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Legislation

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96/529/EC:

- ★ **Commission Decision of 29 July 1996 derogating from the definition of the concept of ‘originating products’ to take account of the special situation of Saint Pierre and Miquelon with regard to frozen fillets of cod of CN code 0304 20 3**



Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.
The titles of all other Acts are printed in bold type and preceded by an asterisk.

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1728/96**of 3 September 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 Commission 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 4 September 1996.

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

Done at Brussels, 3 September 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 3 September 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	33,6	0808 10 92, 0808 10 94, 0808 10 98	624	67,7
	060	80,2		999	114,0
	064	70,8		039	121,0
	066	54,0		052	64,0
	068	80,3		064	88,7
	204	86,8		070	90,2
	208	44,0		284	72,1
	212	97,5		388	96,6
	624	95,8		400	62,8
	999	71,4		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	124,9
	066	53,8		524	100,3
	068	69,1		528	60,6
	204	144,3		624	86,5
	624	87,1		728	107,3
	999	90,6		800	141,3
	052	54,3		804	106,7
	204	77,5		999	92,5
0709 90 79	412	54,2	0809 30 41, 0809 30 49	039	104,1
	508	42,9		052	68,8
	624	151,9		064	79,2
	999	76,2		388	85,3
	052	132,0		400	70,4
	204	88,8		512	88,7
0805 30 30	220	74,0		528	132,9
	388	73,3		624	79,0
	400	68,2		728	115,4
	512	80,0		800	84,0
	520	66,5		804	73,0
	524	70,0		999	89,2
	528	61,2		052	93,9
	600	96,5		220	121,8
	624	48,9		624	106,8
	999	78,1		999	107,5
0806 10 40	052	67,9	0809 40 30	052	78,8
	064	55,8		064	50,7
	066	49,4		066	42,0
	220	110,8		068	37,1
	400	148,4		400	90,4
	412	58,5		624	132,1
	508	307,2		676	68,6
	512	186,0		999	71,4
	600	88,5			

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 July 1996

derogating from the definition of the concept of 'originating products' to take account of the special situation of Saint Pierre and Miquelon with regard to frozen fillets of cod of CN code 0304 20

(96/529/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular Article 30 (8) of Annex II thereto,

Whereas Article 30 of Annex II to the said Decision concerning the definition of the concept of 'originating products' and methods of administrative cooperation provides that derogations from the rules of origin may be adopted where the development of existing industries or the creation of new industries in a country or territory justifies them;

Whereas the French Government has requested a derogation for frozen fillets of cod exported by Saint Pierre and Miquelon;

Whereas the French Government has based its request on the current shortfall in the sources of supply of other originating fish;

Whereas the requested derogation is justified under the terms of the provisions concerned in Article 30 of Annex II to Decision 91/482/EEC, notably with regard to the substantial nature of the processing carried out in Saint Pierre and Miquelon, because the derogation is essential for the preservation of the processing plant in question which employs large numbers and there would be no

injury to Community industry, provided that certain conditions relating to quantities and duration are respected,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from the provisions of Annex II to Decision 91/482/EEC, frozen fillets of cod falling within CN code 0304 20 shall be considered as originating in Saint Pierre and Miquelon when they are processed there from non-originating materials, subject to the conditions set out in this Decision.

Article 2

The derogation provided for in Article 1 shall relate to the annual quantities indicated in the Annex exported from Saint Pierre and Miquelon to the Community during the period 1 May 1996 to 28 February 2000.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

When an importer presents in a Member State a declaration of entry for free circulation including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

Applications to draw showing the date of acceptance of declarations shall be transmitted to the Commission without delay.

Drawings shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities provided that the available balance permits.

If a Member State does not use the quantities drawn it shall return them to the corresponding amount available with all speed.

If the quantities applied for are greater than the balance in question, assignment shall be made *pro rata* to applications. Member States shall be informed of the drawings assigned.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as balances permit.

Article 4

Box 7 of EUR 1 certificates issued pursuant to this Decision shall show the following reference:

'Derogation — Decision No 96/529/EEC'.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 29 July 1996.

For the Commission

João DE DEUS PINHEIRO

Member of the Commission

ANNEX

(in tonnes)				
Order No	CN code	Description	Period	Quantities
09.1651	0304 20	Fillets of cod, frozen	From 1. 5. 1996 until 30. 4. 1997 (inclusive)	2 400
			From 1. 5. 1997 until 30. 4. 1998 (inclusive)	2 400
			From 1. 5. 1998 until 30. 4. 1999 (inclusive)	2 400
			From 1. 5. 1999 until 28. 2. 2000 (inclusive)	2 000