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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1769/96
of 11 September 1996
concerning the stopping of fishing for cod by vessels flying the flag of Sweden

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as amended by Regulation (EC) No 2870/95⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EC) No 1602/96⁽⁴⁾, provides for cod quotas for 1996;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES divisions II a (EC-zone), IV by vessels flying the flag of Sweden or registered in Sweden have reached the quota allocated for 1996; whereas Sweden has prohibited fishing

for this stock as from 24 August 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions II a (EC-zone), IV by vessels flying the flag of Sweden or registered in Sweden are deemed to have exhausted the quota allocated to Sweden for 1996.

Fishing for cod in the waters of ICES divisions II a (EC-zone), IV by vessels flying the flag of Sweden or registered in Sweden is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the above mentioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 24 August 1996.

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

Done at Brussels, 11 September 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 198, 8. 8. 1996, p. 1.

COMMISSION REGULATION (EC) No 1770/96

of 12 September 1996

opening individual invitations to tender for the sale for export of vinous alcohol

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

Whereas Commission Regulation (EEC) No 377/93 ⁽⁴⁾, as last amended by Regulation (EC) No 3152/94 ⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas individual invitations to tender should be opened for the export of vinous alcohol to certain Caribbean and Central American countries so as to guarantee continuity of supplies to those countries and reduce the Community stock of vinous alcohol;

Whereas a specific security should be provided for to ensure that the alcohol is physically exported from the customs territory of the Community and non-compliance with the date laid down for export should be progressively penalized; whereas this security must be independent of the performance guarantee ensuring that the alcohol is removed from storage and the awarded alcohol is used for the purposes laid down;

Whereas Commission Regulation (EEC) No 2192/93 ⁽⁶⁾, concerning the operative events for the agricultural conversion rates used in the wine sector and amending Regulation (EEC) No 377/93, specifies the agricultural conversion rates to be used to convert the payments and securities provided for in connection with individual invitations to tender into national currency;

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

HAS ADOPTED THIS REGULATION:

Article 1

Five sales by individual invitation to tender Nos 206/96 EC, 207/96 EC, 208/96 EC, 209/96 EC and 210/96 EC shall be held for a total quantity of 250 000 hectolitres of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian, Spanish and French intervention agencies.

Each of the individual invitations to tender Nos 206/96 EC, 207/96 EC, 208/96 EC, 209/96 EC and 210/96 EC shall cover a quantity of 50 000 hectolitres of alcohol at 100 % volume.

Article 2

The alcohol offered for sale:

- shall be for export outside the European Community,
- must be imported into and dehydrated:

- in the case of individual invitations to tender Nos 206/96 EC and 207/96 EC, one of the following third countries:

- Costa Rica,
- Guatemala,
- Honduras, including the Swan Islands,
- El Salvador,

- in the case of individual invitations to tender Nos 208/96 EC, 209/96 EC and 210/96 EC, one of the following third countries:

- Saint Christopher and Nevis,
- Bahamas,
- Dominican Republic,
- Antigua and Barbuda,
- Dominica,
- British Virgin Islands and Montserrat,
- Jamaica,
- Saint Lucia,
- Saint Vincent, including the Northern Grenadines,
- Barbados,
- Trinidad and Tobago,
- Belize,

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽⁵⁾ OJ No L 332, 22. 12. 1994, p. 34.

⁽⁶⁾ OJ No L 196, 5. 8. 1993, p. 19.

- Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles (Curaçao, Bonaire, Saint Eustace, Saba and the southern part of Saint Martin),
 - Guyana,
 - United States Virgin Islands,
 - Haiti,
- must be used only as motor fuel.

Article 3

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol as well as certain specific conditions are given in Annex I hereto.

Article 4

The sales shall take place in accordance with Articles 13 to 18 and 30 to 38 of Regulation (EEC) No 377/93.

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

Article 5

1. The tendering security referred to in Article 15 of Regulation (EEC) No 377/93 shall be ECU 3,622 per hectolitre of alcohol at 100 % volume and shall be lodged for the total quantity of alcohol offered for sale in each of the invitations to tender referred to in Article 1.

Maintenance of the tender after the time limit for submitting tenders and the lodging of a guarantee to ensure export and of a performance guarantee shall constitute the primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾ as regards the tendering security.

The tendering security lodged for each of the invitations to tender referred to in Article 1 shall be released immediately if the tender is not accepted or if the successful tenderer had lodged the entire guarantee to ensure export and the entire performance guarantee for the invitation to tender in question.

2. The guarantee to ensure export shall amount to ECU 5 per hectolitre of alcohol at 100 % volume and shall be lodged for each quantity of alcohol for which

there is a removal order under each of the invitations to tender referred to in Article 1 of this Regulation.

This guarantee shall be released only by the intervention agency holding the alcohol for each quantity of alcohol for which proof has been furnished that it has been exported within the time limit laid down in Article 6 of this Regulation.

Notwithstanding Article 23 of Regulation (EEC) No 2220/85, and except in cases of *force majeure*, where the time limit referred to in Article 6 has not been complied with, the guarantee to ensure export of ECU 5 per hectolitre of alcohol at 100 % volume shall be forfeit as follows:

- (a) 15 % in all cases;
- (b) 0,33 % of the amount remaining after deduction of the 15 %, for each day the time limit in question is exceeded.

3. The performance guarantee shall be ECU 30 per hectolitre of alcohol at 100 % volume.

This guarantee shall be released in accordance with Article 34 (3) (b) of Regulation (EEC) No 377/93.

4. Notwithstanding Article 17 of Regulation (EEC) No 377/93, the guarantees on export and performance shall be lodged simultaneously with each intervention agency concerned, for each of the invitations to tender referred to in Article 1 of this Regulation not later than the day of issue of a removal order for the quantity of alcohol concerned.

5. The agricultural conversion rate to be applied for the conversion into national currency shall be that in force on the final day for the submission of tenders for the invitation in question in the case of the guarantee to ensure export, as expressed in ecus per hl at 100 % volume.

Article 6

1. The alcohol awarded under the invitations to tender referred to in Article 1 shall be exported by 31 May 1997 at the latest.

2. The alcohol awarded shall be used within two years from the date of first removal.

Article 7

To be valid, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose. The tender shall also include proof that the tenderer has binding commitments with an operator in the motor fuel sector in one of the third countries listed in Article 2 who has undertaken to dehydrate the alcohol awarded in one of those countries and to export it for use solely as motor fuel.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

Article 8

1. Before the awarded alcohol is removed, the intervention agency and the successful tenderer shall take a reference sample and shall analyse that sample to verify the alcoholic strength expressed in % volume of the alcohol in question.

Where the final results of the analysis of the sample show a difference between the alcoholic strength by volume of the alcohol to be removed and the minimum alcoholic strength by volume stated in the notice of invitation to tender, the following provisions shall apply:

- (i) the intervention agency shall, the same day, inform the Commission thereof in accordance with Annex II, as well as the storer and the successful tenderer;
- (ii) the successful tenderer may:
 - either agree to take over the lot with its characteristics as established, subject to the Commission's agreement,
 - or refuse to take over the lot in question.

In either case, the successful tenderer shall, the same day, inform the intervention agency and the Commission thereof in accordance with Annex III.

Once these formalities have been completed, if he has refused to take over the lot concerned, he shall be immediately released from all his obligations relating to that lot.

2. Where the successful tenderer refuses the merchandise, as provided for in paragraph 1, the intervention agency shall supply him with another quantity of alcohol of the requisite quality, at no extra charge, within a maximum of eight days.

3. If physical removal of the alcohol is delayed by more than five working days in relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons attributable to the intervention agency, the Member State shall be responsible for the payment of compensation.

Article 9

1. Successful tenderers for the individual invitations to tender Nos 206/96 EC and 207/96 EC of the one part, and successful tenderers for the individual invitations to tender Nos 208/96 EC, 209/96 EC and 210/96 EC may, by common agreement, exchange an equal quantity of alcohol stored in the designated vats in the same Member State for the purposes provided for in those invitations to tender.

2. Such exchange shall not affect the obligations of the tenderers concerned, particularly as regards the price to be paid and the time limit for removal and use of the alcohol awarded to them indicated in the invitation to tender concerned.

3. Successful tenderers who wish to make such an exchange must give prior notice to the intervention agencies concerned.

4. If such exchange affects the planned timetable for physical removal of the alcohol, that timetable shall immediately be amended and that amendment notified to the Commission.

Article 10

Notwithstanding the first subparagraph of Article 36 (2) of Regulation (EEC) No 377/93, the alcohol contained in the vats indicated in the communication from the Member States referred to in Article 36 of Regulation (EEC) No 377/93 and covered by the invitation to tender referred to in Article 1 of this Regulation may be substituted by alcohol of the same type by the intervention agencies holding the alcohol concerned in agreement with the Commission, or mixed with other alcohol delivered to the intervention agency until a removal order is issued for that alcohol, in particular for logistical reasons.

Article 11

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

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 206/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
FRANCE	Deulep Boulevard Chanzy 30800 Saint-Gilles-du-Gard	72	15 494	35 + 36	Raw alcohol
	Longuefuye 53200 Château-Gontier	2	21 840	35 + 36	Raw alcohol
		5	12 666	35 + 36	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in French francs, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 206/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24. 9. 1996.

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

- (a) include a reference to individual sale by tender No 206/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- SAV par délégation de l'Onivins, zone industrielle, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. 57 51 03 03; telex 572 025; fax 57 25 07 05).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 207/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Mazzari SpA S. Agata Santerno (RA)		12 500	35	Raw alcohol
	Dist. G. Di Lorenzo srl Magazzino di Torgiano (PG)		10 000	36	Raw alcohol
	Neri Srl — Faenza (RA)		10 000	39	Raw alcohol
	G. De Luca Sas — Novoli (LE)		5 000	35	Raw alcohol
	G. Di Lorenzo Snc — Pontevallecepi		2 500	36	Raw alcohol
	Caviro Srl — Faenza (RA)		10 000	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 207/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24. 9. 1996.

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

- (a) include a reference to individual sale by tender No 207/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- AIMA, via Palestro 81, I-00185 Roma (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 208/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Villarrobledo	15	34 541	35 + 36	Raw alcohol
	Villarrobledo	17	15 459	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Spanish pesetas, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 208/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24. 9. 1996.

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

- (a) include a reference to individual sale by tender No 208/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

— FEGA, Beneficencia 8, E-28004 Madrid (tel. 347 65 00, telex: 23427 FEGA, fax: 521 98 32).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 209/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Bertolino SpA — Partinico (PA)		10 000	35	Raw alcohol
	Bonollo SpA — Formigine (MO)		15 000	36	Raw alcohol
	I.C.V. SpA — Borgoricco (PD)		5 000	39	Raw alcohol
	F.lli Cipriani SpA — Chizzola d'Ala (TN)		7 500	35	Raw alcohol
	Villapana SpA — Faenza (RA)		7 500	35	Raw alcohol
	Ge.Dis. SpA — Marsala		5 000	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 209/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24. 9. 1996.

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

- (a) include a reference to individual sale by tender No 209/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- AIMA, via Palestro 81, I-00185 Roma (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 210/96 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Enodistil SpA — Alcamo (TP)		5 000	35	Raw alcohol
	Dist. Centro Adriatico Ascoli Piceno (AP)		7 500	35	Raw alcohol
	Caviro Srl — Faenza (RA)		7 500	35	Raw alcohol
	Balice Sno — Valenzano (BA)		5 000	36	Raw alcohol
	Caviro Srl — Faenza (RA)		5 000	36	Raw alcohol
	Di Trani SpA — Trani (BA)		10 000	39	Raw alcohol
	Kronion Srl — Agrigento (AG)		5 000	39	Raw alcohol
	Distercoop Srl — Faenza (RA)		5 000	39	Raw alcohol
	Total		50 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2,415 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 2 of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 210/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 24. 9. 1996.

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

- (a) include a reference to individual sale by tender No 210/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- AIMA, via Palestro 81, I-00185 Roma (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

This security must correspond to a sum of ECU 3,622 per hectolitre of alcohol at 100 % vol.

ANNEX II

The only telex and fax numbers in Brussels to be used are:

DG VI (E-2) (for the attention of Mr Chiappone/Mr Van der Stappen)

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
- fax: (32 2) 295 92 52.

ANNEX III

Communication of refusal or acceptance of lots under the individual invitation to tender for the export of vinous alcohol opened by Regulation (EC) No 1770/96

- Name of the successful tenderer:
- Date of award of contract:
- Date of refusal or acceptance of the lot by the successful tenderer:

Lot No	Quantity in hectolitres	Location of alcohol	Reason for refusal or acceptance to take over

**COMMISSION REGULATION (EC) No 1771/96
of 12 September 1996**

**laying down detailed rules for implementation of the specific measures for the
supply of hops 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 Article 2 (6) thereof,

Whereas, for the purpose of applying Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for hops and the level of aid for their supply from the rest of the Community to the French overseas departments should be established; whereas the aid should be fixed in particular on the basis of the cost of supplies from the world market and the conditions resulting from the geographical location of the French overseas departments;

Whereas Commission Regulation (EEC) No 131/92 ⁽³⁾, as last amended by Regulation (EC) No 1736/96 ⁽⁴⁾, lays down common detailed rules for implementing the specific measures for the supply of certain agricultural products to the French overseas departments; whereas additional detailed rules tailored to commercial practices for hops should be adopted, especially as regards the validity of aid certificates and the amount of security to ensure that operators meet their obligations;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for hops falling

within CN codes 1210 and 1302 13 00 exempt from duty on importation into the French overseas departments or, for products from the rest of the Community, eligible for Community aid is hereby set at 15 tonnes for the period 1 July 1996 to 30 June 1997. This quantity is allocated as laid down in the Annex.

The French authorities may adjust the allocation within the overall limit set. They shall inform the Commission of any such adjustment.

Article 2

For the purposes of Article 2 (4) of Regulation (EEC) No 3763/91, aid for supplying the French overseas departments with hops from other parts of the Community is hereby set, having regard to the forecast supply balance, at ECU 12,08 per 100 kilograms.

Article 3

France shall designate the competent authority for:

- (a) issuing the exemption certificates provided for in Article 2 a (1) of Regulation (EEC) No 131/92;
- (b) issuing the aid certificates provided for in Article 3 (1) of Regulation (EEC) No 131/92;
- (c) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority within the first five working days of each month. Applications for certificates shall only be admissible if:

- (a) the quantity applied for does not exceed that published by the French authorities as available from the supply balance;
- (b) before the expiry of the time limit laid down for submitting certificate applications, proof has been provided that the party concerned has lodged a security of ECU 3,02 per 100 kilograms.

Applications shall be submitted for the first time at the beginning of August 1996.

2. Certificates shall be issued on the 10th working day of each month, at the latest.

⁽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 225, 6. 9. 1996, p. 3.

3. Where certificates are issued for quantities less than those applied for, operators may withdraw their applications in writing within three working days of the date of issue of the certificate. The security on that certificate shall be released immediately.

4. The quantity available from the supply balance shall be that published by the competent authority in the last week of the month preceding that in which the application is submitted.

Article 5

The validity of exemption certificates and aid certificates shall expire on the last day of the second month following that in which they were issued.

Article 6

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

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Hops CN codes 1210 and 1302 13 00		(in tonnes)
Guadeloupe	1	
Martinique	3	
Réunion	11	

COMMISSION REGULATION (EC) No 1772/96
of 12 September 1996

**laying down detailed rules for implementation of the specific measures for the
supply of seed potatoes 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 Article 2 (6) thereof,

Whereas, for the purpose of applying Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for seed potatoes and the level of aid for their supply from the rest of the Community to the French overseas departments should be established; whereas the aid should be fixed in particular on the basis of the cost of supplies from the world market and the conditions resulting from the geographical location of the French overseas departments;

Whereas Commission Regulation (EEC) No 131/92⁽³⁾, as last amended by Regulation (EC) No 1736/96⁽⁴⁾, lays down common detailed rules for implementing the specific measures for the supply of certain agricultural products to the French overseas departments; whereas additional detailed rules tailored to commercial practices for seed potatoes should be adopted, especially as regards the validity of aid certificates and the amount of security to ensure that operators meet their obligations;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance for seed potatoes

falling within CN code 0701 10 00 exempt from duty on importation into the French overseas departments or, for products from the rest of the Community, eligible for Community aid is hereby set at 750 tonnes for the period 1 July 1996 to 30 June 1997. This quantity is allocated as laid down in the Annex.

The French authorities may adjust the allocation within the overall limit set. They shall inform the Commission of any such adjustment.

Article 2

For the purposes of Article 2 (4) of Regulation (EEC) No 3763/91, aid for supplying the French overseas departments with seed potatoes from other parts of the Community is hereby set, having regard to the forecast supply balance, at ECU 4,83 per 100 kg for exports to Guadeloupe and ECU 5,43 per 100 kg for exports to Réunion.

Article 3

France shall designate the competent authority for:

- (a) issuing the exemption certificates provided for in Article 2 a (1) of Regulation (EEC) No 131/92;
- (b) issuing the aid certificates provided for in Article 3 (1) of Regulation (EEC) No 131/92;
- (c) paying the aid to the operators concerned.

Article 4

1. Applications for certificates shall be submitted to the competent authority within the first five working days of each month. Applications for certificates shall only be admissible if:

- (a) the quantity applied for does not exceed that published by the French authorities as available from the supply balance;
- (b) before the expiry of the time limit laid down for submitting certificate applications, proof has been provided that the party concerned has lodged a security of ECU 2,113 per 100 kilograms.

Applications shall be submitted for the first time at the beginning of August 1996.

2. Certificates shall be issued on the 10th working day of each month, at the latest.

⁽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 225, 6. 9. 1996, p. 3.

3. Where certificates are issued for quantities less than those applied for, operators may withdraw their applications in writing within three working days of the date of issue of the certificate. The security on that certificate shall be released immediately.

4. The quantity available from the supply balance shall be that published by the competent authority in the last week of the month preceding that in which the application is submitted.

Article 5

The validity of exemption certificates and aid certificates shall expire on the last day of the second month following that in which they were issued.

Article 6

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

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

		(tonnes)
Seed potatoes falling within CN code 0701 10 00		
Guadeloupe		50
Réunion		700

COMMISSION REGULATION (EC) No 1773/96
of 12 September 1996
amending Regulation (EEC) No 689/92 fixing the procedure and conditions for
the taking-over of cereals by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 689/92⁽³⁾, as last amended by Regulation (EC) No 1800/95⁽⁴⁾, lays down the conditions for taking over cereals into intervention;

Whereas implementation from the 1993/94 marketing year on the reform of the common agricultural policy in the cereals sector may lead to difficulties for producers of certain cereals in certain areas of the Community; whereas, to lessen the impact of these mechanisms on the income of the said producers, provision should be made for exemptions from certain provisions relating to quality once again in the 1996/97 marketing year, as was done in 1995/96;

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

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

Article 1

The text of Article 2 (4) of Regulation (EEC) No 689/92 is replaced by the following:

- '4. Notwithstanding paragraph 2, and for the 1996/97 marketing year:
- at the request of the Member State, a decision shall be taken in accordance with the procedure provided for in Article 23 of Regulation (EEC) No 1766/92, to fix the maximum moisture content at 15 % for cereals offered for intervention with the exception of maize and sorghum,
 - Greece is hereby authorized to accept into intervention consignments of durum wheat 14 % of which comprise cereal of less than standard quality in which the grain impurities reach a maximum of 7 %, with 5 % at most being other cereals,
 - the reduction provided for in the case of barley of a specific weight less than 64 kg/hl referred to in Annex II, Table III shall not apply.'

Article 2

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

It shall apply with effect from 1 July 1995.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.
⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.
⁽³⁾ OJ No L 74, 20. 3. 1992, p. 18.
⁽⁴⁾ OJ No L 174, 26. 7. 1995, p. 24.

COMMISSION REGULATION (EC) No 1774/96

of 12 September 1996

fixing the maximum moisture content of cereals offered for intervention in
certain Member States during the 1996/97 marketing year

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

Having regard to Council Regulation (EEC) No 1766/92
of 30 June 1992 on the common organization of the
market in cereals⁽¹⁾, as last amended by Commission
Regulation (EC) No 923/96⁽²⁾, and in particular Article 5
thereof,

Whereas Council Regulation (EEC) No 2731/75 of 29
October 1975 fixing standard qualities for common
wheat, rye, barley, maize, sorghum and durum wheat⁽³⁾, as
last amended by Regulation (EEC) No 2054/93⁽⁴⁾, in
particular fixes a maximum moisture content of 14 % for
cereals other than durum wheat; whereas, under
Commission Regulation (EEC) No 689/92 of 19 March
1992 fixing the procedure and conditions for the taking
over of cereals by intervention agencies⁽⁵⁾, as last
amended by Regulation (EC) No 1773/96⁽⁶⁾, a maximum
moisture content of 14,5 % was fixed; whereas Article 2
(4) of that Regulation also provides that the Member
States may be authorized at their request and under
certain conditions to apply a moisture content of 15 %
for cereals offered for intervention, with the exception of
maize and sorghum;

Whereas certain Member States have submitted requests
to that end;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Member States listed in the Annex hereto are hereby
authorized to fix a maximum moisture content of 15 %
for cereals listed therein and offered for intervention
during the 1996/97 marketing year.

Article 2

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

It shall apply with effect from 1 July 1996.

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

Done at Brussels, 12 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 281, 1. 11. 1975, p. 22.

⁽⁴⁾ OJ No L 187, 29. 7. 1993, p. 6.

⁽⁵⁾ OJ No L 74, 20. 3. 1992, p. 18.

⁽⁶⁾ See page 15 of this Official Journal.

*ANNEX***Maximum moisture content of cereals offered for intervention during the 1996/97 marketing year**

Member State	Cereal
Austria	All cereals except durum wheat, maize and sorghum
Belgium	All cereals except durum wheat, maize and sorghum
Denmark	All cereals except durum wheat, rye, maize and sorghum
Federal Republic of Germany	All cereals except durum wheat, maize and sorghum
Ireland	All cereals except durum wheat, maize and sorghum
Luxembourg	All cereals except durum wheat, maize and sorghum
Netherlands	All cereals except durum wheat, maize and sorghum

COMMISSION REGULATION (EC) No 1775/96
of 12 September 1996
amending Regulation (EEC) No 689/92 fixing the procedure and conditions for
the taking over of cereals by intervention agencies

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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, at last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 5 thereof,

Whereas the Annex to Council Regulation (EEC) No 2731/75 of 29 October 1975 fixing standard qualities for common wheat, rye, barley, maize, sorghum and durum wheat⁽³⁾, as last amended by Regulation (EEC) No 2054/93⁽⁴⁾, defines shrivelled grains; whereas according to that definition shrivelled grains in the case of barley means grains which pass through sieves with apertures measuring 2,2 millimetres;

Whereas, in view of their climatic conditions, barley production in Finland and Sweden is predominantly of six-row varieties due to their shorter growing period in comparison to two-row varieties; whereas the kernel size of six-row barley in these countries is under 2,2 millimetres; whereas the barley does not therefore meet the intervention quality requirements on kernel size; whereas the immediate application of the Community rules would be likely to lead to a risk of large quantities of barley being excluded from intervention in Finland and Sweden; whereas this would consequently give rise to substantial difficulties for Finnish and Swedish producers; whereas it is therefore necessary temporarily to authorize Finland and Sweden to accept barley with a kernel size of under 2,2 millimetres into intervention; whereas the acceptance

of a lower kernel size should not lead to barley of an inferior quality being accepted into intervention; whereas, therefore, the barley concerned should be required to meet a higher specific weight of at least 64kg/hl;

Whereas Commission Regulation (EEC) No 689/92⁽⁵⁾, as last amended by Regulation (EC) No 1773/96⁽⁶⁾, lays down the conditions for taking over cereals into intervention; whereas it is therefore necessary to amend this Regulation;

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

The following subparagraph is added after the first subparagraph of Article 2 (3) of Regulation (EEC) No 689/92:

'However, by way of derogation from paragraph 2 (a) of the Annex to Regulation (EEC) No 2731/75, in the case of barley harvested in Finland or Sweden with a specific weight of at least 64kg/hl and offered for intervention in those countries until the end of the 1996/97 marketing year, "shrivelled grains" shall mean grains which, after elimination of all the other matter referred to in the Annex to that Regulation, pass through sieves with apertures measuring 2 millimetres.'

Article 2

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

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

Done at Brussels, 12 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 281, 1. 11. 1975, p. 22.

⁽⁴⁾ OJ No L 187, 29. 7. 1993, p. 6.

⁽⁵⁾ OJ No L 74, 20. 3. 1992, p. 18.

⁽⁶⁾ See page 15 of this Official Journal.

COMMISSION REGULATION (EC) No 1776/96
of 12 September 1996
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;

- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and

- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products⁽³⁾, as last amended by Regulation (EC) No 1315/96⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽⁵⁾, as last amended by Regulation (EC) No 1599/96⁽⁶⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 170, 9. 7. 1996, p. 20.

⁽⁵⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽⁶⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁷⁾, as last amended by Regulation (EEC) No 222/88⁽⁸⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽¹¹⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas, with a view to better management of cheese exports in the light of the new constraints affecting subsidized exports, the refunds applying to some cheeses on export to certain destinations should be reduced;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 13 September 1996.

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽⁷⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁸⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 12 September 1996 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000	+	4,748	0402 21 99 600	+	131,29
0401 10 90 000	+	4,748	0402 21 99 700	+	137,24
0401 20 11 100	+	4,748	0402 21 99 900	+	143,96
0401 20 11 500	+	7,340	0402 29 15 200	+	0,6300
0401 20 19 100	+	4,748	0402 29 15 300	+	0,9530
0401 20 19 500	+	7,340	0402 29 15 500	+	1,0040
0401 20 91 100	+	9,775	0402 29 15 900	+	1,0802
0401 20 91 500	+	11,39	0402 29 19 200	+	0,6300
0401 20 99 100	+	9,775	0402 29 19 300	+	0,9530
0401 20 99 500	+	11,39	0402 29 19 500	+	1,0040
0401 30 11 100	+	14,62	0402 29 19 900	+	1,0802
0401 30 11 400	+	22,55	0402 29 91 100	+	1,0878
0401 30 11 700	+	33,87	0402 29 91 500	+	1,1851
0401 30 19 100	+	14,62	0402 29 99 100	+	1,0878
0401 30 19 400	+	22,55	0402 29 99 500	+	1,1851
0401 30 19 700	+	33,87	0402 91 11 110	+	4,748
0401 30 31 100	+	40,34	0402 91 11 120	+	9,775
0401 30 31 400	+	63,00	0402 91 11 310	+	14,00
0401 30 31 700	+	69,47	0402 91 11 350	+	17,15
0401 30 39 100	+	40,34	0402 91 11 370	+	20,85
0401 30 39 400	+	63,00	0402 91 19 110	+	4,748
0401 30 39 700	+	69,47	0402 91 19 120	+	9,775
0401 30 91 100	+	79,18	0402 91 19 310	+	14,00
0401 30 91 400	+	116,37	0402 91 19 350	+	17,15
0401 30 91 700	+	135,80	0402 91 19 370	+	20,85
0401 30 99 100	+	79,18	0402 91 31 100	+	19,31
0401 30 99 400	+	116,37	0402 91 31 300	+	24,65
0401 30 99 700	+	135,80	0402 91 39 100	+	19,31
0402 10 11 000	+	63,00	0402 91 39 300	+	24,65
0402 10 19 000	+	63,00	0402 91 51 000	+	22,55
0402 10 91 000	+	0,6300	0402 91 59 000	+	22,55
0402 10 99 000	+	0,6300	0402 91 91 000	+	79,18
0402 21 11 200	+	63,00	0402 91 99 000	+	79,18
0402 21 11 300	+	95,30	0402 99 11 110	+	0,0475
0402 21 11 500	+	100,40	0402 99 11 130	+	0,0978
0402 21 11 900	+	108,00	0402 99 11 150	+	0,1336
0402 21 17 000	+	63,00	0402 99 11 310	+	16,14
0402 21 19 300	+	95,30	0402 99 11 330	+	19,37
0402 21 19 500	+	100,40	0402 99 11 350	+	25,75
0402 21 19 900	+	108,00	0402 99 19 110	+	0,0475
0402 21 91 100	+	108,78	0402 99 19 130	+	0,0978
0402 21 91 200	+	109,53	0402 99 19 150	+	0,1336
0402 21 91 300	+	110,88	0402 99 19 310	+	16,14
0402 21 91 400	+	118,51	0402 99 19 330	+	19,37
0402 21 91 500	+	121,15	0402 99 19 350	+	25,75
0402 21 91 600	+	131,29	0402 99 31 110	+	0,2094
0402 21 91 700	+	137,24	0402 99 31 150	+	26,81
0402 21 91 900	+	143,96	0402 99 31 300	+	0,4034
0402 21 99 100	+	108,78	0402 99 31 500	+	0,6947
0402 21 99 200	+	109,53	0402 99 39 110	+	0,2094
0402 21 99 300	+	110,88	0402 99 39 150	+	26,81
0402 21 99 400	+	118,51	0402 99 39 300	+	0,4034
0402 21 99 500	+	121,15			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0402 99 39 500	+	0,6947	0404 90 29 160	+	136,02
0402 99 91 000	+	0,7918	0404 90 29 180	+	142,66
0402 99 99 000	+	0,7918	0404 90 81 100	+	0,6194
0403 10 11 400	+	4,748	0404 90 81 910	+	0,0475
0403 10 11 800	+	7,340	0404 90 81 950	+	16,00
0403 10 13 800	+	9,775	0404 90 83 110	+	0,6194
0403 10 19 800	+	14,62	0404 90 83 130	+	0,9445
0403 10 31 400	+	0,0475	0404 90 83 150	+	0,9950
0403 10 31 800	+	0,0734	0404 90 83 170	+	1,0703
0403 10 33 800	+	0,0978	0404 90 83 911	+	0,0475
0403 10 39 800	+	0,1462	0404 90 83 913	+	0,0978
0403 90 11 000	+	61,94	0404 90 83 915	+	0,1462
0403 90 13 200	+	61,94	0404 90 83 917	+	0,2255
0403 90 13 300	+	94,45	0404 90 83 919	+	0,3387
0403 90 13 500	+	99,50	0404 90 83 931	+	16,00
0403 90 13 900	+	107,03	0404 90 83 933	+	19,20
0403 90 19 000	+	107,83	0404 90 83 935	+	25,52
0403 90 31 000	+	0,6194	0404 90 83 937	+	26,55
0403 90 33 200	+	0,6194	0404 90 89 130	+	1,0783
0403 90 33 300	+	0,9445	0404 90 89 150	+	1,1746
0403 90 33 500	+	0,9950	0404 90 89 930	+	0,4843
0403 90 33 900	+	1,0703	0404 90 89 950	+	0,6947
0403 90 39 000	+	1,0783	0404 90 89 990	+	0,7918
0403 90 51 100	+	4,748	0405 10 11 500	+	185,37
0403 90 51 300	+	7,340	0405 10 11 700	+	190,00
0403 90 53 000	+	9,775	0405 10 19 500	+	185,37
0403 90 59 110	+	14,62	0405 10 19 700	+	190,00
0403 90 59 140	+	22,55	0405 10 30 100	+	185,37
0403 90 59 170	+	33,87	0405 10 30 300	+	190,00
0403 90 59 310	+	40,34	0405 10 30 500	+	185,37
0403 90 59 340	+	63,00	0405 10 30 700	+	190,00
0403 90 59 370	+	69,47	0405 10 50 100	+	185,37
0403 90 59 510	+	79,18	0405 10 50 300	+	190,00
0403 90 59 540	+	116,37	0405 10 50 500	+	185,37
0403 90 59 570	+	135,80	0405 10 50 700	+	190,00
0403 90 61 100	+	0,0475	0405 10 90 000	+	196,95
0403 90 61 300	+	0,0734	0405 20 90 500	+	173,78
0403 90 63 000	+	0,0978	0405 20 90 700	+	180,73
0403 90 69 000	+	0,1462	0405 90 10 000	+	240,00
0404 90 21 100	+	61,94	0405 90 90 000	+	190,00
0404 90 21 910	+	4,748	0406 10 20 100	+	—
0404 90 21 950	+	13,87	0406 10 20 230	037	—
0404 90 23 120	+	61,94		039	—
0404 90 23 130	+	94,45		400	24,72
0404 90 23 140	+	99,50		...	36,05
0404 90 23 150	+	107,03			
0404 90 23 911	+	4,748			
0404 90 23 913	+	9,775	0406 10 20 290	037	—
0404 90 23 915	+	14,62		039	—
0404 90 23 917	+	22,55		400	22,99
0404 90 23 919	+	33,87		...	33,54
0404 90 23 931	+	13,87			
0404 90 23 933	+	17,00	0406 10 20 610	037	—
0404 90 23 935	+	20,66		039	—
0404 90 23 937	+	24,43		400	50,04
0404 90 23 939	+	25,54		...	62,55
0404 90 29 110	+	107,83			
0404 90 29 115	+	108,54	0406 10 20 620	037	—
0404 90 29 120	+	109,89		039	—
0404 90 29 130	+	117,46		400	54,87
0404 90 29 135	+	120,05		...	68,59
0404 90 29 150	+	130,11			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 10 20 630	037	—	0406 30 10 300	037	—
	039	—		039	—
	400	61,95		099	25,57
	...	77,44		400	28,89
0406 10 20 640	037	—	0406 30 10 350	...	38,36
	039	—		037	—
	400	72,70		039	—
	...	90,88		099	17,43
0406 10 20 650	037	—	0406 30 10 400	400	19,69
	039	—		...	26,14
	400	38,26		037	—
	...	94,61		039	—
0406 10 20 660	+	—	0406 30 10 450	099	25,57
0406 10 20 810	037	—		400	28,89
	039	—		...	38,36
	400	11,78		037	—
	...	14,73	0406 30 10 500	039	—
0406 10 20 830	037	—		099	37,21
	039	—		400	42,07
	400	20,12		...	55,81
	...	25,15	0406 30 10 550	+	—
0406 10 20 850	037	—		037	—
	039	—		039	—
	400	24,39		099	17,43
	...	30,49		400	19,69
0406 10 20 870	+	—	0406 30 10 600	...	26,14
0406 10 20 900	+	—		037	—
0406 20 90 100	+	—		039	—
0406 20 90 913	037	—		099	25,57
	039	—	0406 30 10 650	400	28,89
	400	47,50		...	38,36
	...	59,38		037	—
0406 20 90 915	037	—		039	—
	039	—	0406 30 10 700	099	37,21
	400	63,34		400	42,07
	...	79,17		...	55,81
0406 20 90 917	037	—		037	—
	039	—	0406 30 10 750	039	—
	400	67,29		099	37,21
	...	84,11		400	42,07
0406 20 90 919	037	—		...	55,81
	039	—	0406 30 10 800	037	—
	400	75,21		039	—
	...	94,01		099	44,13
0406 20 90 990	+	—		400	49,89
0406 30 10 100	+	—	0406 30 10 800	...	66,19
0406 30 10 150	037	—		037	—
	039	—		039	—
	099	8,173		099	44,13
	400	9,064	0406 30 31 100	400	49,89
0406 30 10 200	...	12,26		...	66,19
	037	—		+	—
	039	—	0406 30 31 300	037	—
	099	17,43		039	—
0406 30 10 250	400	19,69		099	8,173
	...	26,14		400	9,064
	037	—		...	12,26
	039	—			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 31 500	037	—	0406 30 90 000	037	—
	039	—		039	—
	099	17,43		099	44,13
	400	19,69		400	49,89
	...	26,14		...	66,19
0406 30 31 710	037	—	0406 40 50 000	037	—
	039	—		039	—
	099	17,43		400	49,60
	400	19,69		...	88,44
	...	26,14		...	...
0406 30 31 730	037	—	0406 40 90 000	037	—
	039	—		039	—
	099	25,57		400	49,60
	400	28,89		...	88,44
	...	38,36		...	...
0406 30 31 910	037	—	0406 90 07 000	037	—
	039	—		039	—
	099	17,43		400	97,72
	400	19,69		...	103,03
	...	26,14		...	...
0406 30 31 930	037	—	0406 90 08 100	037	—
	039	—		039	—
	099	25,57		400	102,86
	400	28,89		...	108,45
	...	38,36		...	...
0406 30 31 950	037	—	0406 90 08 900	+	—
	039	—		037	—
	099	37,21		039	—
	400	42,07		400	97,72
	...	55,81		...	103,03
0406 30 39 100	+	—	0406 90 09 900	+	—
	037	—		037	—
	039	—		039	—
	099	17,43		400	97,72
	400	19,69		...	103,03
0406 30 39 300	...	26,14	0406 90 12 000	+	—
	037	—		037	—
	039	—		039	—
	099	17,43		400	97,72
	400	19,69		...	103,03
0406 30 39 500	...	26,14	0406 90 14 100	037	—
	037	—		039	—
	039	—		400	102,86
	099	25,57		...	108,45
	400	28,89		...	...
0406 30 39 700	...	38,36	0406 90 14 900	+	—
	037	—		037	—
	039	—		039	—
	099	37,21		400	97,72
	400	42,07		...	103,03
0406 30 39 930	...	55,81	0406 90 16 100	+	—
	037	—		037	—
	039	—		039	—
	099	37,21		400	97,72
	400	42,07		...	103,03
0406 30 39 950	...	55,81	0406 90 16 900	+	—
	037	—		037	—
	039	—		039	—
	099	44,13		400	66,96
	400	49,89		...	106,04
	...	66,19	0406 90 21 900	+	—
				037	—
				039	—
				400	66,96
				...	106,04
			0406 90 23 900	037	—
				039	—
				099	48,04
				400	27,93
				...	72,06
			0406 90 25 900	037	—
				039	—
				400	31,81
				...	87,51
				...	...
			0406 90 27 900	037	—
				039	—
				400	27,93
				...	72,06
				...	...

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 31 119	037	—	0406 90 76 100	037	—
	039	—		039	—
	400	34,60		400	30,27
	...	67,61		...	77,44
0406 90 31 151	037	—	0406 90 76 300	037	—
	039	—		039	—
	400	32,34		400	33,48
	...	63,02		...	94,61
0406 90 31 159	+	—	0406 90 76 500	037	—
0406 90 33 119	037	—		039	—
	039	—		400	38,63
	400	34,60		...	94,61
	...	67,61	0406 90 78 100	037	—
0406 90 33 151	037	—		039	—
	039	—		099	43,06
	400	32,34		400	27,27
	...	63,02		...	64,59
0406 90 33 919	037	—	0406 90 78 300	037	—
	039	—		039	—
	400	30,57		099	52,73
	...	59,74		400	30,26
0406 90 33 951	037	—		...	79,09
	039	—	0406 90 78 500	037	—
	400	30,08		039	—
	...	58,62		099	52,73
0406 90 35 190	037	30,47		400	34,92
	039	30,47		...	79,09
	400	79,25	0406 90 79 900	037	—
	...	113,21		039	—
0406 90 35 990	037	—		400	28,91
	039	—		...	80,17
	400	60,44	0406 90 81 900	037	—
	...	86,34		039	—
0406 90 37 000	037	—		400	60,44
	039	—		...	86,34
	400	102,86	0406 90 85 910	037	30,47
	...	111,38		039	30,47
0406 90 61 000	037	42,75		400	79,25
	039	42,75		...	113,21
	400	86,12	0406 90 85 991	037	—
	...	123,03		039	—
0406 90 63 100	037	39,07		400	60,44
	039	39,07		...	86,34
	400	100,88	0406 90 85 995	037	—
	...	100,88		039	—
0406 90 63 900	037	31,07		400	31,81
	039	31,07		...	89,88
	400	69,93	0406 90 85 999	+	—
	...	69,93	0406 90 86 100	+	—
0406 90 69 100	+	—	0406 90 86 200	037	—
0406 90 69 910	037	—		039	—
	039	—		400	41,57
	400	77,27		...	59,38
	...	77,27	0406 90 86 300	037	—
0406 90 73 900	037	—		039	—
	039	—		400	45,56
	400	73,89		...	65,08
	...	105,56	0406 90 86 400	037	—
0406 90 75 900	037	—		039	—
	039	—		400	51,54
	400	33,48		...	73,63
	...	88,06			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 86 900	037	—	2309 10 15 400	+	—
	039	—	2309 10 15 500	+	—
	400	60,52	2309 10 15 700	+	—
	...	86,45	2309 10 19 010	+	—
0406 90 87 100	+	—	2309 10 19 100	+	—
0406 90 87 200	037	—	2309 10 19 200	+	—
	039	—	2309 10 19 300	+	—
	099	36,61	2309 10 19 400	+	—
	400	38,44	2309 10 19 500	+	—
	...	54,92	2309 10 19 600	+	—
0406 90 87 300	037	—	2309 10 19 700	+	—
	039	—	2309 10 19 800	+	—
	099	40,13	2309 10 70 010	+	—
	400	42,13	2309 10 70 100	+	14,58
	...	60,19	2309 10 70 200	+	19,44
0406 90 87 400	037	—	2309 10 70 300	+	24,30
	039	—	2309 10 70 500	+	29,16
	099	45,41	2309 10 70 600	+	34,02
	400	47,68	2309 10 70 700	+	38,88
	...	68,11	2309 10 70 800	+	42,77
0406 90 87 951	037	—	2309 90 35 010	+	—
	039	—	2309 90 35 100	+	—
	099	66,49	2309 90 35 200	+	—
	400	69,82	2309 90 35 300	+	—
	...	99,74	2309 90 35 400	+	—
0406 90 87 971	037	—	2309 90 35 500	+	—
	039	—	2309 90 35 700	+	—
	099	55,36	2309 90 39 010	+	—
	400	51,74	2309 90 39 100	+	—
	...	83,04	2309 90 39 200	+	—
0406 90 87 972	099	21,09	2309 90 39 300	+	—
	400	20,55	2309 90 39 400	+	—
	...	31,64	2309 90 39 500	+	—
0406 90 87 979	037	—	2309 90 39 600	+	—
	039	—	2309 90 39 700	+	—
	099	55,36	2309 90 39 800	+	—
	400	36,22	2309 90 70 010	+	—
	...	83,04	2309 90 70 100	+	14,58
0406 90 88 100	+	—	2309 90 70 200	+	19,44
0406 90 88 200	037	—	2309 90 70 300	+	24,30
	039	—	2309 90 70 500	+	29,16
	400	41,57	2309 90 70 600	+	34,02
	...	59,38	2309 90 70 700	+	38,88
0406 90 88 300	037	—	2309 90 70 800	+	42,77
	039	—			
	400	45,56			
	...	65,08			
2309 10 15 010	+	—			
2309 10 15 100	+	—			
2309 10 15 200	+	—			
2309 10 15 300	+	—			

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

However, '099' covers all destination codes from 053 to 096 inclusive.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

(**) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 1777/96

of 12 September 1996

amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products regarding the amounts of aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, as last amended by Regulation (EC) No 2537/95⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance⁽⁵⁾, as last amended by Regulation (EC) No 1641/96⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 1776/96 of 12 September 1996 fixing the export refunds on milk and

milk products⁽⁷⁾ fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 13 September 1996.

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 218, 1. 8. 1992, p. 75.

⁽⁶⁾ OJ No L 205, 15. 8. 1996, p. 27.

⁽⁷⁾ See page 19 of this Official Journal.

ANNEX

ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	⁽¹⁾	4,748
0401 10 90	— — Other	0401 10 90 000	⁽¹⁾	4,748
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	⁽¹⁾	4,748
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	⁽¹⁾	7,340
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	⁽¹⁾	4,748
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	⁽¹⁾	7,340
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	⁽¹⁾	9,775
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 500	⁽¹⁾	11,39
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	⁽¹⁾	9,775
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 500	⁽¹⁾	11,39
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 100	⁽¹⁾	14,62
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 400	⁽¹⁾	22,55
	— — — Exceeding 17 %	0401 30 11 700	⁽¹⁾	33,87
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 100	⁽¹⁾	14,62
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 400	⁽¹⁾	22,55
	— — — Exceeding 17 %	0401 30 19 700	⁽¹⁾	33,87
	— — Exceeding 21 % but not exceeding 45 %:			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 35 %	0401 30 31 100	⁽¹⁾	40,34
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 31 400	⁽¹⁾	63,00
	— — — Exceeding 39 %	0401 30 31 700	⁽¹⁾	69,47
0401 30 39	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 35 %	0401 30 39 100	⁽¹⁾	40,34
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 39 400	⁽¹⁾	63,00
	— — — Exceeding 39 %	0401 30 39 700	⁽¹⁾	69,47
	— — Exceeding 45 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 100 0401 30 91 400 0401 30 91 700	(¹) (¹) (¹)	79,18 116,37 135,80
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 100 0401 30 99 400 0401 30 99 700	(¹) (¹) (¹)	79,18 116,37 135,80
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 000 0402 10 19 000	(²) (²)	63,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 900 0402 21 19 900	(²) (²)	108,00
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 11 200 0402 21 11 300 0402 21 11 500 0402 21 11 900	(²) (²) (²) (²)	63,00 95,30 100,40 108,00
0402 21 19	— — — — Other: — — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — — — Of a fat content, by weight, exceeding 27 %:	0402 21 19 300 0402 21 19 500 0402 21 19 900	(²) (²) (²)	95,30 100,40 108,00
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter: — — Of a fat content, by weight, not exceeding 85 %: — — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more	0405 10 11 500 0405 10 11 700		185,37 190,00
0405 10 19	— — — — Other: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more	0405 10 19 500 0405 10 19 700		185,37 190,00
0405 10 30	— — — Recombined butter: — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more — — — — Other: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more	0405 10 30 100 0405 10 30 300 0405 10 30 500 0405 10 30 700		185,37 190,00 185,37 190,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0405 10 50	— — — Whey butter: — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more — — — — Other: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more	0405 10 50 100 0405 10 50 300 0405 10 50 500 0405 10 50 700		185,37 190,00 185,37 190,00
0405 10 90	— — Other	0405 10 90 000		196,95
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %: — — — Of a fat content by weight: — — — — Of more than 75 % but less than 78 % — — — — Of 78 % or more	0405 20 90 500 0405 20 90 700		173,78 180,73
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 000		240,00
0405 90 90	— — Other	0405 90 90 000		190,00
ex 0406	Cheeses:			
0406 90 23	Edam	0406 90 23 900		72,06
0406 90 25	Tilsit	0406 90 25 900		87,51
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø	0406 90 76 100		77,44
0406 90 78	— — — — — Gouda: — — — — — — Of a fat content, by weight, in the dry matter of less than 39 % — — — — — — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more — — — — — — Other cheeses, of a water content, calculated by weight, of the non-fatty matter	0406 90 78 100 0406 90 78 300 0406 90 78 500	⁽³⁾ ⁽³⁾ ⁽³⁾	64,59 79,09 79,09
0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	0406 90 79 900		80,17
0406 90 81	Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	0406 90 81 900		86,34
0406 90 86	— — — — — Exceeding 47 % but not exceeding 52 %: — — — — — — Cheeses produced from whey — — — — — — Other: — — — — — — — Of a fat content, by weight, in the dry matter: — — — — — — — — Of less than 5 % — — — — — — — — Of 5 % or more but less 19 % — — — — — — — — Of 19 % or more but less than 39 % — — — — — — — — Of more than 39 %	0406 90 86 100 0406 90 86 200 0406 90 86 300 0406 90 86 400 0406 90 86 900	— ⁽³⁾ ⁽³⁾ ⁽³⁾ ⁽³⁾	— 59,38 65,08 73,63 86,45

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 87	— — — — — Exceeding 52 % but not exceeding 62 %: — Cheeses produced from whey — Other: — Of a fat content, by weight, in the dry matter: — Of less than 5 % — Of 5 % or more but less than 19 % — Of 19 % or more but less than 39 % — Of more than 39 %: — Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk — Maasdam — Manouri, of a fat content, by weight, of 30 % or more — Other	0406 90 87 100 0406 90 87 200 0406 90 87 300 0406 90 87 400 0406 90 87 951 0406 90 87 971 0406 90 87 972 0406 90 87 979	(³) (³) (³) (³) (³) (³) (³)	— 54,92 60,19 68,11 99,74 83,04 31,64 83,04
0406 90 88	— — — — — Exceeding 62 % but not exceeding 72 %: — Cheeses produced from whey — Other: — Of a fat content, by weight in the dry matter: — Of less than 5 % and of a dry matter content, by weight, of 32 % or more — Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more — Other	0406 90 88 100 0406 90 88 200 0406 90 88 300 0406 90 88 900	(³) (³)	— 59,38 65,08 —

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted. When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(⁴) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

**COMMISSION REGULATION (EC) No 1778/96
of 12 September 1996**

**amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk
products to the Canary Islands under the arrangements provided for in Articles 2
to 4 of Council Regulation (EEC) No 1601/92**

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

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⁽¹⁾, as last amended by Regulation (EC) No
2537/95⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as
amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down in
particular the detailed rules for the application of the
specific arrangements for the supply of certain agricul-
tural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94⁽⁵⁾, as
last amended by Regulation (EC) No 1642/96⁽⁶⁾, fixed the
amount of aid for milk products;

Whereas Commission Regulation (EC) No 1776/96 of 12
September 1996 fixing the export refunds on milk and

milk products⁽⁷⁾ fixes the refunds on those products;
whereas the Annex to Regulation (EC) No 2993/94
should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EC) No 2993/94 is
hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 13 September
1996.

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ No L 316, 9. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 205, 15. 8. 1996, p. 32.

⁽⁷⁾ See page 19 of this Official Journal.

ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	⁽¹⁾	4,748
0401 10 90	– – Other	0401 10 90 000	⁽¹⁾	4,748
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	⁽¹⁾	4,748
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	⁽¹⁾	7,340
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	⁽¹⁾	4,748
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	⁽¹⁾	7,340
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	⁽¹⁾	9,775
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	⁽¹⁾	11,39
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	⁽¹⁾	9,775
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	⁽¹⁾	11,39
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 100	⁽¹⁾	14,62
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	⁽¹⁾	22,55
	– Exceeding 17 %	0401 30 11 700	⁽¹⁾	33,87
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 100	⁽¹⁾	14,62
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	⁽¹⁾	22,55
	– Exceeding 17 %	0401 30 19 700	⁽¹⁾	33,87
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 100	⁽¹⁾	40,34
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	⁽¹⁾	63,00
	– Exceeding 39 %	0401 30 31 700	⁽¹⁾	69,47

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	— — — Other:			
	— Of a fat content, by weight:			
	— Not exceeding 35 %	0401 30 39 100	(1)	40,34
	— Exceeding 35 % but not exceeding 39 %	0401 30 39 400	(1)	63,00
	— Exceeding 39 %	0401 30 39 700	(1)	69,47
	— — Exceeding 45 %:			
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— Of a fat content, by weight:			
	— Not exceeding 68 %	0401 30 91 100	(1)	79,18
	— Exceeding 68 % but not exceeding 80 %	0401 30 91 400	(1)	116,37
	— Exceeding 80 %	0401 30 91 700	(1)	135,80
0401 30 99	— — — Other:			
	— Of a fat content, by weight:			
	— Not exceeding 68 %	0401 30 99 100	(1)	79,18
	— Exceeding 68 % but not exceeding 80 %	0401 30 99 400	(1)	116,37
	— Exceeding 80 %	0401 30 99 700	(1)	135,80
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (7):			
	— — Not containing added sugar or other sweetening matter (2):			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 000	(2)	63,00
0402 10 19	— — — Other	0402 10 19 000	(2)	63,00
	— — Other (3):			
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 000	(3)	0,6300
0402 10 99	— — — Other	0402 10 99 000	(3)	0,6300
	— In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (7):			
0402 21	— — Not containing added sugar or other sweetening matter (2):			
	— — — Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a fat content, by weight:			
	— Not exceeding 11 %	0402 21 11 200	(2)	63,00
	— Exceeding 11 % but not exceeding 17 %	0402 21 11 300	(2)	95,30
	— Exceeding 17 % but not exceeding 25 %	0402 21 11 500	(2)	100,40
	— Exceeding 25 %	0402 21 11 900	(2)	108,00
	— — — — Other:			
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 000	(2)	63,00
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	— Not exceeding 17 %	0402 21 19 300	(3)	95,30
	— Exceeding 17 % but not exceeding 25 %	0402 21 19 500	(2)	100,40
	— Exceeding 25 %	0402 21 19 900	(2)	108,00
	— — — Of a fat content, by weight, exceeding 27 %:			

(in ECU/100 kg weight, if no other indication)				
CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 21 91	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 7 %	0402 21 91 100 0402 21 91 200 0402 21 91 300 0402 21 91 400 0402 21 91 500 0402 21 91 600 0402 21 91 700 0402 21 91 900	(2) (2) (2) (2) (2) (2) (2) (2)	108,78 109,53 110,88 118,51 121,15 131,29 137,24 143,96
0402 21 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 28 % — Exceeding 28 % but not exceeding 29 % — Exceeding 29 % but not exceeding 41 % — Exceeding 41 % but not exceeding 45 % — Exceeding 45 % but not exceeding 59 % — Exceeding 59 % but not exceeding 69 % — Exceeding 69 % but not exceeding 79 % — Exceeding 79 %	0402 21 99 100 0402 21 99 200 0402 21 99 300 0402 21 99 400 0402 21 99 500 0402 21 99 600 0402 21 99 700 0402 21 99 900	(2) (2) (2) (2) (2) (2) (2) (2)	108,78 109,53 110,88 118,51 121,15 131,29 137,24 143,96
ex 0402 29	— — Other ⁽³⁾ : — — — Of a fat content, by weight, not exceeding 27 %: — — — — Other:			
0402 29 15	— — — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 29 15 200 0402 29 15 300 0402 29 15 500 0402 29 15 900	(3) (3) (3) (3)	0,6300 0,9530 1,0040 1,0802
0402 29 19	— — — — — Other: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 % — — — Of a fat content, by weight, exceeding 27 %:	0402 29 19 200 0402 29 19 300 0402 29 19 500 0402 29 19 900	(3) (3) (3) (3)	0,6300 0,9530 1,0040 1,0802

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 29 91	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 91 100 0402 29 91 500	(³) (³)	1,0878 1,1851
0402 29 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 % — Other:	0402 29 99 100 0402 29 99 500	(³) (³)	1,0878 1,1851
0402 91	— — Not containing added sugar or other sweetening matter(²): — — — Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a non-fat lactic dry matter content: — Of less than 15 % and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 %	0402 91 11 110 0402 91 11 120 0402 91 11 310 0402 91 11 350 0402 91 11 370	(²) (²) (²) (²) (²)	4,748 9,775 13,98 17,15 20,85
0402 91 19	— — — — Other: — Of a non-fat lactic dry matter content: — Of less than 15 % and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 % — — — Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:	0402 91 19 110 0402 91 19 120 0402 91 19 310 0402 91 19 350 0402 91 19 370	(²) (²) (²) (²) (²)	4,748 9,775 13,98 17,15 20,85
0402 91 31	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a non-fat lactic dry matter content: — Of less than 15 % — Of 15 % or more	0402 91 31 100 0402 91 31 300	(²) (²)	19,31 24,65
0402 91 39	— — — — Other: — Of a non-fat lactic dry matter content: — Of less than 15 % — Of 15 % or more — — — Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:	0402 91 39 100 0402 91 39 300	(²) (²)	19,31 24,65
0402 91 51	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 000	(²)	22,55
0402 91 59	— — — — Other	0402 91 59 000	(²)	22,55

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 91 91	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 000	(²)	79,18
0402 91 99	— — — — Other	0402 91 99 000	(²)	79,18
0402 99	— — Other:			
	— — — Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight (³):			
	— Not exceeding 3 %	0402 99 11 110	(³)	0,0475
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 130	(³)	0,0978
	— Exceeding 6,9 %	0402 99 11 150	(³)	0,1336
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight (⁴):			
	— Not exceeding 3 %	0402 99 11 310	(⁴)	16,14
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 330	(⁴)	19,37
	— Exceeding 6,9 %	0402 99 11 350	(⁴)	25,75
0402 99 19	— — — — Other:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight (³):			
	— Not exceeding 3 %	0402 99 19 110	(³)	0,0475
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 130	(³)	0,0978
	— Exceeding 6,9 %	0402 99 19 150	(³)	0,1336
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight (⁴):			
	— Not exceeding 3 %	0402 99 19 310	(⁴)	16,14
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 330	(⁴)	19,37
	— Exceeding 6,9 %	0402 99 19 350	(⁴)	25,75
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % (³)	0402 99 31 110	(³)	0,2094
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more (⁴)	0402 99 31 150	(⁴)	26,81
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (³)	0402 99 31 300	(³)	0,4034
	— Of a fat content, by weight, exceeding 39 % (³)	0402 99 31 500	(³)	0,6947

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 99 39	— — — Other: — Of a fat content, by weight, not exceeding 21 %: — Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾ — Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾ — Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾ — Of a fat content, by weight, exceeding 39 % ⁽³⁾ — — — Of a fat content, by weight, exceeding 45 %:	0402 99 39 110 0402 99 39 150 0402 99 39 300 0402 99 39 500	⁽³⁾ ⁽⁴⁾ ⁽³⁾ ⁽³⁾	0,2094 26,81 0,4034 0,6947
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg ⁽³⁾	0402 99 91 000	⁽²⁾	0,7918
0402 99 99	— — — — Other ⁽³⁾	0402 99 99 000	⁽²⁾	0,7918
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter: — Of a fat content, by weight, not exceeding 85 %: — — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more	0405 10 11 500 0405 10 11 700		185,37 190,00
0405 10 19	— — — — Other: — — — — — Of a fat content by weight: — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more	0405 10 19 500 0405 10 19 700		185,37 190,00
0405 10 30	— — — — Recombined butter: — — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — — Of a fat content by weight: — — — — — — — Of 80 % or more but less than 82 % — — — — — — — Of 82 % or more — — — — — Other: — — — — — — Of a fat content by weight: — — — — — — — Of 80 % or more but less than 82 % — — — — — — — Of 82 % or more	0405 10 30 100 0405 10 30 300 0405 10 30 500 0405 10 30 700		185,37 190,00 185,37 190,00
0405 10 50	— — — — Whey butter: — — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — — Of a fat content by weight: — — — — — — — Of 80 % or more but less than 82 % — — — — — — — Of 82 % or more — — — — — Other: — — — — — — Of a fat content by weight: — — — — — — — Of 80 % or more but less than 82 % — — — — — — — Of 82 % or more	0405 10 50 100 0405 10 50 300 0405 10 50 500 0405 10 50 700		185,37 190,00 185,37 190,00
0405 10 90	— — Other	0405 10 90 000		196,95

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
ex 0405 20	– Dairy spreads:			
0405 20 90	– – Of a fat content by weight of more than 75 % but less than 80 %:			
	– – – Of a fat content by weight:			
	– – – – Of more than 75 % but less than 78 %	0405 20 90 500		173,78
	– – – – Of 78 % or more	0405 20 90 700		180,73
0405 90	– Other:			
0405 90 10	– – Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 000		240,00
0405 90 90	– – Other	0405 90 90 000		190,00
0406	– Cheese:			
0406 30	– Processed, cheese, not grated or powdered (*):			
0406 30 10	– – In the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger); put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 %:			
	– – – In the blending of which only Emmentaler and Gruyere have been used of a fat content by weight in the dry matter, not exceeding 56 %:			
	– – – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:			
	– – – – – Not exceeding 48 %:			
	– – – – – Of a dry matter content, by weight:			
	– – – – – – Of less than 27 %	0406 30 10 100		—
	– – – – – – Of 27 % or more but less than 33 %	0406 30 10 150		12,26
	– – – – – – Of 33 % or more but less than 38 %	0406 30 10 200		26,14
	– – – – – – Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter:			
	– – – – – – – Of less than 20 %	0406 30 10 250		26,14
	– – – – – – – Of 20 % or more	0406 30 10 300		38,36
	– – – – – – Of 43 % or more and of a fat content, by weight, in the dry matter:			
	– – – – – – – Of less than 20 %	0406 30 10 350		26,14
	– – – – – – – Of 20 % or more but less than 40 %	0406 30 10 400		38,36
	– – – – – – – Of 40 % or more	0406 30 10 450		55,81
	– – – – – Exceeding 48 %:			
	– – – – – Of a dry matter content, by weight:			
	– – – – – – Of less than 33 %	0406 30 10 500		—
	– – – – – – Of 33 % or more but less than 38 %	0406 30 10 550		26,14
	– – – – – – Of 38 % or more but less than 43 %	0406 30 10 600		38,36

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 30 10 (cont'd)	— Of 43 % or more but less than 46 % — Of 46 % or more and of a fat content, by weight, in the dry matter: — Of less than 55 % — Of 55 % or more — — — Of a fat content, by weight, exceeding 36 % — — — Other — — Other: — — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:	0406 30 10 650 0406 30 10 700 0406 30 10 750 0406 30 10 800 0406 30 10 900		55,81 55,81 66,19 66,19 —
0406 30 31	— — — — Not exceeding 48 %: — Of a dry matter content, by weight: — Of less than 27 % — Of 27 % or more but less than 33 % — Of 33 % or more but less than 38 % — Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter: — Of less than 20 % — Of 20 % or more — Of 43 % or more and of a fat content, by weight, in the dry matter: — Of less than 20 % — Of 20 % or more but less than 40 % — Of 40 % or more	0406 30 31 100 0406 30 31 300 0406 30 31 500 0406 30 31 710 0406 30 31 730 0406 30 31 910 0406 30 31 930 0406 30 31 950	 (°) (°) (°) (°) (°) (°) (°)	 — 12,26 26,14 26,14 38,36 26,14 38,36 55,81
0406 30 39	— — — — Exceeding 48 %: — Of a dry matter content, by weight: — Of less than 33 % — Of 33 % or more but less than 38 % — Of 38 % or more but less than 43 % — Of 43 % or more but less than 46 % — Of 46 % or more and of a fat content, by weight, in the dry matter: — Of less than 55 % — Of 55 % or more	0406 30 39 100 0406 30 39 300 0406 30 39 500 0406 30 39 700 0406 30 39 930 0406 30 39 950	 (°) (°) (°) (°) (°) (°)	 — 26,14 38,36 55,81 55,81 66,19
0406 30 90	— — — Of a fat content, by weight, exceeding 36 %	0406 30 90 000	(°)	66,19
0406 90 23	— — — Edam: — Of a fat content, by weight, in the dry matter: — Of less than 39 % — Of 39 % or more	0406 90 23 100 0406 90 23 900	 (°)	 72,06
0406 90 25	— — — Tilsit: — Of a fat content, by weight, in the dry matter: — Of less than 39 % — Of 39 % or more	0406 90 25 100 0406 90 25 900	 (°)	 87,51

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 27	— — — Butterkäse: — Of a fat content, by weight, in the dry matter: — Of less than 39 % — Of 39 % or more	0406 90 27 100 0406 90 27 900	(°) (°)	— 72,06
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø: — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 76 100 0406 90 76 300 0406 90 76 500	(°) (°) (°)	77,44 94,61 94,61
0406 90 78	— — — — — Gouda: — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % — Of a fat content, by weight, in the dry matter of 55 % or more — — — — — Other cheeses, of a water content, calculated by weight, of the non-fatty matter	0406 90 78 100 0406 90 78 300 0406 90 78 500	(°) (°) (°)	64,59 79,09 79,09
0406 90 79	— — — — — Estrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin and Taleggio: — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 79 100 0406 90 79 900	(°) (°)	— 80,17
0406 90 81	— — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby and Monterey: — Of a fat content, by weight, in the dry matter of less than 39 % — Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 81 100 0406 90 81 900	(°) (°)	— 86,34
0406 90 86	— — — — — Exceeding 47 % but not exceeding 52 %: — Cheeses produced from whey — Other: — Of a fat content, by weight, in the dry matter: — Of less than 5 % — Of 5 % or more but less than 19 % — Of 19 % or more but less than 39 % — Of more than 39 %	0406 90 86 100 0406 90 86 200 0406 90 86 300 0406 90 86 400 0406 90 86 900	(°) (°) (°) (°)	— 59,38 65,08 73,63 86,45

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 87	— — — — — Exceeding 52 % but not exceeding 62 %: — Cheeses produced from whey — Other: — Of a fat content, by weight, in the dry matter: — Of less than 5 % — Of 5 % or more but less than 19 % — Of 19 % or more but less than 39 % — Of more than 39 %: — Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk — Maasdam — Manouri, of a fat content, by weight, of 30 % or more — Other	0406 90 87 100 0406 90 87 200 0406 90 87 300 0406 90 87 400 0406 90 87 951 0406 90 87 971 0406 90 87 972 0406 90 87 979	(¹) (¹) (¹) (¹) (¹) (¹) (¹) (¹)	— 54,92 60,19 68,11 99,74 83,04 31,64 83,04
0406 90 88	— — — — — Exceeding 62 % but not exceeding 72 %: — Cheeses produced from whey — Other: — Of a fat content, by weight, in the dry matter: — Of less than 5 % and of a dry matter content, by weight, of 32 % or more — Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more — Other	0406 90 88 100 0406 90 88 200 0406 90 88 300 0406 90 88 900	(¹) (¹) (¹)	— 59,38 65,08 —

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

(*) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements:

(a) the amount per 100 kilograms shown; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be:

- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
- divided by the weight of the lactic part contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of Regulation (EC) No 1466/95.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
- the lactose content of the added whey.

(9) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(6) Where the product contains casein and/or caseinates, the part corresponding to the casein and/or the added caseinates will not be taken into account for the purpose of calculating the aid.

When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.

(7) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.

COMMISSION REGULATION (EC) No 1779/96

of 12 September 1996

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 229/96⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EC) No 531/96⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽¹¹⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

3. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only when the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

Article 2

This Regulation shall enter into force on 13 September 1996.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 78, 28. 3. 1996, p. 13.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 12 September 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 12 September 1996 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 63,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported (b) On exportation of other goods	67,23 108,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	65,00 197,25 190,00

**COMMISSION REGULATION (EC) No 1780/96
of 12 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 last amended by Regulation (EC) No 1746/96⁽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 13 September 1996.

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

Done at Brussels, 12 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 226, 7. 9. 1996, p. 15.

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	41,22	31,22
	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	74,85	64,85
1005 90 00	Maize other than seed ⁽³⁾	74,85	64,85
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 11 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	132,19	130,20	108,21	161,71 ⁽¹⁾	102,85 ⁽¹⁾
Gulf premium (ECU/tonne)	—	12,17	7,34	16,80	—	—
Great lake premium (ECU/tonne)	13,46	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 8,99 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).

**COMMISSION REGULATION (EC) No 1781/96
of 12 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 13 September 1996.

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

Done at Brussels, 12 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 12 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	33,5	0808 10 92, 0808 10 94, 0808 10 98	624	67,7
	060	80,2		999	110,5
	064	70,8		039	121,0
	066	54,0		052	64,0
	068	80,3		064	78,5
	204	86,8		070	90,2
	208	44,0		284	72,1
	212	97,5		388	92,5
	624	95,8		400	54,3
	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	90,4
	066	53,8		524	100,3
	068	69,1		528	53,0
	204	144,3		624	86,5
	624	87,1		728	107,3
	999	90,6		800	141,3
	052	54,3		804	81,9
	204	77,5		999	87,2
0709 90 79	412	54,2	0809 30 41, 0809 30 49	039	104,1
	508	42,9		052	59,0
	624	151,9		064	81,2
	999	76,2		388	85,3
	052	132,4		400	70,4
	204	88,8		512	88,7
	220	74,0		528	132,9
	388	83,8		624	79,0
	400	68,2		728	115,4
	512	80,0		800	84,0
0805 30 30	520	66,5	0809 40 30	804	73,0
	524	69,4		999	88,5
	528	68,7		052	93,8
	600	96,5		220	121,8
	624	48,9		624	106,8
	999	79,7		999	107,5
	052	67,1		052	54,8
	064	31,2		064	44,8
	066	49,4		066	53,4
	220	110,8		068	37,1
0806 10 40	400	139,0		400	84,7
	412	58,5		624	52,2
	508	307,2		676	68,6
	512	186,0		999	56,5
	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 1782/96
of 12 September 1996
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 95/96⁽⁴⁾;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural

conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽¹¹⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas in follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 September 1996.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 12 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 12 September 1996 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
Product code	Refund (1)
1107 10 19 000	0
1107 10 99 000	32,50
1107 20 00 000	38,00

(1) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.