

Official Journal

of the European Communities

ISSN 0378-6978

L 265

Volume 39

18 October 1996

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1989/96
of 17 October 1996
amending Regulation (EC) No 1928/96 on the supply of cereals as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Community,

For lots A and B, point 12 of the Annex to Regulation (EC) No 1928/96 is replaced by the following:

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,

‘12. **Stage of supply:** free at port of shipment⁽¹²⁾,
and the following note⁽¹²⁾ is added:

‘⁽¹²⁾ Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.’

Article 2

Whereas Commission Regulation (EC) No 1928/96⁽²⁾ issued an invitation to tender for the supply, as food aid, of cereals; whereas some of the conditions specified in the Annex to that Regulation should be altered,

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, 17 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 254, 8. 10. 1996, p. 25.

COMMISSION REGULATION (EC) No 1990/96

of 17 October 1996

amending Regulation (EEC) No 3536/91 setting the latest time of entry into storage for skimmed-milk powder sold under Regulation (EEC) No 3398/91

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 3536/91 ⁽³⁾, as last amended by Regulation (EC) No 995/95 ⁽⁴⁾, limited the quantity of skimmed-milk powder released for sale to that taken into storage before 1 June 1994;

Whereas, in view of the quantity still available and the market situation, that date should be amended to 1 April 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

The date of '1 June 1994' referred to in Article 1 of Regulation (EEC) No 3536/91 is hereby replaced by '1 April 1996'.

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, 17 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 335, 6. 12. 1991, p. 8.

⁽⁴⁾ OJ No L 101, 4. 5. 1995, p. 14.

COMMISSION REGULATION (EC) No 1991/96
of 17 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 18 October 1996.

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

Done at Brussels, 17 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 17 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
0702 00 40	204	58,7
	999	58,7
ex 0707 00 30	052	82,2
	999	82,2
0805 30 30	052	76,9
	388	66,9
	512	58,6
	524	75,7
	528	67,0
	999	69,0
0806 10 40	052	99,9
	400	162,2
	999	131,0
0808 10 92, 0808 10 94, 0808 10 98	052	62,8
	060	61,7
	064	62,9
	400	66,6
	404	73,6
	804	94,2
	999	70,3
0808 20 57	052	73,2
	064	74,6
	999	73,9

⁽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 1992/96**of 17 October 1996****determining the extent to which the applications for import licences submitted in October 1996 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 1600/95 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1600/95 of 30 June 1995 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1170/96⁽²⁾, and in particular Article 14 (4) thereof,

Whereas applications lodged for the products referred to in Annex II of Regulation (EC) No 1600/95 concern quantities greater than those available; whereas, therefore, the allocation factors should be fixed for the quantities applied for the period 1 October to 31 December 1996,

Article 1

Import licences applied for for products falling within the order numbers in Annex 7 to the CN listed in the Annex hereto, lodged under Regulation (EC) No 1600/95 for the period 1 October to 31 December 1996, shall be awarded in accordance with the allocation factors indicated.

Article 2

This Regulation shall enter into force on 18 October 1996.

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

Done at Brussels, 17 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 151, 1. 7. 1995, p. 12.

⁽²⁾ OJ No L 155, 28. 6. 1996, p. 10.

ANNEX

Order number in Annex 7 to the combined nomenclature	Allocation factor
36	0,0098
37	0,0058
39	0,0491
40	0,0177
41	0,0197
42	0,0207
44	0,0067
47	0,0061

COMMISSION REGULATION (EC) No 1993/96

of 17 October 1996

amending representative prices and additional duties for the import of certain products in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 1127/96 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1195/96 ⁽⁵⁾, as last amended by Regulation (EC) No 1942/96 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1996.

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

Done at Brussels, 17 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 150, 25. 6. 1996, p. 12.

⁽⁵⁾ OJ No L 161, 29. 6. 1996, p. 3.

⁽⁶⁾ OJ No L 255, 9. 10. 1996, p. 14.

ANNEX

to the Commission Regulation of 17 October 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	21,30	5,65
1701 11 90 ⁽¹⁾	21,30	11,04
1701 12 10 ⁽¹⁾	21,30	5,46
1701 12 90 ⁽¹⁾	21,30	10,52
1701 91 00 ⁽²⁾	26,28	12,09
1701 99 10 ⁽²⁾	26,28	7,57
1701 99 90 ⁽²⁾	26,28	7,57
1702 90 99 ⁽³⁾	0,26	0,39

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1994/96
of 17 October 1996
fixing the corrective amount applicable to the refund on cereals

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 (8) thereof,

Whereas Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

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

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

Whereas traditional trade flows exist between the Community and the ACP countries; whereas continuity of supplies to those countries must be ensured until the end of this marketing year; whereas that objective can be achieved by fixing a corrective amount to allow operators

to meet the conditions laid down in Article 9 of Commission Regulation (EC) No 1162/95⁽⁵⁾ of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice, as last amended by Regulation (EC) No 1527/96⁽⁶⁾;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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 it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1996.

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

Done at Brussels, 17 October 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 147, 30. 6. 1995, p. 7.
⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 117, 24. 5. 1995, p. 2.
⁽⁶⁾ OJ No L 190, 31. 7. 1996, p. 23.
⁽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 17 October 1996 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	0	+ 7,00	+ 7,00	+ 7,00 (2)	—	—
	02	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	01	0	0	0	0	0	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	—	—	—	—	—	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 11 000	—	—	—	—	—	—	—	—
1101 00 15 100	01	0	0	0	0	0	—	—
1101 00 15 130	01	0	0	0	0	0	—	—
1101 00 15 150	01	0	0	0	0	0	—	—
1101 00 15 170	01	0	0	0	0	0	—	—
1101 00 15 180	01	0	0	0	0	0	—	—
1101 00 15 190	—	—	—	—	—	—	—	—
1101 00 90 000	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	—	—
1103 11 10 400	—	—	—	—	—	—	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	0	0	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries,

02 Other third countries,

03 Mauritania, Mali, Niger, Senegal, Burkina Faso, Gambia, Guinea-Bissau, Guinea, Cape Verde, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Chad, Central African Republic, Benin, Cameroon, Equatorial Guinea, Sao Tomé and Príncipe, Gabon, Congo, Zaire, Rwanda, Burundi, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Seychelles, Comoros, Madagascar and Mauritius.

(2) The corrective amount ECU 7/t shall apply to exports effected from March to June 1997 under cover of licences issued in accordance with Article 9 of Regulation (EC) No 1162/95.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1995/96

of 17 October 1996

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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 (2) thereof,

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

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

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

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

Whereas it follows from applying the detailed rules set out above to the present situation on the market in

cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, 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⁽⁷⁾; 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 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 October 1996.

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

Done at Brussels, 17 October 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 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

**to the Commission Regulation of 17 October 1996 fixing the export refunds on cereals and on
wheat or rye flour, groats and meal**

(ECU/tonne)			(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
0709 90 60 000	—	—	1101 00 11 000	—	—
0712 90 19 000	—	—	1101 00 15 100	01	10,00
1001 10 00 200	—	—	1101 00 15 130	01	9,00
1001 10 00 400	—	—	1101 00 15 150	01	8,00
1001 90 91 000	—	—	1101 00 15 170	01	7,50
1001 90 99 000	03	12	1101 00 15 180	01	7,00
	02	0	1101 00 15 190	—	—
1002 00 00 000	01	0	1101 00 90 000	—	—
1003 00 10 000	—	—	1102 10 00 500	01	41,00
1003 00 90 000	01	0	1102 10 00 700	—	—
1004 00 00 200	—	—	1102 10 00 900	—	—
1004 00 00 400	—	—	1103 11 10 200	01	10,00 ⁽³⁾
1005 10 90 000	—	—	1103 11 10 400	—	— ⁽³⁾
1005 90 00 000	—	—	1103 11 10 900	—	—
1007 00 90 000	—	—	1103 11 90 200	01	10,00 ⁽³⁾
1008 20 00 000	—	—	1103 11 90 800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries,

02 Other third countries,

03 Mauritania, Mali, Niger, Senegal, Burkina Faso, Gambia, Guinea-Bissau, Guinea, Cape Verde, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Chad, Central African Republic, Benin, Cameroon, Equatorial Guinea, Sao Tomé and Príncipe, Gabon, Congo, Zaire, Rwanda, Burundi, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Seychelles, Comoros, Madagascar and Mauritius.

⁽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.

⁽³⁾ No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1996/96
of 17 October 1996
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

Article 2

This Regulation shall enter into force on 18 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. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 17 October 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 17 October 1996 fixing the export refunds on malt

(ECU/tonne)	
Product code	Refund (1)
1107 10 19 000	10,00
1107 10 99 000	35,00
1107 20 00 000	40,50

(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.

COMMISSION DIRECTIVE 96/65/EC
of 11 October 1996

adapting to technical progress for the fourth time Council Directive 88/379/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations and modifying Directive 91/442/EEC on dangerous preparations the packaging of which must be fitted with child-resistant fastenings

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Annex I to Directive 88/379/EEC is completed by a new paragraph 1.3. as in Annex I of this Directive.

Having regard to Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations⁽¹⁾, as last amended by Commission Directive 93/18/EEC⁽²⁾, and in particular Articles 6 and 15 thereof,

Article 2

Directive 91/442/EEC is modified as follows:

— Article 2 of Directive 91/442/EEC is replaced by the following Article:

'Article 2

Whereas Annex VI to Council Directive 67/548/EEC⁽³⁾, as last amended by Commission Directive 96/54/EC⁽⁴⁾, provides for new criteria and a new R phrase for 'Aspiration hazard' under the category of danger 'harmful', and in particular R phrase 65;

The provisions of Articles 1 and 2 of Directive 90/35/EEC and those of Article 1 of this Directive, with the exception of the preparations characterized in point (a) of the Annex, shall also apply to preparations offered or sold to the general public in the form of aerosols or in containers fitted with a sealed spray attachment.'

Whereas the provisions set out in Annex I to Directive 88/379/EEC, should therefore be supplemented;

— the Annex is replaced by Annex II to this Directive.

Article 3

Whereas the Annex to Commission Directive 91/442/EEC⁽⁵⁾ defines, in accordance with Article 6 of Directive 88/379/EEC, the characteristics of certain preparations which shall be fitted with child resistant fastenings; whereas these characteristics should be revised to correspond to the criteria for 'Aspiration hazard' of Annex VI to Directive 67/548/EEC.

1. The Member States shall bring into force the provisions necessary to comply with this Directive no later than 31 May 1998 and shall forthwith inform the Commission thereof.

Whereas the provisions of this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in Dangerous Substances and Preparations,

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

3. When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

⁽¹⁾ OJ No L 187, 16. 7. 1988, p. 14.

⁽²⁾ OJ No L 104, 29. 4. 1993, p. 46.

⁽³⁾ OJ No 196, 16. 8. 1967, p. 1.

⁽⁴⁾ OJ No L 248, 30. 9. 1996, p. 1.

⁽⁵⁾ OJ No L 238, 27. 8. 1991, p. 25.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 11 October 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX I

The following paragraph 1.3. is added to Annex I to Directive 88/379/EEC:

‘1.3. Preparations presenting an aspiration hazard

Preparations presenting an aspiration hazard (R 65) shall be classified and labelled according to criteria of paragraph 3.2.3 of Annex VI to Directive 67/548/EEC.

In applying the conventional method according to Article 3 (5) (c) (i) and (ii) of Directive 88/379/EEC, no account shall be taken of the classification of a substance as R 65.’

*ANNEX II**ANNEX*

Characteristics referred to in Article 1:

- (a) Preparations presenting an aspiration hazard (R 65) and classified and labelled according to paragraph 3.2.3. of Annex VI to Directive 67/548/EEC.
- (b) At least one of the substances mentioned below is present in a concentration equal to or greater than the maximum individual concentration specified.

	Identification of the substance		Concentration Limit
	CAS Reg No	Einecs No	
1	67-56-1	2006596	≥ 3 %
	Methanol		
2	75-09-2	2008389	≥ 1 %'
	Dichloromethane		

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 9 October 1996

amending Decision 95/506/EC authorizing Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards the Kingdom of the Netherlands

(Text with EEA relevance)

(96/599/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 96/14/EC⁽²⁾, and in particular Article 15 (3) thereof,

Whereas, where a Member State considers that there is an imminent danger of the introduction into its territory of *Pseudomonas solanacearum* (Smith) Smith, the cause of potato brown rot, from another Member State, it may temporarily take any additional measures which it deems necessary, as long as the Commission has not adopted such measures;

Whereas the Kingdom of the Netherlands informed the other Member States and the Commission on 3 October 1995 that some samples of potatoes originating in that country were identified as infected by *Pseudomonas solanacearum*; whereas complementary reports supplied by the Netherlands indicated that more samples of the 1995 potato production including seed potatoes, showed a confirmed infection by *Pseudomonas solanacearum*;

whereas therefore the Commission adopted Decision 95/506/EC⁽³⁾ authorizing Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards the Kingdom of the Netherlands;

Whereas, from information supplied to the Commission by the Netherlands and other Member States, the implementation of such measures during 1996 appears to have provided the necessary safeguards to prevent the spread of *Pseudomonas solanacearum*;

Whereas however, inspite of intensive investigations during 1996, it has not yet been possible to identify the source of contamination nor to determine the extent thereof in the Netherlands and whereas also discussions are still ongoing in order to establish a Community control regime on *Pseudomonas solanacearum*, it is still justified to adopt additional measures to protect other Member States against the dissemination of *Pseudomonas solanacearum* as regards the Kingdom of the Netherlands; whereas accordingly Decision 95/506/EC should be extended by a further limited time period;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.

⁽³⁾ OJ No L 291, 6. 12. 1995, p. 48.

HAS ADOPTED THIS DECISION:

Article 1

Decision 95/506/EC is hereby amended as follows:

1. in Article 1 (1), the words 'potatoes of the 1995 crop, until 30 June 1996 for seed potatoes and until 30 September 1996 for other potatoes' shall be replaced by the words 'potatoes of the 1996 crop, until 30 June 1997 for seed potatoes and until 30 September 1997 for other potatoes';
2. in Article 3 (1), last subparagraph, the reference to '1 May 1996' shall be replaced by '1 May 1997';

3. in Article 3, paragraph 3, the references to '15 December 1995' and '1994 and 1995' shall be replaced by '15 December 1996' and '1996', respectively.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 9 October 1996

authorizing France to pay the processing premium provided for in Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, for animals withdrawn from production before exceeding the age of 20 days

(Only the French text is authentic)

(Text with EEA relevance)

(96/600/EC)

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 4i (4) thereof,

Whereas, pursuant to Article 4i (1) of Regulation (EEC) No 805/68, the processing premium applies to animals withdrawn from production before passing the age of 10 days; whereas, however, pursuant to paragraph 4 of that provision, the Commission may authorize a Member State to pay the premium for animals withdrawn before exceeding the age of 20 days, on the basis of a duly substantiated request setting out appropriate control measures; France has submitted a request accompanied by a programme of control measures intended to prevent any abuse and to ensure in particular that these animals are excluded from human consumption; whereas, therefore, the authorization requested should be granted;

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 DECISION:

Article 1

France is hereby authorized to grant the processing premium provided for in Article 4i of Regulation (EEC) No 805/68 for animals withdrawn from production before exceeding the age of 20 days.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 9 October 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.