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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1735/96
of 4 September 1996
concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EC) No 1192/96⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is accepted that binding tariff information issued by the customs authorities of Member States in

respect of the classification of goods in the combined nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 4 September 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 156, 29. 6. 1996, p. 15.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Descriptions of goods	Classification CN code	Reason
(1)	(2)	(3)
A glass-fronted clip-frame, of dimensions 30 × 40 cm, consisting of — a mechanically gathered glass sheet with worked edges, — a printed paper sheet and — a piece of hardboard as picture support held together by four clips of base metal	7013 99 90	Classification is determined by the provisions of General Rules 1, 3 (b) and 6 for the interpretation of the combined nomenclature and the wording of CN codes 7013, 7013 99 and 7013 99 90. The article is used for indoor decoration

COMMISSION REGULATION (EC) No 1736/96

of 5 September 1996

amending Regulation (EEC) No 131/92 laying down common detailed rules for implementation of the specific measures for the supply of certain agricultural products to the French overseas departments

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 Articles 2 (6), 3 (5) and 4 (5) thereof,

Whereas Commission Regulation (EEC) No 131/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, provides that the exemption from import duties provided for in Title I of Regulation (EEC) No 3763/91 is to apply subject to presentation of an import licence issued pursuant to Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 2137/95⁽⁶⁾;

Whereas the Council, in amending Regulation (EEC) No 3763/91 by Regulation (EC) No 2598/95, extended the scope of the specific supply arrangements for products whose importation into the Community is not subject to presentation of an import licence; whereas, as a result, it is necessary to introduce a document that can be used for the system of exemption from import duties for such products; whereas the import licence form can be used for that purpose as exemption certificate; whereas, to that end, Regulation (EEC) No 131/92 should be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 131/92 is amended as follows:

1. The following Article 2a is added in Title I:

'Article 2a

1. In the case of products not subject to presentation of an import licence, the exemption from import

duties referred to in Title I of Regulation (EEC) No 3763/91 shall apply subject to presentation of an exemption certificate.

2. The form for the import licence in the Annex to Regulation (EEC) No 3719/88 shall be used for the exemption certificate.

Articles 8 (3) and (5), 9, 10, 13 to 16, 19 to 22, 24 to 31 and 33 to 37 of Regulation (EEC) No 3719/88 shall apply *mutatis mutandis* subject to the provisions of this Regulation.

3. The words "Exemption certificate" shall be printed or stamped in the top left-hand box of the licence/certificate.

4. The exemption certificate shall be issued at the request of the parties concerned by the competent authorities designated by France, subject to the quantity provided for in the forecast supply balance. The issue of the exemption certificate shall be subject to the lodging of a security whose amount shall be fixed for each of the products concerned.

The competent authorities may set a time limit for the issue of the certificate.

5. The exemption certificate application and the certificate itself shall contain, in box 20, the following entry: "exemption certificate to be used in ... (name of the overseas department)" and, where appropriate, the following entry: "products intended for the processing industries".

6. Article 2 (4) and (5) shall apply *mutatis mutandis*.

2. Article 5 is amended as follows:

(a) the first subparagraph of paragraph 1 is replaced by the following:

"The holder of the import licence, the exemption certificate or "aid certificate" shall include in the contract, in the event of the sale of the products or transfer of the licence or certificate, a clause requiring the benefits of the measure to be passed on to the end user."

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 214, 8. 9. 1995, p. 21.

(b) the second indent of paragraph 3 is replaced by the following:

‘— may, depending on the seriousness of the failure to fulfil the obligations, provisionally or definitively limit or suspend the right to apply for the licence/certificate referred to in Articles 2 and 2a or the “aid certificate” referred to in Article 3 (2).’;

(c) the first indent of paragraph 4 is replaced by the following:

‘— the holder of the import licence, exemption certificate or “aid certificate” shall be considered to have received the benefit granted.’.

3. In Article 7 (1), the first indent is replaced by the following:

‘— separately, the quantities which were the subject of applications for import licences, exemption certificates and “aid certificates”.’

Article 2

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

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

Done at Brussels, 5 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1737/96

of 5 September 1996

amending Regulation (EC) No 1036/96 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat for the period 1 July 1996 to 30 June 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up following the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 (1) thereof,

Whereas Commission Regulation (EC) No 1036/96⁽²⁾, opens for the 1996/97 marketing year a tariff quota for 10 000 tonnes of high-quality beef from the United States or Canada; whereas, following the conclusion of the GATT XXIV.6 negotiations, this quantity should be increased by 2 250 tonnes with effect from 1 January 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1036/96 is hereby amended as follows:

1. In the first indent of Article 1 (1), the quantity 56 600 is replaced by 58 850.
2. In Article 2 (f), the quantity 10 000 is replaced by 12 250.

Article 2

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

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

Done at Brussels, 5 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ No L 138, 11. 6. 1996, p. 1.

COMMISSION REGULATION (EC) No 1738/96
of 5 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 6 September 1996.

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

Done at Brussels, 5 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 5 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	112,8
	064	70,8		039	121,0
	066	54,0		052	64,0
	068	80,3		064	64,5
	204	86,8		070	90,2
	208	44,0		284	72,1
	212	97,5		388	80,9
	624	95,8		400	77,6
	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	120,9
	066	53,8		524	100,3
	068	69,1		528	60,0
	204	144,3		624	86,5
	624	87,1		728	107,3
	999	90,6		800	141,3
	052	54,3		804	104,3
	204	77,5		999	90,6
0709 90 79	412	54,2	0809 30 41, 0809 30 49	039	104,1
	508	42,9		052	68,0
	624	151,9		064	80,9
	999	76,2		388	85,3
	052	130,3		400	70,4
	204	88,8		512	88,7
0805 30 30	220	74,0		528	132,9
	388	87,1		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	89,2
	528	66,5		052	93,9
	600	96,5		220	121,8
	624	48,9		624	106,8
	999	79,3		999	107,5
0806 10 40	052	67,9	0809 40 30	052	78,8
	064	43,6		064	46,0
	066	49,4		066	46,0
	220	110,8		068	37,1
	400	148,9		400	90,7
	412	58,5		624	102,9
	508	307,2		676	68,6
	512	186,0		999	67,1
	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'.

COMMISSION REGULATION (EC) No 1739/96
of 5 September 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 1698/96⁽⁴⁾, as amended by Regulation (EC) No 1725/96⁽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 1636/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EC) No 1698/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 6 September 1996.

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

Done at Brussels, 5 September 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 221, 31. 8. 1996, p. 4.

⁽⁵⁾ OJ No L 222, 3. 9. 1996, p. 3.

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⁾	15,29	5,29
1001 90 91	Common wheat seed	31,94	21,94
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	31,94	21,94
	medium quality	35,48	25,48
	low quality	48,04	38,04
1002 00 00	Rye	74,17	64,17
1003 00 10	Barley, seed	74,17	64,17
1003 00 90	Barley, other ⁽³⁾	74,17	64,17
1005 10 90	Maize seed other than hybrid	69,48	59,48
1005 90 00	Maize other than seed ⁽³⁾	69,48	59,48
1007 00 90	Grain sorghum other than hybrids for sowing	88,28	78,28

⁽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 30 August to 4 September 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)	131,62	137,38	130,20	113,65	161,71 ⁽¹⁾	102,85 ⁽¹⁾
Gulf premium (ECU/tonne)	—	12,71	7,34	16,56	—	—
Great lake premium (ECU/tonne)	13,46	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 9,15 per tonne; Great Lakes — Rotterdam: ECU 17,73 per tonne.
3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne).
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CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1476/96 of 26 July 1996 opening quotas for imports of textile products falling within categories 87 and 109 originating in North Korea and amending Annexes IV and V to Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries

(Official Journal of the European Communities No L 188 of 27 July 1996)

On page 5, Annex IV is replaced by the following:

ANNEX IV**Annual Community quantitative limits referred to in Article 3 (1)**

(The products descriptions of the categories listed in this Annex are to be found in Annex I A to this Regulation)

NORTH KOREA

Category	Units	Quantity
1	tonnes	128
2	tonnes	145
3	tonnes	49
4	1 000 pieces	285
5	1 000 pieces	123
6	1 000 pieces	144
7	1 000 pieces	93
8	1 000 pieces	201
9	tonnes	71
12	1 000 pairs	1 290
13	1 000 pieces	1 509
14	1 000 pieces	96
15	1 000 pieces	108
16	1 000 pieces	55
17	1 000 pieces	38
18	tonnes	61
19	1 000 pieces	411
20	tonnes	142
21	1 000 pieces	2 961
24	1 000 pieces	263
26	1 000 pieces	173
27	1 000 pieces	179
28	1 000 pieces	285
29	1 000 pieces	75
31	1 000 pieces	293
36	1 000 pieces	91
37	1 000 pieces	356
39	1 000 pieces	51
59	1 000 pieces	466
61	1 000 pieces	40
68	1 000 pieces	75
69	1 000 pieces	184
70	1 000 pieces	270
73	1 000 pieces	93
74	1 000 pieces	133
75	1 000 pieces	39
76	tonnes	75
77	tonnes	9
78	tonnes	115
83	tonnes	34
87	tonnes	5
109	tonnes	10
117	tonnes	51
118	tonnes	23
142	tonnes	10
151A	tonnes	10
151B	tonnes	10
161	tonnes	152'