90,2
	208	44,0		284	72,1
	212	97,5		388	83,3
	624	95,8		400	75,7
	999	75,4		404	63,6
ex 0707 00 25	052	62,4	0808 20 57	416	72,7
	053	156,2		508	113,5
	060	61,0		512	97,2
	066	53,8		524	100,3
	068	69,1		528	83,9
	204	144,3		624	86,5
	624	87,1		728	107,3
	999	90,6		800	141,3
	052	54,3		804	102,5
	204	77,5		999	91,5
0709 90 79	412	54,2	0809 30 41, 0809 30 49	039	104,1
	508	38,2		052	98,3
	624	151,9		064	72,5
	999	75,2		388	95,9
	052	134,2		400	70,4
0805 30 30	204	88,8		512	88,7
	220	74,0		528	132,9
	388	70,0		624	79,0
	400	68,2		728	115,4
	512	80,0		800	84,0
	520	66,5		804	73,0
	524	65,6		999	92,2
	528	62,0		052	53,9
	600	96,5		220	121,8
	624	48,9		624	106,8
0806 10 40	999	77,7	0809 40 30	999	94,2
	052	84,8		052	78,8
	064	75,6		064	62,8
	066	49,4		066	58,0
	220	110,8		068	61,2
	400	157,2		400	143,5
	412	67,7		624	212,2
	508	307,2		676	68,6
	512	186,0		999	97,9
	600	69,3			

⁽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'.