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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1960/96

of 11 October 1996

fixing the maximum buying-in price and the quantities of beef to be bought in under the 169th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89

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 1931/96⁽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 1921/96⁽⁶⁾;

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 169th 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 slaughter-

ings, the maximum buying-price and the quantities which may be bought in should be fixed;

Whereas, following the buying in of forequarters and carcasses and half-carcasses of lean animals of less than 10 months old, the price of such products should be defined on the basis of carcase 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 and the final indent of Article 1 (2) of Regulation (EC) No 1931/96;

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

Under the 169th partial invitation to tender opened pursuant to Regulation (EC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be ECU 264 per 100 kg of carcasses or half-carcasses of quality R3,
- the price of forequarters shall be calculated from the carcase price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses and forequarters accepted shall be 9 461 tonnes,

⁽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 254, 8. 10. 1996, p. 35.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 253, 5. 10. 1996, p. 2.

- the quantities offered at a price of more than ECU 236,5 shall be multiplied by a coefficient of 40 % in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;
- (b) for category C:
- the maximum buying-in price shall be ECU 264 per 100 kg of carcasses or half-carcasses of quality R3,
 - the price of forequarters shall be calculated from the carcase price using the coefficient 0,80 for the straight cut,
 - the maximum quantity of carcasses, half-carcasses and forequarters accepted shall be 16 198 tonnes,
 - the quantities offered at a price of more than ECU 236,5 shall be multiplied by a coefficient of 40 % 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:
- the awarded prices shall be calculated from the carcase price using the coefficient 1,23,
 - the maximum quantity accepted shall be 88 tonnes.

Article 2

This Regulation shall enter into force on 14 October 1996.

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

Done at Brussels, 11 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1961/96
of 11 October 1996
on the supply of milk 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 milk powder 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

Milk 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, 11 October 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

LOTS A, B

1. **Operation No** ⁽¹⁾: 771/95 (A); 772/95 (B)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: UNHCR (for the attention of Mme Seinet), case postale 2500, CH-1211 Genève 2 dépôt (tel. (41-22) 739 81 37; telefax: 739 85 63)
4. **Representative of the recipient**:
A: UNHCR Branch Office, Khartoum, tel.: (871) 175 42 72; fax: 175 42 73; telex: 22431 HCR SD
B: Croissant-Rouge algérien, 15 bis boulevard Mohamed V, Alger, tel.: (213 2) 64 57 27/28; fax: 64 97 87; telex: 56056
5. **Place or country of destination** ⁽³⁾: A: Sudan; B: Algeria
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (I.B. (1))
8. **Total quantity (tonnes)**: 256
9. **Number of lots**: 2 (lot A: 110 tonnes; lot B: 146 tonnes)
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (I.B. (2), I.A. (2) (3) and I.B. (3))
Language to be used for the marking: A: English; B: French
Supplementary markings: 'Expiry date ...' (A); 'Date d'expiration: ...' (B)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: A: Port Soudan; B: Oran
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**: 25. 11 to 8. 12. 1996
18. **Deadline for the supply**: A: 29. 12. 1996; B: 22. 12. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 28. 10. 1996 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: [12 noon (Brussels time)] on 12. 11. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 9 to 22. 12. 1996
 - (c) deadline for the supply: A: 12. 1. 1997; B: 5. 1. 1997
22. **Amount of tendering security**: ECU 20 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, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049, Brussels, telex 25670 AGREC B; fax (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 1. 10. 1996, fixed by Commission Regulation (EC) No 1855/96 (OJ No L 246, 27. 9. 1996, p. 13)

LOTS C, D, E

1. **Operation No** ⁽¹⁾: 773/95 (C); 774/95 (D); 775/95 (E)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: UNHCR (for the attention of Mme Seinet), case postale 2500, CH-1211 Genève 2 dépôt (tel. (41-22) 739 81 37; telefax: 739 85 63)
4. **Representative of the recipient**:
C: UNHCR Branch Office, Liberia, c/o Daher Apartment, Sekoutouré Av. Mamba Point, Monrovia. Tel: (874-1) 75 44 65, fax: 75 44 66
D: UNHCR Branch Office, Uganda, 37 Kitante Road PO Box 3813 Kampala. Tel: (256-41) 24 26 73/ 23 00 11, fax: 25 69 89
E: UNHCR Branch Office, Kenya, Chiromo Road PO Box 43801 Nairobi. Tel: (254-2) 44 30 30, fax: 44 67 24
5. **Place or country of destination** ⁽³⁾: C: Liberia; D: Uganda; E: Kenya
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (I.A. (1))
8. **Total quantity (tonnes)**: 381
9. **Number of lots**: 3 (lot C: 131 tonnes; lot D: 213 tonnes; lot E: 37 tonnes)
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (I.A. (2), I.A. (2) (3) and I.A. (3))
Language to be used for the marking: English
Supplementary markings: 'Expiry date...'
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: C, D: free at destination E: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: E: Mombasa
16. **Address of the warehouse and, if appropriate, port of landing**: C, D: see point 4
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 25. 11 to 8. 12. 1996
18. **Deadline for the supply**: C, E: 5. 1. 1997; D: 12. 1. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: [12 noon (Brussels time)] on 28. 10. 1996
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: [12 noon (Brussels time)] on 12. 11. 1996
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 9 to 22. 12. 1996
(c) deadline for the supply: C, E: 19. 1. 1997; D: 26. 1. 1997
22. **Amount of tendering security**: ECU 20 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, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049, Brussels, telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 1. 10. 1996, fixed by Commission Regulation (EC) No 1855/96 (OJ No L 246, 27. 9. 1996, p. 13)

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) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- health certificate.
- (⁷) Notwithstanding OJ No C 114, point I.A.3 (c) or I.B.3 (c) is replaced by the following: 'the words "European Community"'.
- (⁸) Lots A, B, E the bags shall be stacked, maximum 40, on wooden pallets (made of pine, fir, or poplar wood) measuring not more than 1 200 × 1 400 mm, and with the following features:
- four-way entry, non-reversible, with wings,
 - a top deck consisting of a minimum of seven planks (width: 100 mm; thickness: 22 mm),
 - a bottom deck consisting of three planks (width: 100 mm; thickness: 22 mm),
 - three bearers (width: 100 mm; thickness: 22 mm),
 - nine dowels: 100 × 100 × 78 mm minimum.
- The palletized bags shall be covered by a shrink film of a thickness of at least 150 microns. The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.
- The bags are further protected by cardboard or wood placed between the bags and straps.
- (⁹) Lots C, D: placed in 20-foot containers. The free holding period for containers must be at least 15 days.
-

COMMISSION REGULATION (EC) No 1962/96
of 11 October 1996

rectifying Regulation (EC) No 2772/95 replacing the values in ecus in Council Regulation (EEC) No 2078/92 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾,

Having regard to Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾, as last amended by Regulation (EC) No 1482/96⁽⁴⁾, and in particular Article 18 (2) thereof,

Whereas Commission Regulation (EC) No 2772/95⁽⁵⁾, erroneously omitted the adjusted value in ECUs relating to the maximum eligible amount of the premium for each sheep or cattle livestock unit by which a herd is reduced, and that it is therefore appropriate to complete this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (1) of Regulation (EC) No 2772/95 is replaced by the following:

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

Done at Brussels, 11 October 1996.

1. in Article 4 (2) of Council Regulation (EEC) No 2078/92:

- the amount "ECU 150" is replaced by "ECU 181,1";
- the amounts "ECU 250" are replaced by "ECU 301,9";
- the amount "ECU 210" is replaced by "ECU 253,6";
- the amount "ECU 100" is replaced by "ECU 120,8";
- the amount "ECU 400" is replaced by "ECU 483,0";
- the amount "ECU 1 000" is replaced by "ECU 1 208";
- the amount "ECU 700" is replaced by "ECU 845,3" and
- the amount "ECU 600" is replaced by "ECU 724,5";.

Article 2

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

The amount provided for in Article 1, third indent, shall apply from the date on which an agricultural conversion rate fixed on or after 1 February 1995 is first applied to the premium for each sheep or cattle livestock unit by which a herd is reduced.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁵⁾ OJ No L 288, 1. 12. 1995, p. 35.

COMMISSION REGULATION (EC) No 1963/96

of 11 October 1996

amending Regulation (EC) No 1396/96 fixing the minimum price applicable to dried grapes during the 1996/97 marketing year as well as the countervailing charges to be imposed where that price is not observed

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 2314/95⁽²⁾, and in particular Article 10a (8) thereof,

Whereas the countervailing charge to be levied on dried grapes falling within CN codes 0806 20 12 and 0806 20 18 with an import price of less than ECU 1 018,47 per tonne but not less than ECU 985,97 per tonne in Annex II to Commission Regulation (EC) No 1396/96⁽³⁾ is incorrect; whereas the error should be corrected;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1396/96 is hereby replaced by the Annex hereto.

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, 11 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 233, 30. 9. 1995, p. 69.

⁽³⁾ OJ No L 180, 19. 7. 1996, p. 1.

ANNEX

ANNEX II

Countervailing charges

1. Currants falling within CN code 0806 20 11

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
1 035,68	1 025,32	10,36
1 025,32	1 004,61	31,07
1 004,61	973,54	62,14
973,54	942,47	93,21
942,47		267,13

2. Currants falling within CN code 0806 20 91

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
882,62	873,79	8,83
873,79	856,14	26,48
856,14	829,66	52,96
829,66	803,18	79,44
803,18		114,07

3. Dried grapes falling within CN codes 0806 20 12 and 0806 20 18

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
1 083,48	1 072,65	10,83
1 072,65	1 050,98	32,50
1 050,98	1 018,47	65,01
1 018,47	985,97	97,51
985,97		314,93

4. Dried grapes falling within CN codes 0806 20 92 and 0806 20 98

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
923,36	914,13	9,23
914,13	895,66	27,70
895,66	867,96	55,40
867,96	840,26	83,10
840,26		154,81'

COMMISSION REGULATION (EC) No 1964/96
of 11 October 1996

**fixing the intervention thresholds for oranges, mandarins, satsumas and
clementines for 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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 1363/95⁽²⁾, and in particular Articles 16a (5) and Article 16b (4) thereof,

Having regard to Council Regulation (EEC) No 2240/88 of 19 July 1988 fixing, for peaches, lemons and oranges, the rules for applying Article 16b of Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EC) No 1327/95⁽⁴⁾, and in particular Article 1 (3) thereof,

Whereas, pursuant to Article 1 (1) of Regulation (EEC) No 2240/88, the intervention threshold for oranges is to be equal, as from the 1991/92 marketing year, to 10 % of the average production intended to be consumed fresh in the last five marketing years for which data are available; whereas, however, pursuant to Article 9 of Council Regulation (EC) No 3119/93 of 8 November 1993 laying down special measures to encourage the processing of certain citrus fruits⁽⁵⁾, the threshold for oranges thus calculated must be increased by a quantity equal to the average quantity of oranges in respect of which financial compensation was paid during the 1984/85 to 1988/89 marketing years inclusive;

Whereas, pursuant to Article 16a (2) of Regulation (EEC) No 1035/72, the intervention thresholds for mandarins, satsumas and clementines are to be equal, as from the 1991/92 marketing year, to 10 % of the average production intended to be consumed fresh in the last five marketing years for which data are available; whereas,

however, pursuant to Article 9 of the abovementioned Regulation (EC) No 3119/93, the quantities of mandarins and clementines delivered for processing under that Regulation are to be treated as production intended to be consumed fresh for the purposes of fixing the intervention thresholds for those products; whereas the threshold for satsumas thus calculated must be increased by a quantity equal to the average quantity of satsumas in respect of which financial compensation was paid during the 1989/90 to 1991/92 marketing years inclusive;

Whereas the intervention thresholds for the products in question should be fixed for the 1996/97 marketing year in accordance with the abovementioned provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention thresholds for oranges, mandarins, satsumas and clementines for the 1996/97 marketing year shall be as follows:

— oranges:	1 184 000 tonnes
— mandarins:	36 900 tonnes
— satsumas:	174 300 tonnes
— clementines:	134 200 tonnes.

Article 2

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

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

Done at Brussels, 11 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 9.

⁽⁴⁾ OJ No L 128, 13. 6. 1995, p. 8.

⁽⁵⁾ OJ No L 279, 12. 11. 1993, p. 17.

COMMISSION REGULATION (EC) No 1965/96
of 11 October 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 1890/96 ⁽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 12 October 1996.

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

Done at Brussels, 11 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 249, 1. 10. 1996, p. 29.

⁽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 11 October 1996 establishing the standard import values
for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0805 30 30	052	71,8
	388	69,9
	512	55,4
	524	65,2
	528	57,4
	999	63,9
0806 10 40	052	107,7
	400	179,1
	999	143,4
0808 10 92, 0808 10 94, 0808 10 98	052	65,6
	064	49,7
	400	66,6
	404	72,3
	804	103,6
	999	71,6
0808 20 57	052	82,8
	064	77,2
	999	80,0

⁽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 1966/96
of 11 October 1996

**temporarily suspending the issuing of export licences for certain milk products
and determining what proportion of the amounts covered by pending
applications for export licences may be allocated**

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⁾,

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1875/96 ⁽⁴⁾, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the issue of export licences for the products involved should be temporarily suspended and licences for some of these products should not be issued in respect of applications pending;

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 issue of export licences for milk products falling within CN code 0406 30 is hereby suspended for the period from 14 to 31 October 1996.
2. Export licences shall be issued in respect of applications covering products falling within CN code 0406 30 which were submitted before 11 October and are still pending and against which licences would be issued from 14 October 1996.
3. No licences shall be issued for products falling within CN code 0406 30 for which applications submitted on 11 October 1996 are still pending and against which licences would have been issued from 18 October 1996.

Article 2

This Regulation shall enter into force on 12 October 1996.

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

Done at Brussels, 11 October 1996.

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 247, 28. 9. 1996, p. 36.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 April 1996

on financial measures by Spain in respect of the coal industry in 1995 and additional financial measures in respect of the coal industry in 1994

(Only the Spanish text is authentic)

(Text with EEA relevance)

(96/591/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 3632/93/ECSC of 28 December 1993 establishing Community rules for State aid to the coal industry⁽¹⁾, and in particular Articles 2 (1) and 9 thereof,

Whereas:

I

By letter of 17 November 1995, Spain notified the Commission of the additional aid which it had granted to the coal industry for 1994.

By letters of 14 September 1995, 17 November 1995 and 6 February 1996, Spain notified the Commission of the financial measures which it had taken in respect of the coal industry in 1995.

The Commission regrets that this aid was not notified in accordance with Article 9 (1) and (2) of Decision No 3632/93/ECSC.

Under Decision No 3632/93/ECSC, the Commission must rule on the following financial measures:

- aid of Pta 10 362 million to cover operating losses in 1994,
- aid of Pta 120 698 million to cover operating losses in 1995,
- aid of Pta 14 723 million to cover exceptional welfare aid paid to workers who lose their jobs as a result of the measures to modernize, rationalize, restructure and reduce the activity of the Spanish coal industry in 1995,
- aid of Pta 7 140 million to cover the technical costs of closing down mining installations as a result of the measures to modernize, rationalize, restructure and reduce the activity of the Spanish coal industry in 1995,
- aid of Pta 50 million for research and development projects in 1995,
- aid of Pta 100 million for environmental protection in 1995.

The financial measures proposed by Spain for the coal industry fall within the provisions of Article 1 of Decision No 3632/93/ECSC and must be approved by the Commission, in accordance with Article 9, on the basis, in particular, of the general criteria and objectives laid down in Article 2 and the specific criteria set out in

⁽¹⁾ OJ No L 329, 30. 12. 1993, p. 12.

Articles 3 and 4 of the Decision. In accordance with Article 9 (6) of the Decision, the Commission must assess the conformity of the measures with the plans to modernize, rationalize, restructure and reduce the activity of the Spanish coal industry, as provided for in Commission Decision 94/1072/ECSC⁽¹⁾.

II

By Decision 94/1072/ECSC the Commission authorized aid totalling Pta 107 426 million to cover, in full or in part, operating losses suffered by coal undertakings in 1994.

Of the operating aid of Pta 107 426 million, Pta 42 830 million was covered by the electricity producers in accordance with provisions related to the new system of public contracts for coal used in power stations (NSCCT) to cover the difference between the coal undertakings' production costs and the selling price envisaged for the coal in Spain.

In accordance with the second indent of Article 3 (1) of Decision No 3632/93/ECSC, Spain intends to carry out annual correction of the aid actually paid, based on the actual costs and revenue, for a total of Pta 10 362 million. This correction is warranted by the fact that the selling price of the coal produced in Spain was lower than estimated at the time of the notification, partly because the quality obtained was lower than expected and partly because of the fall in the price, in pesetas, of imported coal, which was taken as the reference value for establishing the selling price for Spanish coal in 1994.

This aid is in conformity with the measures proposed in the plans to modernize, rationalize, restructure or reduce activity notified by Spain. It is in line with the objectives of the first and second indents of Article 2 (1) of Decision No 3632/93/ECSC, namely to make, in the light of coal prices on international markets, further progress towards economic viability of the undertakings by reducing operating costs and to solve the social and regional problems created by developments in the coal industry.

In view of the above and on the basis of the information provided by Spain, this aid is compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

III

The aid of Pta 120 698 million which Spain proposes to grant the coal industry in 1995 is intended to compensate

in full or in part for operating losses suffered by coal producers.

The sum notified is divisible into operating aid of Pta 48 380 million in accordance with Article 3 of Decision No 3632/93/ECSC and aid of Pta 72 318 million to reduce activity in accordance with Article 4 thereof.

Of the operating aid of Pta 48 380 million, Pta 41 834 million will be covered by the electricity generators, while the remaining Pta 6 546 million will come from State budgets.

On 30 December 1994 Spain approved Law 40/1994⁽²⁾ governing the national electricity system. This stipulated that the payment for the activities included in the national electricity system shall include any specific costs which the electricity undertakings must cover for specific purposes. To this end, in 1995 electricity generators were under an obligation to cover aid to compensate for the operating losses suffered by coal producers.

This aid is not entered in the State budgets or included in any strictly equivalent mechanisms. The Commission notes the undertaking given by Spain to amend the aid mechanism in force in 1995 before expiry, on 31 December 1996, of the transitional period not exceeding three years under Article 2 (2) of Decision No 3632/93/ECSC, so as to make it compatible with the rules in the Decision.

Those Spanish coal producers which receive operating aids may raise their production costs up to a maximum of two points below the consumer price index per year. This reduction, in real terms, will contribute to improving the economic viability of the coal-producing undertakings, as provided for by Article 3 (2) of Decision No 3632/93/ECSC, with the objective of reducing the aid.

The inclusion of these measures in the notified modernization, rationalization, restructuring and activity-reduction plan and the progressive reduction of production costs and quantities planned for 1995 are in line with the objectives of the first and second indents of Article 2 (1) of the Decision, namely, in the light of coal prices on international markets, to make further progress towards economic viability of the 65 undertakings receiving operating aid, with the aim of tapering off the aids and of solving the social and regional problems created by developments in the coal industry.

⁽¹⁾ OJ No L 385, 31. 12. 1994, p. 31.

⁽²⁾ Boletín Oficial del Estado No 313, 31. 12. 1994, p. 39362.

Of the aid of Pta 72 318 million to reduce activity, Pta 21 590 million will be covered by the electricity generators, while Pta 50 728 million will come from State budgets.

Of the Pta 50 728 million from the general State budget for 1995, Pta 42 884 million is intended for Hunosa, Pta 4 859 million for Minas de Figaredo SA and Pta 2 985 million for Mina de la Camocha SA, all of which lie in the central Asturian coalfield.

The remaining Pta 21 590 million of this aid is intended for the same undertakings and for others in the coalfields in north-west, north-east and southern Spain, which must close before Decision No 3632/93/ECSC expires.

This aid will help to solve the social and regional problems created by developments in the coal industry. It forms part of a closure plan and is in line with the provisions of Article 4 of Decision No 3632/93/ECSC.

The Commission finds that a sum of Pta 1 395 million covering part of the operating losses of Hunosa relates to activities other than coal production, and on this the Commission must give an opinion following a separate procedure based on Article 92 of the EC Treaty.

In its notification, Spain found that the aid to be granted will not exceed, for each undertaking or production unit, the difference between production costs and foreseeable revenue.

The amount of aid notified by Spain for 1995 must be compared with the aid approved by the Commission for 1994, which totalled Pta 115 284 million.

The 3,5 % increase in 1995, as compared with 1994, reflects the step-by-step reduction in the price which coal producers charge electricity generators, which is considerably higher than the world market price, thereby allowing a gradual switch to prices aligned on imported coal. This realignment, with the concomitant increase in aid, is designed to produce a more transparent aid system, as provided for in Decision No 3632/93/ECSC.

The Commission notes Spain's undertaking to take the necessary measures to ensure that, by 31 December 1996 at the latest, the selling price of Spanish coal will be agreed freely between the contracting parties, taking account of conditions on the world market.

In view of the above and on the basis of the information provided by Spain, this aid is compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

IV

The aid of Pta 14 723 million which Spain is proposing to grant for 1995 will cover compensation for those of the 7 300 workers in Spanish coal undertakings who will lose their jobs or have to take early retirement in the years covered by the modernization, rationalization, restructuring and activity-reduction plan for the Spanish coal industry.

Part of this aid, amounting to Pta 6 745 million, is to be granted to Hunosa, Minas de Figaredo SA and Mina de la Camocha SA and covered by the general State budget.

The remaining Pta 7 978 million is intended for the other undertakings affected by modernization, rationalization and restructuring measures or by measures to reduce activity and will be covered by financial support from the Electricity Compensation Office (Ofico). In 1995 this public body was financed by a levy on electricity prices charged to consumers.

This support constitutes 'aid' within the meaning of Article 1 (3) of Decision No 3632/93/ECSC, which refers to the allocation, for the direct or indirect benefit of the coal industry, of any charges rendered compulsory as a result of State intervention without any distinction being drawn between aid granted by the State and aid granted by public or private bodies appointed by the State to administer such aid. Accordingly, the Commission must give an opinion on this measure in accordance with Article 9 of the Decision.

These financial measures relate to action made necessary by the modernization, rationalization and restructuring of the Spanish coal industry and cannot therefore be considered to be related to current production (inherited liabilities).

Pursuant to Article 5 of Decision No 3632/93/ECSC, the aid mentioned explicitly in the Annex to the Decision, namely the cost of paying social-welfare benefits resulting from the pensioning-off of workers before they reach statutory retirement age and other exceptional expenditure on workers who lose their jobs as a result of restructuring and rationalization, may be considered compatible with the common market provided that the amount paid does not exceed such costs.

The Commission notes Spain's undertaking to take the measures necessary to bring this aid mechanism into line with the provisions of Article 2 (2) of Decision No 3632/93/ECSC by 31 December 1996 at the latest.

In view of the above and on the basis of the information provided by Spain, this aid is compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

V

The aid of Pta 7 140 million which Spain proposes to grant for 1995 is intended to cover part of the loss of value of the fixed assets of coal undertakings which have to close down totally or partially as part of the modernization, rationalization and restructuring plan. Furthermore, those undertakings will have to bear exceptional costs resulting from the progressive closures which will take place, initially, up to 31 December 1997.

Part of this aid, totalling Pta 1 574 million, is to be granted to Hunosa and covered by the general State budget. The remaining Pta 5 566 million is intended for the other undertakings reducing their activity and will be covered by financial support from Ofico.

These financial measures relate to action made necessary by the modernization, rationalization and restructuring of the Spanish coal industry and cannot therefore be considered to be related to current production (inherited liabilities).

Pursuant to Article 5 of Decision No 3632/93/ECSC, the aid mentioned explicitly in the Annex to the Decision, namely exceptional intrinsic depreciation provided that it results from the restructuring of the industry (without taking account of any revaluation which has occurred since 1 January 1986 and which exceeds the rate of inflation), can be considered compatible with the common market provided that the amount paid does not exceed such costs.

The Commission notes Spain's undertaking to take the measures necessary to bring this aid mechanism into line with the provisions of Article 2 (2) of Decision No 3632/93/ECSC by 31 December 1996 at the latest.

In view of the above and on the basis of the information provided by Spain, this aid is compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

VI

The aid of Pta 50 million which Spain proposes to grant to certain coal undertakings and mining research organizations for 1995 is intended to support their research and development efforts. This aid, not exceeding 20 % of the undertakings' total expenditure on research and technological development, is intended to solve the specific problems created by the unique nature of Spain's coal deposits and to improve the technologies for using coal, with a favourable impact on the environment.

The aid, which is explicitly mentioned in Article 6 of Decision No 3632/93/ECSC, helps to improve coal-mining technology and is intended to reduce production costs, which will help progressively to reduce the aid. The Commission's evaluation found that this aid complies with the rules laid down in the Community framework for State aid for research and development.

In view of the above and on the basis of the information provided by Spain, the aid proposed for 1995 is compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

VII

The aid of Pta 100 million which Spain proposes to grant to certain coal undertakings for 1995 is intended to support their efforts on environmental protection.

The aid, which is explicitly mentioned in Article 7 of Decision No 3632/93/ECSC, is intended to facilitate the adjustment of coal undertakings to new environmental protection standards and is in no way related to the restoration work which the undertakings must undertake as a consequence of their mining activities themselves. The Commission's evaluation found that this aid complies with the rules laid down in the Community framework for State aid for the environment.

In view of the above and on the basis of the information provided by Spain, the aid and the measures planned are compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

VIII

The Spanish Government will ensure that the granting of the aid covered by this Decision gives rise to no discrimination between producers, purchasers and consumers in the Community coal market.

The Commission reiterates that in its decision approving the plan to modernize, rationalize, restructure and reduce the activity of the Spanish coal industry, it requested Spain to report by 30 March 1996, 30 September 1996, 30 March 1997 and 30 September 1997, giving details of the progress made with the restructuring plan of Minero Siderúrgica de Ponferrada.

In view of the above and on the basis of the information provided by Spain, the aid and measures planned are compatible with the objectives of Decision No 3632/93/ECSC and with the proper functioning of the common market.

In accordance with the second indent of Article 3 (1) and with Article 9 (2) and (3) of Decision No 3632/93/ECSC, the Commission must verify that aid authorized for current production relates solely to the purposes set out in Articles 3 and 4 of the Decision. In this respect, it must be informed of the amounts involved and the distribution of payments,

HAS ADOPTED THIS DECISION:

Article 1

Spain is hereby authorized to grant additional aid totalling Pta 10 362 million to cover operating losses by coal undertakings in 1994.

Article 2

Spain is hereby authorized to pay the following aid for 1995:

- aid of Pta 119 303 million to cover operating losses by coal undertakings,
- aid of Pta 14 723 million to cover exceptional welfare aid paid to workers who lose their jobs as a result of the measures to modernize, rationalize, restructure and reduce the activity of the Spanish coal industry,
- aid of Pta 7 140 million to cover the technical costs of closing down mining installations as a result of the measures to modernize, rationalize, restructure and reduce the activity of the Spanish coal industry,
- aid of Pta 50 million for research and development projects,
- aid of Pta 100 million for environmental protection.

Article 3

Spain shall ensure that any unspent or overestimated aid for any item covered by this Decision is repaid to it.

Article 4

Spain shall notify the Commission, by 30 June 1996 at the latest, of the amount of aid actually paid in respect of the 1995 financial year.

Article 5

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 30 April 1996.

For the Commission

Christos PAPOUTSIS

Member of the Commission

**ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES
ON SOCIAL SECURITY FOR MIGRANT WORKERS**

RECOMMENDATION No 20

of 31 May 1996

concerning improvement of the administration and settlement of reciprocal claims

(96/592/EC)

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 36 (3) of Council Regulation (EEC) No 1408/71, under which the competent authorities of two or more Member States may provide for methods of reimbursement of sickness and maternity insurance benefits in kind, awarded by the institution of one Member State on behalf of the institution of another Member State, other than as provided for in paragraph 2 of the same Article and described in Articles 93, 94, 95 and 102 of Council Regulation (EEC) No 574/72,

Having regard to Article 63 (3) of Regulation (EEC) No 1408/71, which contains similar provisions for insurance benefits in kind, in respect of accidents at work and occupational diseases relating to the refunds described in Articles 96 and 102 of Regulation (EEC) No 574/72,

Having regard to Article 81 (a) of Regulation (EEC) No 1408/71, under which the Administrative Commission has to deal with all administrative questions deriving from Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72,

Whereas there are grounds for accelerating the settlement of reciprocal claims under the aforementioned Articles 93, 94, 95 and 96;

Whereas this objective may be achieved in particular by recommending a timetable for the settlement of claims on the basis of invoices, within the meaning of Articles 93 and 96 of Regulation (EEC) No 574/72, and a timetable for the settlement of claims on the basis of lump sums, within the meaning of Articles 94 and 95 of Regulation (EEC) No 574/72;

Acting in accordance with the provisions of Article 80 (3) of Regulation (EEC) No 1408/71,

HEREBY RECOMMENDS:

that the institutions of the Member States comply with the following timetable for refunds within the meaning of Articles 93 and 96, and Articles 94 and 95, of Regulation (EEC) No 574/72.

A. Refunds within the meaning of Articles 93 and 96 of Regulation (EEC) No 574/72

1. Institutions which have provided benefits in kind within the meaning of Articles 93 and 96 of Regulation (EEC) No 574/72 must submit their claims before the end of a period of one year following the calendar half-year in which the benefits were provided.
2. The month to be taken into consideration as the month in which claims are submitted shall be that during which the designated body referred to in Article 102 (2) of Regulation (EEC) No 574/72 receives the letter submitting the claims, by registered mail with acknowledgment of receipt.
3. Invoices shall be checked before the end of a period of 18 months following the end of the calendar half-year in which they were submitted. Any rejection of individual records of actual expenditure (E 125) shall be effected at the latest by the end of the said 18-month period.
4. Disputes shall be settled at the latest during the 30th month following the end of the calendar half-year in which the corresponding claims were submitted.

B. Refunds within the meaning of Articles 94 and 95 of Regulation (EEC) No 574/72

5. The institutions which have provided the benefits in kind referred to in Articles 94 and 95 of Regulation (EEC) No 574/72 shall present the individual records of monthly lump-sum payments (E 127) relating to a calendar year as soon as the list for the year has been compiled and, in any event, before the end of the half-year following the date on which the corresponding average costs for the year in question were published in the Official Journal.
6. The month to be taken into consideration as the month in which the list is presented shall be that during which the designated body referred to in Article 102 (2) of Regulation (EEC) No 574/72 receives the letter in which the list is presented, by registered mail with acknowledgment of receipt.
7. Lists shall be checked before the end of a period of 18 months following their presentation. Any rejection of E 127 records shall be effected at the latest during the 18th month following the month in which the relevant list was presented.
8. Disputes shall be settled at the latest during the 30th month following the end of the calendar half-year in which the corresponding claims were submitted.

This recommendation shall apply from 1 January 1997.

Chairman of the Administrative Commission

G. MICCIO
