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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1859/96**of 27 September 1996****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

exports, and the need to avoid disturbances on the Community market;

Having regard to the Treaty establishing the European Community,

Whereas Article 4 of Council Regulation (EC) No 1518/95⁽¹⁾, as amended by Regulation (EC) No 2993/95⁽²⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽³⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

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 Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 147, 30. 6. 1995, p. 55.

⁽⁵⁾ OJ No L 312, 23. 12. 1995, p. 25.

Whereas Council Regulation (EEC) No 990/93⁽¹⁾, as amended by Regulation (EC) No 1380/95⁽²⁾, 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⁽³⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽²⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽³⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 27 September 1996 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 200 (2)	40,45	1104 23 10 100	43,34
1102 20 10 400 (2)	34,67	1104 23 10 300	33,22
1102 20 90 200 (2)	34,67	1104 29 11 000	6,51
1102 90 10 100	43,62	1104 29 51 000	6,38
1102 90 10 900	29,66	1104 29 55 000	6,38
1102 90 30 100	37,57	1104 30 10 000	1,60
1103 12 00 100	37,57	1104 30 90 000	7,22
1103 13 10 100 (2)	52,00	1107 10 11 000	11,36
1103 13 10 300 (2)	40,45	1107 10 91 000	51,76
1103 13 10 500 (2)	34,67	1108 11 00 200	12,76
1103 13 90 100 (2)	34,67	1108 11 00 300	12,76
1103 19 10 000	24,10	1108 12 00 200	46,22
1103 19 30 100	45,07	1108 12 00 300	46,22
1103 21 00 000	6,51	1108 13 00 200	37,74
1103 29 20 000	29,66	1108 13 00 300	37,74
1104 11 90 100	43,62	1108 19 10 200	21,86
1104 12 90 100	41,74	1108 19 10 300	21,86
1104 12 90 300	33,39	1109 00 00 100	0,00
1104 19 10 000	6,51	1702 30 51 000 (3)	48,62
1104 19 50 110	46,22	1702 30 59 000 (3)	37,22
1104 19 50 130	37,56	1702 30 91 000	48,62
1104 21 10 100	43,62	1702 30 99 000	37,22
1104 21 30 100	43,62	1702 40 90 000	37,22
1104 21 50 100	58,16	1702 90 50 100	48,62
1104 21 50 300	46,53	1702 90 50 900	37,22
1104 22 20 100	33,39	1702 90 75 000	50,94
1104 22 30 100	35,48	1702 90 79 000	35,36
		2106 90 55 000	37,22

(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.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

(3) Refunds are granted in accordance with Regulation (EEC) No 2730/75 (OJ No L 281, 1. 11. 1975, p. 20), amended.

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), amended.

COMMISSION REGULATION (EC) No 1860/96
of 27 September 1996
fixing the export refunds on cereal-based compound feedingstuffs

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 13 (3) 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 Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to

avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

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⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽⁵⁾, 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⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 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. 51.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ 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, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 September 1996 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund ⁽¹⁾:

2309 10 11 000, 2309 10 13 000, 2309 10 31 000,
2309 10 33 000, 2309 10 51 000, 2309 10 53 000,
2309 90 31 000, 2309 90 33 000, 2309 90 41 000,
2309 90 43 000, 2309 90 51 000, 2309 90 53 000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽³⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	28,89
Cereal products ⁽²⁾ excluding maize and maize products	17,73

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

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

COMMISSION REGULATION (EC) No 1861/96
of 27 September 1996
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply
of cereals products from the Community to the Azores and Madeira

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 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1705/96 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores

and Madeira should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 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 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ No L 221, 31. 8. 1996, p. 20.

ANNEX

to the Commission Regulation of 27 September 1996 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

Product (CN code)		<i>(Ecu/tonne)</i>	
		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	9,00	9,00
Barley	(1003 00 90)	30,00	30,00
Maize	(1005 90 00)	32,00	32,00
Durum wheat	(1001 10 00)	23,00	23,00

COMMISSION REGULATION (EC) No 1862/96
of 27 September 1996
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply
of cereals products from the Community to the Canary Islands

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 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1704/96 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 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 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 221, 31. 8. 1996, p. 18.

ANNEX

to the Commission Regulation of 27 September 1996 amending Regulation (EEC)
No 1832/92 setting the amounts of aid for the supply of cereals products from the
Community to the Canary Islands

(Ecu/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	9,00
Barley	(1003 00 90)	30,00
Maize	(1005 90 00)	32,00
Durum wheat	(1001 10 00)	23,00
Oats	(1004 00 00)	28,00

COMMISSION REGULATION (EC) No 1863/96
of 27 September 1996
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community 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 the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1702/96 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 221, 31. 8. 1996, p. 14.

ANNEX

to the Commission Regulation of 27 September 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	33,00	33,00	33,00	36,00
Maize (1005 90 00)	35,00	35,00	35,00	38,00
Durum wheat (1001 10 00)	26,00	26,00	26,00	29,00

COMMISSION REGULATION (EC) No 1864/96

of 27 September 1996

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁴⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in

Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 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 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 288, 25. 10. 1974, p. 1.

ANNEX

to the Commission Regulation of 27 September 1996 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 00 400	0,00
1001 90 99 000	6,00
1002 00 00 000	22,00
1003 00 90 000	27,00
1004 00 00 400	26,00
1005 90 00 000	29,00
1006 20 92 000	212,00
1006 20 94 000	212,00
1006 30 42 000	265,00
1006 30 44 000	265,00
1006 30 92 100	265,00
1006 30 92 900	265,00
1006 30 94 100	265,00
1006 30 94 900	265,00
1006 30 96 100	265,00
1006 30 96 900	265,00
1006 30 98 100	265,00
1006 30 98 900	265,00
1006 40 00 000	—
1007 00 90 000	29,00
1101 00 15 100	7,00
1101 00 15 130	7,00
1102 20 10 200	40,45
1102 20 10 400	34,67
1102 30 00 000	—
1102 90 10 100	43,62
1103 11 10 200	0,00
1103 11 90 200	0,00
1103 13 10 100	52,00
1103 14 00 000	—
1104 12 90 100	41,74
1104 21 50 100	58,16

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), amended.

COMMISSION REGULATION (EC) No 1865/96

of 27 September 1996

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 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 Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76 ⁽²⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93 ⁽³⁾, as amended by Regulation (EC) No 1380/95 ⁽⁴⁾, 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 ⁽⁵⁾; 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1996.

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁴⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁵⁾ 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, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 September 1996 fixing the export refunds on rice and broken rice

(ECU / tonne)			(ECU / tonne)		
Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾
1006 20 11 000	01	199,00	1006 30 65 900	01	249,00
1006 20 13 000	01	199,00		04	249,00
1006 20 15 000	01	199,00	1006 30 67 100	—	—
1006 20 17 000	—	—	1006 30 67 900	—	—
1006 20 92 000	01	199,00	1006 30 92 100	01	249,00
1006 20 94 000	01	199,00		02	255,00
1006 20 96 000	01	199,00		03	260,00
1006 20 98 000	—	—		04	249,00
1006 30 21 000	01	199,00	1006 30 92 900	01	249,00
1006 30 23 000	01	199,00		04	249,00
1006 30 25 000	01	199,00	1006 30 94 100	01	249,00
1006 30 27 000	—	—		02	255,00
1006 30 42 000	01	199,00		03	260,00
1006 30 44 000	01	199,00		04	249,00
1006 30 46 000	01	199,00	1006 30 94 900	01	249,00
1006 30 48 000	—	—		04	249,00
1006 30 61 100	01	249,00		—	—
	02	255,00	1006 30 96 100	01	249,00
	03	260,00		02	255,00
	04	249,00		03	260,00
1006 30 61 900	01	249,00		04	249,00
	04	249,00	1006 30 96 900	01	249,00
1006 30 63 100	01	249,00		04	249,00
	02	255,00		—	—
	03	260,00	1006 30 98 100	—	—
	04	249,00	1006 30 98 900	—	—
1006 30 63 900	01	249,00		—	—
	04	249,00	1006 40 00 000	—	—
1006 30 65 100	01	249,00			
	02	255,00			
	03	260,00			
	04	249,00			

⁽¹⁾ The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

⁽²⁾ 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 zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 1866/96

of 27 September 1996

setting the amounts of aid for the supply of rice products from the Community
to the Azores and Madeira

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 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products⁽⁵⁾, as last amended by Regulation (EC) No 1683/94⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

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

Done at Brussels, 27 September 1996.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 1482/96⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 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 198, 17. 7. 1992, p. 37.⁽⁶⁾ OJ No L 178, 12. 7. 1994, p. 53.⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.⁽¹⁰⁾ OJ No L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 27 September 1996 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	263,00	263,00

COMMISSION REGULATION (EC) No 1867/96
of 27 September 1996
setting the amounts of aid for the supply of rice products from the Community
to the Canary Islands

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 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands;

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, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1996.

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

Done at Brussels, 27 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 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.

ANNEX

to the Commission Regulation of 27 September 1996 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	263,00	
Broken rice (1006 40)	58,00	

COMMISSION REGULATION (EC) No 1868/96**of 27 September 1996****providing for the rejection of applications for export licences in relation to certain products falling within the beef sector**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef⁽¹⁾, as last amended by Regulation (EC) No 1588/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 laying down special rules for the application of the system of import and export licences for beef and repealing Regulation (EEC) No 2377/80⁽³⁾, as last amended by Regulation (EC) No 2586/95⁽⁴⁾, and in particular Article 10 thereof,

Whereas the quantity covered by applications for advance fixing of refunds for certain prepared and preserved meat products is greater than that normally disposed of; whereas it has therefore been decided to reject all applica-

tions for export licences for these products made after 23 September 1996,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 10 (2) of Regulation (EC) No 1445/95, applications for export licences with advance fixing of refunds for products falling within codes 1602 50 39 705 and 1602 50 80 705 made between 23 and 27 September 1996 shall be rejected.

Article 2

This Regulation shall enter into force on 28 September 1996.

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 23.

⁽³⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁴⁾ OJ No L 299, 12. 12. 1995, p. 10.

COMMISSION REGULATION (EC) No 1869/96
of 27 September 1996
on the supply of fishery products as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated fishery products to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Fishery products shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 1095/95
2. **Programme**: 1995
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA The Hague, Netherlands (tel: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Mali
6. **Product to be mobilized**: Sardines (*sardina pilchardus Walbaum*)
7. **Characteristics and quality of the goods** (3) (7): Tinned headless sardines in vegetable oil, 1996 fishing, CN code 1604 13 19
8. **Total quantity (tonnes)**: 20
9. **Number of lots**: 1
10. **Packaging and marking** (4) (6): see OJ No C 114, 29. 4. 1991, p. 1 (VIII.A (2) and VIII.A (3))
Type of tins: 'easy open'
Language to be used for the marking: French ('maquereaux' must be replaced by 'sardines')
Supplementary markings: 'Date d'expiration: ' (date of manufacture plus four years)
In case the required markings cannot be printed on the tins, they must be printed either on an outer packaging of each tin or on self-adhesive labels fixed on the tins.
The expiry date and the date of manufacture shall be printed on the tins and not on the self-adhesive labels.
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 18. 11 — 8. 12. 1996
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 14. 10. 1996 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 28. 10. 1996 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 2 — 22. 12. 1996
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** (4): —

Notes:

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (5) Shipment to take place in 20-foot containers, FCL/FCL.

The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The beneficiary will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The successful tenderer must stow the cartons in the containers in such a way that any empty spaces are filled; he must stabilize the final row of cartons using stowage belts.

The successful tenderer must seal each container with a numbered locktainer (SYSKO locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.
- (6) Notwithstanding OJ No C 114, point VIIIA (3)(c) is replaced by the following: 'the words "European Community"'.

- (7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate (+ Expiry date).

COMMISSION REGULATION (EC) No 1870/96
of 26 September 1996
concerning the stopping of fishing for capelin by vessels flying the flag of a
Member State

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 3079/95 of 21 December 1995 allocating, for 1996, Community catch quotas in Greenland waters ⁽³⁾, provides for capelin 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 capelin in the waters of ICES

divisions V, XIV (Greenland waters) by vessels flying the flag of a Member State or registered in a Member State have reached the quota allocated for 1996,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of capelin in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1996.

Fishing for capelin in the waters of ICES divisions V, XIV (Greenland waters) by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force 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*.

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

Done at Brussels, 26 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. 64.

COMMISSION REGULATION (EC) No 1871/96

of 27 September 1996

amending Regulation (EEC) No 3886/92 laying down detailed rules for the application of the premium schemes provided for in the beef and veal sector, in respect of the payment of advances

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1588/96 ⁽²⁾, and in particular Articles 4b (8) and 4d (8) thereof,

Whereas Commission Regulation (EEC) No 3886/92 ⁽³⁾, as last amended by Regulation (EC) No 1504/96 ⁽⁴⁾ lays down certain rules concerning the payment of advances; whereas, given the difficult market situation, an increase in the amount of the advance payment of the special premium and of the suckler cow premium, as well as an earlier initial date for payment of those advances, should be authorized;

Whereas the Regulation should enter into force without delay in order to permit the payment of the advances as from 1 October 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

The last subparagraph of Article 44 (1) of Regulation (EEC) No 3886/92 is replaced by the following:

'However, the advance on the special premium and on the suckler cow premium in respect of the 1996 calendar year may be paid from 1 October 1996 for an amount up to 80 % of those premia.'

Article 2

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, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 23.

⁽³⁾ OJ No L 391, 31. 12. 1992, p. 20.

⁽⁴⁾ OJ No L 189, 30. 7. 1996, p. 77.

COMMISSION REGULATION (EC) No 1872/96

of 27 September 1996

on the issuing of export licences for fruit and vegetables with advance fixing of the refund

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 2702/95 ⁽²⁾, and in particular Article 4 (1) thereof,

Whereas Commission Regulation (EC) No 1832/96 ⁽³⁾ specifies the quantities which may be covered by applications submitted for export licences with advance fixing of the refund other than those applied for in connection with food aid;

Whereas Article 4 of Regulation (EC) No 1488/95 lays down the conditions under which special measures may be taken by the Commission to prevent an overrun in the quantities for which export licence applications may be submitted;

Whereas, in view of the information available to the Commission as of today, the quantity of 3 198 tonnes of tomatoes, the quantity of 137 tonnes of shelled hazelnuts, the quantity of 138 tonnes of shelled walnuts, the quantity of 30 932 tonnes of oranges, the quantity of 5 079 tonnes of lemons, the quantity of 13 585 tonnes of grapes and the quantity of 9 477 tonnes of apples in Annex I to Regulation (EC) No 1832/96, reduced or increased by the quantities referred to in Article 4 (1) of Regulation (EC) No 1488/95, would be exceeded if licences were issued with advanced fixing of refunds without restriction in

response to applications submitted since 24 September 1996; whereas a reducing factor should, accordingly, be applied to the quantity of tomatoes, shelled hazelnuts, shelled walnuts, oranges, lemons, grapes and apples applied for on 24 September 1996, and applications for export licences with advance fixing of refunds submitted subsequently with a view to such licences being issued during the current period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

Export licences with advance fixing of the refund for tomatoes, shelled hazelnuts, shelled walnuts, oranges, lemons, grapes and apples for which applications are submitted on 24 September 1996 pursuant to Article 1 of Regulation (EC) No 1832/96 shall be issued for 2,91 %, 61,16 %, 69,00 %, 0,83 %, 0,43 %, 8,78 % and 0,77 % respectively of the quantities applied for tomatoes, shelled hazelnuts, shelled walnuts, oranges, lemons, grapes and apples.

Applications for export licences with advance fixing of the refund for the above products submitted after 24 September 1996 and before 18 November 1996 shall be rejected.

Article 2

This Regulation shall enter into force on 28 September 1996.

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽²⁾ OJ No L 280, 23. 11. 1995, p. 30.

⁽³⁾ OJ No L 243, 24. 9. 1996, p. 17.

COMMISSION REGULATION (EC) No 1873/96

of 27 September 1996

fixing the maximum buying-in price and the quantities of beef to be bought in under the 168th partial invitation to tender as a general intervention measure pursuant to Regulations (EEC) No 1627/89 and (EC) No 1825/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1588/96⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef⁽³⁾, as last amended by Regulation (EC) No 307/96⁽⁴⁾, an invitation to tender was opened pursuant to Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EC) No 1824/96⁽⁶⁾ and by Article 1 of Commission Regulation (EC) No 1825/96 of 20 September 1996 opening intervention in accordance with Article 6 (4) of Council Regulation (EEC) No 805/68⁽⁷⁾;

Whereas, in accordance with Article 13 (1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 14 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in paragraph 1 of that Article, are to be accepted;

Whereas, once tenders submitted in respect of the 168th partial invitation to tender have been considered and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughtering, the maximum buying-in price and the quantities which may be bought in should be fixed;

Whereas, following the buying in of forequarters, the price of such products should be defined on the basis of carcass prices;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate, depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the 168th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

(i) in those Member States or Member States' regions meeting the conditions of Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price shall be ECU 263 per 100 kg carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcass price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 8 382 tonnes,
- the quantities offered at a price greater than ECU 235 shall be multiplied by a coefficient of 45 %, in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

(ii) in those Member States or Member States' regions meeting the conditions of Article 6 (4) of Regulation (EEC) No 805/68:

- the maximum buying-in price shall be ECU 214 per 100 kg carcasses or half-carcasses of quality R3,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 23.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 43, 21. 2. 1996, p. 3.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 241, 20. 9. 1996, p. 16.

⁽⁷⁾ OJ No L 241, 20. 9. 1996, p. 18.

- the price of forequarters shall be derived from the carcase price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 294 tonnes,
- the quantities offered at a price greater than ECU 235 shall be multiplied by a coefficient of 45 % in accordance with Article 13 (3) of Regulation (EEC) No 2456/93.

(b) for category C:

- the maximum buying-in price shall be ECU 263 per 100 kg carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcase price using the coefficient 0,80 for the straight cut,

- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 12 570 tonnes,
- the quantities offered at a price greater than ECU 235 shall be multiplied by a coefficient of 45 % in accordance with Article 13 (3) of Regulation (EEC) No 2456/93.

- (c) for carcasses and half-carcasses of lean animals of less than 10 months old, all the quantities offered are refused.

Article 2

This Regulation shall enter into force on 30 September 1996.

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1874/96
of 27 September 1996
fixing the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1588/96⁽²⁾, and in particular Article 13 thereof,

Whereas Article 13 of Regulation (EEC) No 805/68 provides that the difference between 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 Commission Regulation (EEC) No 32/82⁽³⁾, as last amended by Regulation (EEC) No 3169/87⁽⁴⁾, (EEC) No 1964/82⁽⁵⁾, as amended by Regulation (EEC) No 3169/87, and (EEC) No 2388/84⁽⁶⁾, as last amended by Regulation (EEC) No 3661/92⁽⁷⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other, on adult bovine animals of a live weight of at least 300 kilograms;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed

in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one-third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

Whereas Commission Regulation (EEC) No 3846/87⁽⁸⁾, as last amended by Regulation (EC) No 1222/96⁽⁹⁾, establishes the agricultural product nomenclature for the purposes of export refunds; whereas, with a view to clarification, the destinations must be identified in a separate Annex;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 23.

⁽³⁾ OJ No L 4, 8. 1. 1982, p. 11.

⁽⁴⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁵⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁶⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁷⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽⁸⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 161, 29. 6. 1996, p. 62.

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 2026/83 ⁽²⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 990/93 ⁽³⁾, as amended by Regulation (EC) No 1380/95 ⁽⁴⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia und 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 ⁽⁵⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which export refunds as referred to in Article 13 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex I.
2. The destinations are identified in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 28 September 1996.

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

Done at Brussels, 27 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽²⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁴⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX I

to the Council Regulation of 27 September 1996 fixing export refunds on beef

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (7) (*)	Product code	Destination	Refund (7) (*)
		— Live weight —			— Net weight —
0102 10 10 120	01	82,00	0201 20 20 120	02	114,00
0102 10 10 130	02	54,50		03	79,50
	03	37,50		04	39,50
	04	19,00	0201 20 30 110 (*)	02	112,50
0102 10 30 120	01	82,00		03	77,00
0102 10 30 130	02	54,50		04	38,00
	03	37,50	0201 20 30 120	02	83,00
	04	19,00		03	58,50
0102 10 90 120	01	82,00		04	29,00
0102 90 41 100	02	73,00	0201 20 50 110 (*)	02	196,50
0102 90 51 000	02	54,50		03	131,00
	03	37,50		04	65,00
	04	19,00	0201 20 50 120	02	145,00
0102 90 59 000	02	54,50		03	100,00
	03	37,50		04	50,00
	04	19,00	0201 20 50 130 (*)	02	112,50
0102 90 61 000	02	54,50		03	77,00
	03	37,50		04	38,00
	04	19,00	0201 20 50 140	02	83,00
0102 90 69 000	02	54,50		03	58,50
	03	37,50		04	29,00
	04	19,00	0201 20 90 700	02	83,00
0102 90 71 000	02	73,00		03	58,50
	03	48,00		04	29,00
	04	24,00	0201 30 00 050 (*)	05	100,50
0102 90 79 000	02	73,00	0201 30 00 100 (*)	02	274,00
	03	48,00		03	187,50
	04	24,00		04	94,00
		— Net weight —		06	240,50
0201 10 00 110 (*)	02	112,50	0201 30 00 150 (*)	08	145,50
	03	77,00		09	133,50
	04	38,00		03	112,50
0201 10 00 120	02	83,00		04	56,50
	03	58,50	0201 30 00 190 (*)	06	130,50
	04	29,00		07	81,00
0201 10 00 130 (*)	02	155,00		02	115,00
	03	104,00		03	75,50
	04	52,50		04	37,50
0201 10 00 140	02	114,00		06	92,50
	03	79,50		07	81,00
	04	39,50			
0201 20 20 110 (*)	02	155,00			
	03	104,00			
	04	52,50			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (°) (°)	Product code	Destination	Refund (°) (°)
		— Net weight —			— Net weight —
0202 10 00 100	02	83,00	1602 50 10 120	02	132,50 ⁽⁸⁾
	03	58,50		03	106,00 ⁽⁸⁾
	04	29,00		04	106,00 ⁽⁸⁾
0202 10 00 900	02	114,00	1602 50 10 140	02	117,00 ⁽⁸⁾
	03	79,50		03	94,00 ⁽⁸⁾
	04	39,50		04	94,00 ⁽⁸⁾
0202 20 10 000	02	114,00	1602 50 10 160	02	94,00 ⁽⁸⁾
	03	79,50		03	75,50 ⁽⁸⁾
	04	39,50		04	75,50 ⁽⁸⁾
0202 20 30 000	02	83,00	1602 50 10 170	02	62,50 ⁽⁸⁾
	03	58,50		03	50,00 ⁽⁸⁾
	04	29,00		04	50,00 ⁽⁸⁾
0202 20 50 100	02	145,00	1602 50 10 190	02	62,50
	03	100,00		03	50,00
	04	50,00		04	50,00
0202 20 50 900	02	83,00	1602 50 10 240	02	—
	03	58,50		03	—
	04	29,00		04	—
0202 20 90 100	02	83,00	1602 50 10 260	02	—
	03	58,50		03	—
	04	29,00		04	—
0202 30 90 100 ⁽⁴⁾	05	100,50	1602 50 10 280	02	—
0202 30 90 400 ⁽⁴⁾	08	145,50		03	—
	09	133,50		04	—
	03	112,50	1602 50 31 125	01	129,50 ⁽⁵⁾
	04	56,50	1602 50 31 135	01	75,50 ⁽⁸⁾
	06	130,50	1602 50 31 195	01	37,00
	07	81,00	1602 50 31 325	01	116,00 ⁽⁵⁾
0202 30 90 500 ⁽⁴⁾	02	115,00	1602 50 31 335	01	67,50 ⁽⁸⁾
	03	75,50	1602 50 31 395	01	37,00
	04	37,50	1602 50 39 125	01	129,50 ⁽⁵⁾
	06	92,50	1602 50 39 135	01	75,50 ⁽⁸⁾
	07	81,00	1602 50 39 195	01	37,00
0202 30 90 900	07	81,00	1602 50 39 325	01	116,00 ⁽⁵⁾
0206 10 95 000	02	115,00	1602 50 39 335	01	67,50 ⁽⁸⁾
	03	75,50	1602 50 39 395	01	37,00
	04	37,50	1602 50 39 425	01	85,50 ⁽⁵⁾
	06	92,50	1602 50 39 435	01	50,00 ⁽⁸⁾
0206 29 91 000	02	115,00	1602 50 39 495	01	37,00
	03	75,50	1602 50 39 505	01	37,00
	04	37,50	1602 50 39 525	01	85,50 ⁽⁵⁾
	06	92,50	1602 50 39 535	01	50,00 ⁽⁸⁾
0210 20 90 100	02	96,00	1602 50 39 595	01	37,00
	04	57,00			
0210 20 90 300	02	119,00			
0210 20 90 500 ⁽⁵⁾	02	119,00			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (°) (°)	Product code	Destination	Refund (°) (°)
		— Net weight —			— Net weight —
1602 50 39 615	01	37,00	1602 50 80 495	01	37,00
1602 50 39 625	01	16,50	1602 50 80 505	01	37,00
1602 50 39 705	01	15,00	1602 50 80 515	01	16,50
1602 50 39 805	01	—	1602 50 80 535	01	50,00 (°)
1602 50 39 905	01	—	1602 50 80 595	01	37,00
1602 50 80 135	01	75,50 (°)	1602 50 80 615	01	37,00
1602 50 80 195	01	37,00	1602 50 80 625	01	16,50
1602 50 80 335	01	67,50 (°)	1602 50 80 705	01	15,00
1602 50 80 395	01	37,00	1602 50 80 805	01	—
1602 50 80 435	01	50,00 (°)	1602 50 80 905	01	—

(°) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(°) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(°) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(°) Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

(°) OJ No L 221, 19. 8. 1984, p. 28.

(°) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210 of 1. 8. 1986, p. 39).

(°) Article 13 (10) of amended Regulation (EEC) No 805/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(°) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

(°) 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 descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

Zone 01: all third countries

Zone 02: zones 08 and 09

Zone 03	Zone 05	
022 Ceuta and Melilla	400 United States of America	373 Mauritius
024 Iceland		375 Comoros
028 Norway		377 Mayotte
041 Faroe Islands	Zone 06	378 Zambia
043 Andorra		386 Malawi
044 Gibraltar	809 New Caledonia	388 South Africa
045 Vatican City	822 French Polynesia	395 Lesotho
053 Estonia		604 Lebanon
054 Latvia	Zone 07	608 Syria
055 Lithuania		612 Iraq
060 Poland	404 Canada	616 Iran
061 Czech Republic		624 Israel
063 Slovakia	Zone 08	625 Gaza and Jericho
064 Hungary		628 Jordan
066 Romania	046 Malta	632 Saudi Arabia
068 Bulgaria	052 Turkey	636 Kuwait
070 Albania	072 Ukraine	640 Bahrain
091 Slovenia	073 Belarus	644 Qatar
092 Croatia	074 Moldova	647 United Arab Emirates
093 Bosnia-Herzegovina	075 Russia	649 Oman
094 Serbia and Montenegro	076 Georgia	653 Yemen
096 Former Yugoslav Republic of Macedonia	077 Armenia	720 China
109 The communes of Livigno and Campione d'Italia; the island of Helgoland	078 Azerbaijan	
406 Greenland	079 Kazakhstan	Zone 09
600 Cyprus	080 Turkmenistan	228 Mauritania
662 Pakistan	081 Uzbekistan	232 Mali
669 Sri Lanka	082 Tajikistan	236 Burkina Faso
676 Myanmar (Burma)	083 Kirghistan	240 Niger
680 Thailand	204 Morocco	244 Chad
690 Vietnam	208 Algeria	247 Cape Verde
700 Indonesia	212 Tunisia	248 Senegal
708 Philippines	216 Libya	252 Gambia
724 North Korea	220 Egypt	257 Guinea-Bissau
740 Hong Kong	224 Sudan	260 Guinea
950 Stores and provisions (Destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended)	324 Rwanda	264 Sierra Leone
	328 Burundi	268 Liberia
	329 St Helena and dependencies	272 Côte d'Ivoire
	330 Angola	276 Ghana
	334 Ethiopia	280 Togo
	336 Eritrea	284 Benin
	338 Djibouti	288 Nigeria
	342 Somalia	302 Cameroon
	350 Uganda	306 Central African Republic
	352 Tanzania	310 Equatorial Guinea
	355 Seychelles and dependencies	311 Sao Tome and Principe
	357 British Indian Ocean Territory	314 Gabon
	366 Mozambique	318 Congo
		322 Zaire
Zone 04		
039 Switzerland		

NB: The countries are those defined by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

COMMISSION REGULATION (EC) No 1875/96

of 27 September 1996

amending Regulation (EC) No 1466/95 laying down special detailed rules of application for 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 Commission Regulation (EC) No 1587/96⁽²⁾, and in particular Article 17 (14) thereof,

Whereas Commission Regulation (EC) No 1466/95⁽³⁾, as last amended by Regulation (EC) No 1315/96⁽⁴⁾, lays down special detailed rules of application for export refunds on milk and milk products; whereas Article 9a of that Regulation lays down that export licences for cheese for export to the United States as part of the additional quota under the Agreements concluded during the Uruguay Round of multilateral trade negotiations may be issued under a special procedure permitting the designation of preferential importers in the United States; whereas experience has revealed the need for certain technical amendments in order to ensure the smooth operation of that procedure;

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

Regulation (EC) No 1466/95 is hereby amended as follows:

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

Done at Brussels, 27 September 1996.

1. In Article 9a (2) (a) and (b), the year '1995' is replaced by '1996'.

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

'6. Before the end of the year for which provisional licences are issued, the trader shall apply for the full licence, even in the case of part quantities, which shall be issued forthwith. The following words shall be entered in section 20 of the application for the full licence and in the licence itself:

"For export to the United States of America: Article 9a of Regulation (EC) No 1466/95."

Notwithstanding Article 4, full licences shall only be valid for the year in question.'

3. Article 11 is replaced by the following:

'Article 11

Article 21 of Regulation (EEC) No 3665/87 shall apply only to licences issued pursuant to Articles 6 (3) and 9a.'

Article 2

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

It shall apply only to the licences referred to in Article 9a of Regulation (EC) No 1466/95 for exports from 1 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 170, 9. 7. 1996, p. 20.

COMMISSION REGULATION (EC) No 1876/96

of 27 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 28 September 1996.

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

Done at Brussels, 27 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 27 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	89,5	0808 10 92, 0808 10 94, 0808 10 98	624	67,7
	060	80,2		999	112,9
	064	70,8		039	121,0
	066	54,0		052	68,6
	068	80,3		064	50,6
	204	86,8		070	90,2
	208	44,0		284	72,1
	212	97,5		388	52,8
	400	170,4		400	54,4
	624	95,8		404	63,6
ex 0707 00 25	999	86,9	0808 20 57	416	72,7
	052	82,8		508	113,5
	053	156,2		512	126,1
	060	61,0		524	100,3
	066	53,8		528	53,0
	068	69,1		624	86,5
	204	144,3		728	107,3
	624	87,1		800	141,3
	999	93,5		804	88,9
	052	54,3		999	86,1
0709 90 79	204	77,5	0809 30 41, 0809 30 49	039	104,1
	412	54,2		052	69,4
	508	42,9		064	78,0
	624	151,9		388	57,2
	999	76,2		400	70,4
0805 30 30	052	76,9		512	88,7
	204	88,8		528	132,9
	220	74,0		624	79,0
	388	70,9		728	115,4
	400	68,2		800	84,0
	512	66,7		804	73,0
	520	66,5		999	86,6
	524	67,9		052	93,8
	528	65,1		220	121,8
	600	96,5		624	106,8
0806 10 40	624	48,9	0809 40 30	999	107,5
	999	71,9		052	66,3
	052	71,5		064	13,1
	064	49,5		066	74,5
	066	49,4		068	37,1
	220	110,8		400	76,1
	400	140,3		624	63,8
	412	58,5		676	68,6
	508	307,2		999	57,1
	512	186,0			
	600	88,5			

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 September 1996

**authorizing Austria not to take into account certain categories of transactions
and to use certain approximate estimates for the calculation of the VAT own
resources base**

(Only the German text is authentic)

(96/564/Euratom, EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value-added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, under Article 28 (3) of the Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT resources base;

Whereas, for the application of the provisions in Article 28 (3) of the sixth Directive, paragraph 2 (h) and (i) of Annex IX (Taxation) to the Act of Accession of the Republic of Austria to the European Communities⁽³⁾, authorizes Austria to exempt or to tax certain transactions listed in Annex E and F to the sixth Directive;

Whereas Austria is unable to make a precise calculation of the VAT own resources base for the category of transactions listed in Annex F, point 7 to the sixth Direc-

tive; whereas such calculation is likely to involve an unjustified administrative burden in relation to the minimal effect of these transactions on Austria's total VAT resources base; whereas Austria should therefore be authorized not to take these transactions into account for the calculation of the VAT base;

Whereas Austria is able to make a calculation using approximate estimates for three categories of transactions listed in Annexes E and F to the sixth Directive; whereas Austria should therefore be authorized to calculate the VAT base using approximate estimates;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of calculating the VAT own resources base from 1 January 1995, Austria is authorized, in accordance with the first indent of Article 6 (3) of Council Regulation (EEC, Euratom) No 1553/89, not to take into account the following category of transactions referred to in Annex F to the sixth Directive:

— transactions carried out by blind persons or workshops for the blind provided these exemptions do not give rise to significant distortion of competition (Annex F, former point 7).

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No C 241, 29. 8. 1994, p. 336.

Article 2

For the purpose of calculating the VAT own resources base from 1 January 1995, Austria is authorized to use approximate estimates in respect of the following categories of transactions referred to in Annexes E and F to the sixth Directive:

1. services supplied by dental technicians in their professional capacity and dental prostheses supplied by dentist and dental technicians to Austrian social security institutions, (Annex E, former point 2);
2. telecommunication services supplied by public postal services, (Annex F, former point 5);

3. supplies of buildings and land described in Article 4 (3) of the sixth Directive (Annex F, former point 16).

Article 3

This Decision is addressed to the Republic of Austria.

Done at Brussels, 11 September 1996.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION DECISION

of 11 September 1996

**authorizing Sweden not to take into account certain categories of transactions
and to use certain approximate estimates for the calculation of the VAT own
resources base**

(Only the Swedish text is authentic)

(96/565/Euratom, EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value-added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, under Article 28 (3) of the Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT resources base;

Whereas, for the application of the provisions in Article 28 (3) of the sixth Directive, paragraph 2 (aa) of Annex IX (Taxation) to the Act of Accession of the Kingdom of Sweden to the European Communities⁽³⁾, authorizes Sweden to exempt certain transactions listed in Annex F to the sixth Directive;

Whereas Sweden is unable to make a precise calculation of the VAT own resources base for certain categories of transactions listed in Annex F, point 2 to the sixth Directive, whereas such calculation is likely to involve an unjustified administrative burden in relation to the effect of these transactions on Sweden's total VAT resources base; whereas Sweden should therefore be authorized not to take these transactions into account for the calculation of the VAT base;

Whereas Sweden is able to make a calculation using approximate estimates for four categories of transactions

listed in Annex F to the sixth Directive; whereas Sweden should therefore be authorized to calculate the VAT base using approximate estimates;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of calculating the VAT own resources base from 1 January 1995, Sweden is authorized, in accordance with the first indent of Article 6 (3) of Council Regulation (EEC, Euratom) No 1553/89, not to take into account the following category of transactions referred to in Annex F to the sixth Directive:

— services supplied by authors, artists, performers, in so far as these are not services specified in Annex B to the Council Directive 67/228/EEC⁽⁴⁾ (Annex F, former point 2), except for copyrights and royalties.

Article 2

For the purpose of calculating the VAT own resources base from 1 January 1995, Sweden is authorized to use approximate estimates in respect of the following categories of transactions referred to in Annex F to the sixth Directive:

1. admission to sporting events (Annex F, former point 1);
2. services supplied by authors, artists and performers, in so far as these are not services specified in Annex B to Council Directive 67/228/EEC (Annex F, former point 2), for copyrights and royalties;
3. passenger transport (Annex F, former point 17);
4. supplies of land described in Article 4 (3) of the sixth Directive (Annex F, former point 16).

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No C 241, 29. 8. 1994, p. 339.

⁽⁴⁾ OJ No 71, 14. 4. 1967, p. 1303/67.

Article 3

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 11 September 1996.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION DECISION

of 11 September 1996

authorizing Finland not to take into account certain categories of transactions
and to use certain approximate estimates for the calculation of the VAT own
resources base

(Only the Finnish text is authentic)

(96/566/Euratom, EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to the Treaty establishing the European
Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No
1553/89 of 29 May 1989 on the definitive uniform arrange-
ments for the collection of own resources accruing from
value-added tax⁽¹⁾, and in particular Article 13 thereof,

Whereas, under Article 28 (3) of the Council Directive
77/388/EEC of 17 May 1977 on the harmonization of the
laws of the Member States relating to turnover taxes —
Common system of value-added tax: uniform basis of
assessment⁽²⁾, hereinafter called 'the sixth Directive', the
Member States may continue to exempt or tax certain
transactions; whereas these transactions must be taken
into account for the determination of the VAT resources
base;

Whereas, for the application of the provisions in Article
28 (3) of the sixth Directive, paragraph 2 (n) of Annex IX
(Taxation) to the Act of Accession of the Republic of
Finland to the European Communities⁽³⁾, authorizes
Finland to exempt certain transactions listed in Annex F
to the sixth Directive;

Whereas Finland is unable to make a precise calculation
of the VAT own resources base for certain categories of
transactions listed in Annex F, points 2 and 7, to the sixth
Directive; whereas such calculation is likely to involve an
unjustified administrative burden in relation to the effect
of these transactions on Finland's total VAT resources
base; whereas Finland should therefore be authorized not
to take these transactions into account for the calculation
of the VAT base;

Whereas Finland is able to make a calculation using
approximate estimates for three categories of transactions
listed in Annex F to the sixth Directive; whereas Finland

should therefore be authorized to calculate the VAT base
using approximate estimates;

Whereas the Advisory Committee on Own Resources has
approved the report recording the opinions of its
members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of calculating the VAT own resources
base from 1 January 1995, Finland is authorized, in
accordance with the first indent of Article 6 (3) of Council
Regulation (EEC, Euratom) No 1553/89, not to take into
account the following category of transactions referred to
in Annex F to the sixth Directive:

1. services supplied by authors, artists, performers, in so far as these are not services specified in Annex B to the Council Directive 67/228/EEC⁽⁴⁾ (Annex F, former point 2); except for copyrights and royalties.
2. transactions carried out by blind persons or workshops for the blind provided these exemptions do not give rise to significant distortion of competition. (Annex F, former point 7).

Article 2

For the purpose of calculating the VAT own resources
base from 1 January 1995, Finland is authorized to use
approximate estimates in respect of the following categories of transactions referred to in Annex F to the sixth Directive:

1. services supplied by authors, artists and performers, in so far as these are not services specified in Annex B to Council Directive 67/228/EEC (Annex F, former point 2); for copyrights and royalties;
2. supplies of land described in Article 4 (3) of the sixth Directive (Annex F, former point 16);
3. passenger transport (Annex F, former point 17).

⁽⁴⁾ OJ No 71, 14. 4. 1967, p. 1303/67.

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No C 241, 29. 8. 1994, p. 337.

Article 3

This Decision is addressed to the Republic of Finland.

Done at Brussels, 11 September 1996.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION DECISION**of 19 September 1996****amending Decision 94/90/ECSC, EC, Euratom of 8 February 1994 on public access to Commission documents**

(96/567/Euratom, ECSC, EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaties establishing the European Communities, and in particular Article 162 of the Treaty establishing the European Community,

Whereas on 8 February 1994 the Commission adopted Decision 94/90/ECSC, EEC, Euratom⁽¹⁾ on public access to Commission documents;

Whereas that Decision provided for a fee to be charged for copies of printed documents exceeding 30 sheets;

Whereas the current system has proved difficult to implement in practice and not very efficient;

Whereas accordingly the system of payment of a fee should be made optional,

HAS DECIDED AS FOLLOWS:

Article 1

Article 2(5) of Decision 94/90/ECSC, EC, Euratom is replaced by the following:

'A fee of ECU 10, plus ECU 0,036 per sheet of paper, may be charged for copies of printed documents exceeding 30 sheets. Charges for information in other formats shall be set on a case-by-case basis but shall not exceed what is reasonable.'

Article 2

This Decision will take effect on the day of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 19 September 1996.

*For the Commission**The President*

Jacques SANTER

⁽¹⁾ OJ No L 46, 18. 2. 1994, p. 58.