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## Legislation

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<sup>(1)</sup> Text with EEA relevance

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 1997/96**  
**of 14 October 1996**  
**amending Regulation (EEC) No 805/68 on the common organization of the**  
**market in beef and veal**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas the market in beef and veal has been seriously disturbed, mainly as a result of consumer fears concerning bovine spongiform encephalopathy (BSE); whereas this situation has led to a sudden, continuing deterioration on the market, entailing a sharp fall in consumption, a collapse in prices paid to producers and public intervention buying-in; whereas forecasts show that, despite the battery of measures adopted by the Community in this area, consumption is unlikely to return to previous levels in the near future; whereas measures should therefore be taken to restore balance on the market while safeguarding the operational practicability of the support arrangements for the beef industry;

Whereas there is likely to be an overrun in the ceiling fixed in Article 6 (1) of Regulation (EEC) No 805/68<sup>(2)</sup> for 1996 as a result of the quantities which had have to be bought in since the onset of the BSE crisis; whereas, in order to prevent the application of the ceiling from triggering the 'safety-net' arrangements provided for in Article 6 (4) of that Regulation, the ceiling should be raised to a level corresponding to the market constraints pending the adoption of more wide-ranging measures;

Whereas this Regulation applies solely to those aspects of the Commission proposal requiring an urgent decision, notably an increase in the maximum quantity needed to be bought in by intervention agencies until mid-November 1996; whereas the Council will act later on the proposal's other features, including the possibility of other increases in the maximum quantity in question;

Whereas the temporary buying-in of light animals can also help to restore sound conditions on the market for beef and veal; whereas, to that end, special intervention arrangements should be introduced until the last tender

of 1996 as provided in Commission Regulation (EEC) No 2456/93<sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 805/68 is hereby amended as follows:

1. the second subparagraph of Article 6 (1) shall be replaced by the following:

'Such buying-in may not cover more than the following quantities, per year and for the Community as a whole:

- 460 000 tonnes for 1996,
- 350 000 tonnes as from 1997.'

2. Article 6a shall be replaced by the following:

*'Article 6b*

1. Notwithstanding Article 5 (2), where the market situation so requires, the purchasing by the intervention agencies, in one or more Member States or in a region of a Member State, of certain kinds of fresh or chilled meat of lean male bovine animals originating in the Community may be decided by the tender procedure until the last tender of 1996 as provided in Commission Regulation (EEC) No 2456/93.

2. The quantities of meat bought in pursuant to paragraph 1 shall be taken into account for the purposes of applying the ceilings on buying-in provided for in Article 6 (1).

3. The Commission shall adopt detailed rules for the application of this Article in accordance with the procedure laid down in Article 27.'

*Article 2*

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

<sup>(1)</sup> Opinion delivered on 20 September 1996 (not yet published in the Official Journal).

<sup>(2)</sup> OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 1588/96 (OJ No L 206, 16. 8. 1996, p. 23).

<sup>(3)</sup> OJ No L 225, 4. 9. 1993, p. 4. Regulation as last amended by Regulation (EC) No 1318/96 (OJ No L 170, 9. 7. 1996, p. 26).

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

Done at Luxembourg, 14 October 1996.

*For the Council*

*The President*

S. BARRETT

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## COMMISSION REGULATION (EC) No 1998/96

of 18 October 1996

**amending Regulation (EC) No 1558/96 laying down certain transitional measures relating to the entry prices for imports of certain fruit and vegetables originating in the associated countries of Central Europe**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations<sup>(1)</sup>, as last amended by Regulation (EC) No 1193/96<sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EC) No 1558/96<sup>(3)</sup>, as amended by Regulation (EC) No 1898/96<sup>(4)</sup>, fixes reduced entry prices, as a transitional measure, for pears and plums for processing, imported from the associated countries of Central Europe; whereas the reduction applies to plums and pears used for the manufacture of products listed in Article 1 (1) of Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables<sup>(5)</sup>, as last amended by Commission Regulation (EC) No 2314/95<sup>(6)</sup>; whereas the reduction should be extended to the fruit concerned imported for the production of alcoholic drinks;

Whereas the Management Committee for fresh Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 3 of Regulation (EC) No 1558/96 is hereby replaced by the following:

*Article 3*

The products listed in the Annex and used for the manufacture of any of the products listed in Article 1 (1) of Council Regulation (EEC) No 426/86<sup>(1)</sup> and of any products falling within tariff headings 2206 and 2208 shall be considered as intended for processing for the purposes of Article 1 (1).'

*Article 2*

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

However, on request from the parties concerned, the competent authorities shall apply Article 1 from 4 August 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 161, 29. 6. 1996, p. 1.

<sup>(3)</sup> OJ No L 193, 3. 8. 1996, p. 10.

<sup>(4)</sup> OJ No L 250, 2. 10. 1996, p. 4.

<sup>(5)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(6)</sup> OJ No L 233, 30. 9. 1995, p. 69.

**COMMISSION REGULATION (EC) No 1999/96  
of 18 October 1996**

**amending Regulation (EC) No 109/96 on arrangements for the import of grape  
juice and must from third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 1592/96 <sup>(2)</sup>, and in particular Articles 53(3) and 75 thereof,

Whereas the application of Commission Regulation (EC) No 109/96 <sup>(3)</sup> has given rise to difficulties with the calculation of the exact date of validity of import licences because of the period of reflection before the actual issue of licences; whereas, in order to solve those difficulties, the beginning of the period of validity of all licences issued under the Regulation should be specified; whereas that provision should apply from the date of entry into force of Regulation (EC) No 109/96 in order to maintain the legitimate confidence of all those involved;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 109/96 is hereby amended as follows:

— in Article 3(2), the words 'with the exception of Article 6' are replaced by 'with the exception of Articles 3 and 6',

— in Article 4, the following paragraph 6 is added:

'6. Notwithstanding Article 3 of Regulation (EEC) No 3388/81 and pursuant to Article 21(2) of Regulation (EEC) No 3719/88, the licence shall be valid from the date of its actual issue until the end of the fourth month following.'

*Article 2*

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

It shall apply from 29 January until 31 August 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 31.

<sup>(3)</sup> OJ No L 19, 25. 1. 1996, p. 16.

## COMMISSION REGULATION (EC) No 2000/96

of 18 October 1996

providing for the grant of compensation to producers' organizations in respect of tuna delivered to the processing industry during the period 1 July to 30 September 1995

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products<sup>(1)</sup>, as last amended by Regulation (EC) No 3318/94<sup>(2)</sup>, and in particular Article 18 (6) thereof,

Whereas the compensation referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the processing industry during the calendar quarter for which prices were recorded, where both the average quarterly selling price recorded on the Community market and the free-at-frontier price plus any applicable countervailing charge are lower than 91 % of the Community producer price for the product in question;

Whereas examination of the situation of the Community market has shown that for bigeye tuna and skipjack, for the period 1 July to 30 September 1995, both the average quarterly selling price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 91 % of the Community producer price in force as laid down in Council Regulation (EC) No 3138/94 of 15 December 1994 fixing the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604 for the 1995 fishing year<sup>(3)</sup>;

Whereas the quantities eligible for compensation, within the meaning of Article 18 (1) of Regulation (EEC) No 3759/92, may not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 3 of that Article;

Whereas during the quarter concerned the quantities sold and delivered to the processing industry established in Community customs territory were higher for skipjack than the quantities sold and delivered during the same quarter of the three previous fishing years; whereas since these quantities exceed the limit set by the second indent

of Article 18 (3) of Regulation (EEC) No 3759/92, the total quantities of this product eligible for compensation should therefore be limited;

Whereas the compensation granted to each producers' organization in accordance with Article 18 (4) of Regulation (EEC) No 3759/92 is to be graded; whereas the quantities eligible per grade are to be allocated between the producers' organizations concerned in proportion to their respective outputs during the same quarter of the 1992 to 1994 fishing years;

Whereas the grant of compensation for the products in question should therefore be decided for the period 1 July to 30 September 1995;

Whereas the operative event giving entitlement to compensation and the date thereof should be specified for the calculation of payments;

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

HAS ADOPTED THIS REGULATION:

## Article 1

The compensatory allowance referred to in Article 18 of Regulation (EEC) No 3759/92 shall be granted for the period 1 July to 30 September 1995 in respect of the following products:

| <i>(Ecus per tonne)</i> |                                                                                                              |
|-------------------------|--------------------------------------------------------------------------------------------------------------|
| Product                 | Maximum allowance (application of first and second indents of Article 18 (2) of Regulation (EEC) No 3759/92) |
| Bigeye tuna             | 50                                                                                                           |
| Skipjack                | 60                                                                                                           |

## Article 2

1. The total quantities on which the allowance may be granted for these species are:

|                |                    |
|----------------|--------------------|
| — bigeye tuna: | 2 123,542 tonnes,  |
| — skipjack:    | 14 182,333 tonnes. |

<sup>(1)</sup> OJ No L 388, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 350, 31. 12. 1994, p. 15.

<sup>(3)</sup> OJ No L 332, 22. 12. 1994, p. 9.

2. The allocation of these total quantities among the producers' organizations concerned is specified in the Annex hereto.

*Article 3*

The operations to be taken into account to determine entitlement to the compensatory allowance shall be sales for which the invoices are dated within the quarter

concerned and which have been used to calculate the average monthly selling price referred to in Article 7 (1) (b) of Commission Regulation (EEC) No 2210/93 <sup>(1)</sup>.

*Article 4*

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, 18 October 1996.

*For the Commission*

Emma BONINO

*Member of the Commission*

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<sup>(1)</sup> OJ No L 197, 6. 8. 1993, p. 8.

## ANNEX

**Allocation among producers' organizations of the quantities of tuna which may qualify for compensation for the period 1 July to 30 September 1995 in accordance with Article 18 (4) of Regulation (EEC) No 3759/92, with quantities per compensation percentage band**

(in tonnes)

| Bigeye tuna  | Quantities eligible for 100 % compensation (1st indent of Article 18 (4)) | Quantities eligible for 50 % compensation (2nd indent of Article 18 (4)) | Total eligible quantities (1st and 2nd indents of Article 18 (4)) |
|--------------|---------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------|
| OPAGAC       | 514,801                                                                   | 0,000                                                                    | 514,801                                                           |
| OPTUC        | 324,977                                                                   | 0,000                                                                    | 324,977                                                           |
| OP 42 (CAN.) | 20,700                                                                    | 0,000                                                                    | 20,700                                                            |
| ORTHONGEL    | 30,884                                                                    | 0,000                                                                    | 30,884                                                            |
| APASA        | 725,480                                                                   | 0,000                                                                    | 725,480                                                           |
| MADEIRA      | 251,907                                                                   | 254,793                                                                  | 506,700                                                           |
| EU — Total   | 1 868,749                                                                 | 254,793                                                                  | 2 123,542                                                         |

(in tonnes)

| Skipjack     | Quantities eligible for 100 % compensation (1st indent of Article 18 (4)) | Quantities eligible for 50 % compensation (2nd indent of Article 18 (4)) | Total eligible quantities (1st and 2nd indents of Article 18 (4)) |
|--------------|---------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------|
| OPAGAC       | 4 722,694                                                                 | 985,292                                                                  | 5 707,986                                                         |
| OPTUC        | 5 015,087                                                                 | 1 046,293                                                                | 6 061,380                                                         |
| OP 42 (CAN.) | 27,629                                                                    | 5,764                                                                    | 33,394                                                            |
| ORTHONGEL    | 22,186                                                                    | 0,000                                                                    | 22,186                                                            |
| APASA        | 278,030                                                                   | 0,000                                                                    | 278,030                                                           |
| MADEIRA      | 1 720,427                                                                 | 358,931                                                                  | 2 079,358                                                         |
| EU — Total   | 11 786,053                                                                | 2 396,280                                                                | 14 182,333                                                        |

**COMMISSION REGULATION (EC) No 2001/96  
of 18 October 1996**

**fixing the amount by which the import duties on rice from the Arab Republic of  
Egypt must be reduced**

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 <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector <sup>(2)</sup>, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt <sup>(3)</sup>, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the import duties calculated in accordance with Article 11 of Regulation (EEC) No 3072/95 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the import duties applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules

for the application of Regulation (EEC) No 2412/73 <sup>(4)</sup>, as last amended by Regulation (EC) No 1373/96 <sup>(5)</sup>, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the import duties to be taken into consideration are therefore those applicable during July, August and September 1996,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the import duties on rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as set out in the Annex.

*Article 2*

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

It shall apply from 1 November 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No L 189, 30. 7. 1996, p. 71.

<sup>(3)</sup> OJ No L 146, 14. 6. 1977, p. 9.

<sup>(4)</sup> OJ No L 302, 31. 10. 1973, p. 1.

<sup>(5)</sup> OJ No L 178, 17. 7. 1996, p. 5.

## ANNEX

to the Commission Regulation of 18 October 1996 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

*(ECU/tonne)*

| CN code    | Amounts to be deducted |
|------------|------------------------|
| 1006 10 21 | 72,50                  |
| 1006 10 23 | 72,50                  |
| 1006 10 25 | 72,50                  |
| 1006 10 27 | 72,50                  |
| 1006 10 92 | 72,50                  |
| 1006 10 94 | 72,50                  |
| 1006 10 96 | 72,50                  |
| 1006 10 98 | 72,50                  |
| 1006 20 11 | 76,19                  |
| 1006 20 13 | 76,19                  |
| 1006 20 15 | 76,19                  |
| 1006 20 17 | 81,20                  |
| 1006 20 92 | 76,19                  |
| 1006 20 94 | 76,19                  |
| 1006 20 96 | 76,19                  |
| 1006 20 98 | 81,20                  |
| 1006 30 21 | 140,80                 |
| 1006 30 23 | 140,80                 |
| 1006 30 25 | 140,80                 |
| 1006 30 27 | 143,00                 |
| 1006 30 42 | 140,80                 |
| 1006 30 44 | 140,80                 |
| 1006 30 46 | 140,80                 |
| 1006 30 48 | 143,00                 |
| 1006 30 61 | 140,80                 |
| 1006 30 63 | 140,80                 |
| 1006 30 65 | 140,80                 |
| 1006 30 67 | 143,00                 |
| 1006 30 92 | 140,80                 |
| 1006 30 94 | 140,80                 |
| 1006 30 96 | 140,80                 |
| 1006 30 98 | 143,00                 |
| 1006 40 00 | 44,00                  |

**COMMISSION REGULATION (EC) No 2002/96**  
**of 18 October 1996**  
**opening intervention in accordance with Article 6 (4) of Council Regulation**  
**(EEC) No 805/68**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1588/96 <sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Article 6 (4) of Regulation (EEC) No 805/68 provides that intervention must be opened in a Member State or region of a Member State if for two consecutive weeks the average Community market price of young uncastrated male animals less than two years old or castrated male animals, recorded on the basis of the Community grading scale is less than 78 % of the intervention price and the average market price in the Member State concerned, calculated on the same basis, is less than 60 % of the intervention price;

Whereas where the conditions are met, all offers to sell into intervention must be accepted in the Member State or region of the Member State concerned for those products referred to in Article 4 of 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1931/96 <sup>(4)</sup>;

Whereas the conditions referred to above are met in relation to young uncastrated male animals less than two years old in Great Britain and in Northern Ireland,

HAS ADOPTED THIS REGULATION:

*Article 1*

Intervention, as referred to in Article 6 (4) of Regulation (EEC) No 805/68, is opened in the Member States and regions of the Member States listed in the Annex to this Regulation for the categories and qualities referred to therein.

*Article 2*

This Regulation shall enter into force on 21 October 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.  
<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 23.

<sup>(3)</sup> OJ No L 225, 4. 9. 1993, p. 4.  
<sup>(4)</sup> OJ No L 254, 8. 10. 1996, p. 35.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —  
BIJLAGE — ANEXO — LIITE — BILAGA*

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1

Member States or regions of a Member State and quality groups referred to in Article 1

États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup>

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1

In artikel 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no artigo 1<sup>o</sup>

Jäsenvaltiot tai alueet ja 1 artiklassa tarkoitettut laaturyhmitt

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1

|                                                   |             |             |   |   |   |   |
|---------------------------------------------------|-------------|-------------|---|---|---|---|
| Estados miembros o regiones de Estados miembros   | Categoría A | Categoría C |   |   |   |   |
| Medlemsstat eller region                          | Kategori A  | Kategori C  |   |   |   |   |
| Mitgliedstaaten oder Gebiete eines Mitgliedstaats | Kategorie A | Kategorie C |   |   |   |   |
| Κράτος μέλος ή περιοχές κράτους μέλους            | Κατηγορία Α | Κατηγορία Γ |   |   |   |   |
| Member States or regions of a Member State        | Category A  | Category C  |   |   |   |   |
| États membres ou régions d'États membres          | Catégorie A | Catégorie C |   |   |   |   |
| Stati membri o regioni di Stati membri            | Categoria A | Categoria C |   |   |   |   |
| Lid-Staat of gebied van een Lid-Staat             | Categorie A | Categorie C |   |   |   |   |
| Estados-membros ou regiões de Estados-membros     | Categoria A | Categoria C |   |   |   |   |
| Jäsenvaltiot tai alueet                           | Luokka A    | Luokka C    |   |   |   |   |
| Medlemsstater eller regioner                      | Kategori A  | Kategori C  |   |   |   |   |
|                                                   | U           | R           | O | U | R | O |
| Northern Ireland                                  | ×           | ×           | × |   |   |   |
| Great Britain                                     | ×           | ×           | × |   |   |   |

**COMMISSION REGULATION (EC) No 2003/96****of 18 October 1996****amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1588/96<sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender<sup>(3)</sup>, as last amended by Regulation (EC) No 1921/96<sup>(4)</sup>, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying in of the quantities necessary to ensure reasonable support for the market result, on the

basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 October 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 23.

<sup>(3)</sup> OJ No L 159, 10. 6. 1989, p. 36.

<sup>(4)</sup> OJ No L 253, 5. 10. 1996, p. 2.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —  
BIJLAGE — ANEXO — LIITE — BILAGA*

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1 i forordning (EØF) nr. 1627/89

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup> paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde Lid-Statens of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n° 1 do artigo 1º do Regulamento (CEE) n° 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmät

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

|                                                   |             |   |   |   |   |             |   |   |
|---------------------------------------------------|-------------|---|---|---|---|-------------|---|---|
| Estados miembros o regiones de Estados miembros   | Categoría A |   |   |   |   | Categoría C |   |   |
| Medlemsstat eller region                          | Kategori A  |   |   |   |   | Kategori C  |   |   |
| Mitgliedstaaten oder Gebiete eines Mitgliedstaats | Kategorie A |   |   |   |   | Kategorie C |   |   |
| Κράτος μέλος ή περιοχές κρατών μελών              | Κατηγορία Α |   |   |   |   | Κατηγορία Γ |   |   |
| Member States or regions of a Member State        | Category A  |   |   |   |   | Category C  |   |   |
| États membres ou régions d'États membres          | Catégorie A |   |   |   |   | Catégorie C |   |   |
| Stati membri o regioni di Stati membri            | Categoria A |   |   |   |   | Categoria C |   |   |
| Lid-Staat of gebied van een Lid-Staat             | Categorie A |   |   |   |   | Categorie C |   |   |
| Estados-membros ou regiões de Estados-membros     | Categoria A |   |   |   |   | Categoria C |   |   |
| Jäsenvaltiot tai alueet                           | Luokka A    |   |   |   |   | Luokka C    |   |   |
| Medlemsstater eller regioner                      | Kategori A  |   |   |   |   | Kategori C  |   |   |
|                                                   | S           | E | U | R | O | U           | R | O |
| België/Belgique                                   | ×           | × | × | × | × |             |   |   |
| Danmark                                           |             |   |   | × | × |             | × | × |
| Deutschland                                       |             |   | × | × | × |             | × | × |
| España                                            |             |   | × | × |   |             |   |   |
| France                                            |             |   | × | × | × |             | × | × |
| Ireland                                           |             |   |   |   |   | ×           | × | × |
| Italia                                            |             |   |   | × | × |             |   |   |
| Nederland                                         |             |   |   | × | × |             |   |   |
| Österreich                                        |             |   | × | × | × |             | × | × |
| Portugal                                          |             |   | × | × | × |             |   |   |
| Suomi                                             |             |   |   | × | × |             |   |   |
| Sweden                                            |             |   |   | × | × |             |   |   |
| Great Britain                                     |             |   |   |   |   | ×           | × | × |
| Northern Ireland                                  |             |   |   |   |   | ×           | × | × |

**COMMISSION REGULATION (EC) No 2004/96  
of 18 October 1996**

**laying down to what extent applications for issue of export licences submitted  
during October 1996 for beef and veal products which may benefit from special  
import treatment in a third country may be accepted**

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

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 <sup>(1)</sup>, as last amended by Regulation (EC) No 2856/95 <sup>(2)</sup>, and in particular Article 12 (8) thereof,

Whereas Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3434/87 <sup>(4)</sup>;

Whereas Commission Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the fourth quarter of 1996;

Whereas the quantities for which licence applications have been lodged for the fourth quarter of 1996 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

*Article 1*

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the fourth quarter of 1996 shall be met in full.

*Article 2*

This Regulation shall enter into force on 21 October 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 143, 27. 6. 1995, p. 35.

<sup>(2)</sup> OJ No L 299, 12. 12. 1995, p. 10.

<sup>(3)</sup> OJ No L 336, 29. 12. 1979, p. 44.

<sup>(4)</sup> OJ No L 327, 18. 11. 1987, p. 7.

## COMMISSION REGULATION (EC) No 2005/96

of 18 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<sup>(1)</sup>, as last amended by Regulation (EC) No 1890/96<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, 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 19 October 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.<sup>(2)</sup> OJ No L 249, 1. 10. 1996, p. 29.<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 18 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 <sup>(1)</sup> | 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                               | 67,6                  |
|                                    | 388                               | 66,4                  |
|                                    | 512                               | 58,7                  |
|                                    | 524                               | 73,9                  |
|                                    | 528                               | 65,5                  |
|                                    | 999                               | 66,4                  |
|                                    | 999                               | 156,7                 |
| 0806 10 40                         | 052                               | 104,8                 |
|                                    | 400                               | 208,5                 |
|                                    | 999                               | 156,7                 |
| 0808 10 92, 0808 10 94, 0808 10 98 | 052                               | 62,8                  |
|                                    | 060                               | 58,0                  |
|                                    | 064                               | 45,4                  |
|                                    | 400                               | 80,9                  |
|                                    | 404                               | 73,6                  |
|                                    | 804                               | 94,2                  |
|                                    | 999                               | 69,1                  |
| 0808 20 57                         | 052                               | 74,0                  |
|                                    | 064                               | 84,5                  |
|                                    | 999                               | 79,3                  |

<sup>(1)</sup> 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 2006/96**  
**of 18 October 1996**  
**fixing the agricultural conversion rates**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 1955/96 <sup>(3)</sup>;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas the representative market rates are determined on the basis of basic reference periods or, where applicable, confirmation periods, established in accordance with Article 2 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates <sup>(4)</sup>, as last amended by Regulation (EC) No 1482/96 <sup>(5)</sup>; whereas paragraph 2 of that Article provides that, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated from the average of the ecu rates for three consecutive quotation days, exceeds six points, the representative market rates are to be adjusted on the basis of the three quotation days in question;

Whereas, as a consequence of the exchange rates recorded from 11 to 20 October 1996, it is necessary to fix a new agricultural conversion rate for the Austrian schilling, the Dutch guilder, the German mark and the Belgian franc;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

*Article 1*

The agricultural conversion rates are fixed in Annex I hereto.

*Article 2*

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

*Article 3*

Regulation (EC) No 1955/96 is hereby repealed.

*Article 4*

This Regulation shall enter into force on 21 October 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(3)</sup> OJ No L 258, 11. 10. 1996, p. 17.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(5)</sup> OJ No L 188, 27. 7. 1996, p. 22.

## ANNEX I

## Agricultural conversion rates

|         |          |                                  |
|---------|----------|----------------------------------|
| ECU 1 = | 39,6374  | Belgian and<br>Luxembourg francs |
|         | 7,49997  | Danish kroner                    |
|         | 1,92391  | German marks                     |
|         | 311,761  | Greek drachmas                   |
|         | 198,202  | Portuguese escudos               |
|         | 6,61023  | French francs                    |
|         | 6,02811  | Finnish marks                    |
|         | 2,15840  | Dutch guilders                   |
|         | 0,829498 | Irish punt                       |
|         | 1 973,93 | Italian lire                     |
|         | 13,5355  | Austrian schillings              |
|         | 165,198  | Spanish pesetas                  |
|         | 8,64446  | Swedish kroner                   |
|         | 0,833821 | Pound sterling                   |

## ANNEX II

## Agricultural conversion rates fixed in advance and adjusted

| Table A |          |                                  | Table B |          |                                  |
|---------|----------|----------------------------------|---------|----------|----------------------------------|
| ECU 1 = | 38,1129  | Belgian and<br>Luxembourg francs | ECU 1 = | 41,2890  | Belgian and<br>Luxembourg francs |
|         | 7,21151  | Danish kroner                    |         | 7,81247  | Danish kroner                    |
|         | 1,84991  | German marks                     |         | 2,00407  | German marks                     |
|         | 299,770  | Greek drachmas                   |         | 324,751  | Greek drachmas                   |
|         | 190,579  | Portuguese escudos               |         | 206,460  | Portuguese escudos               |
|         | 6,35599  | French francs                    |         | 6,88566  | French francs                    |
|         | 5,79626  | Finnish marks                    |         | 6,27928  | Finnish marks                    |
|         | 2,07538  | Dutch guilders                   |         | 2,24833  | Dutch guilders                   |
|         | 0,797594 | Irish punt                       |         | 0,864060 | Irish punt                       |
|         | 1 898,01 | Italian lire                     |         | 2 056,18 | Italian lire                     |
|         | 13,0149  | Austrian schillings              |         | 14,0995  | Austrian schillings              |
|         | 158,844  | Spanish pesetas                  |         | 172,081  | Spanish pesetas                  |
|         | 8,31198  | Swedish kroner                   |         | 9,00465  | Swedish kroner                   |
|         | 0,801751 | Pound sterling                   |         | 0,868564 | Pound sterling                   |

**COMMISSION REGULATION (EC) No 2007/96**  
**of 18 October 1996**  
**fixing the export refunds on olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96 <sup>(2)</sup>, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2962/77 <sup>(4)</sup>;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(5)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(6)</sup>, 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 <sup>(7)</sup>, as last amended by Regulation (EC) No 1482/96 <sup>(8)</sup>;

Whereas Council Regulation (EEC) No 990/93 <sup>(9)</sup>, as amended by Regulation (EC) No 1380/95 <sup>(10)</sup>, 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 <sup>(11)</sup>; whereas account should be taken of this fact when fixing the refunds;

Whereas the Management Committee for Oils and Fats 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 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 19 October 1996.

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 78, 31. 3. 1972, p. 1.

<sup>(4)</sup> OJ No L 348, 30. 12. 1977, p. 53.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(7)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ No L 188, 27. 7. 1996, p. 22.

<sup>(9)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(10)</sup> OJ No L 138, 21. 6. 1995, p. 1.

<sup>(11)</sup> 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, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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*ANNEX*

**to the Commission Regulation of 18 October 1996 fixing the export refunds on olive oil**

| <i>(ECU/100 kg)</i> |                                                |
|---------------------|------------------------------------------------|
| Product code        | Amount of refund <sup>(1)</sup> <sup>(2)</sup> |
| 1509 10 90 100      | 30,50                                          |
| 1509 10 90 900      | 0,00                                           |
| 1509 90 00 100      | 37,00                                          |
| 1509 90 00 900      | 0,00                                           |
| 1510 00 90 100      | 2,50                                           |
| 1510 00 90 900      | 0,00                                           |

<sup>(1)</sup> For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

<sup>(2)</sup> 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.

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**NB:** The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

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**COMMISSION REGULATION (EC) No 2008/96  
of 18 October 1996**

**fixing the maximum export refunds for olive oil for the 21st partial invitation to  
tender under the standing invitation to tender issued by Regulation (EC) No  
2544/95**

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96 <sup>(2)</sup>, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2544/95 <sup>(3)</sup> issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93 <sup>(4)</sup>, as amended by Regulation (EC) No 1380/95 <sup>(5)</sup>, 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 <sup>(6)</sup>; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EC) No 2544/95 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refunds for olive oil for the 21st partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 October 1996.

*Article 2*

This Regulation shall enter into force on 19 October 1996.

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

Done at Brussels, 18 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 260, 31. 10. 1995, p. 38.

<sup>(4)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(5)</sup> OJ No L 138, 21. 6. 1995, p. 1.

<sup>(6)</sup> OJ No L 65, 15. 3. 1996, p. 1.

## ANNEX

to the Commission Regulation of 18 October 1996 fixing the maximum export refunds for olive oil for the 21st partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95

*(ECU/100 kg)*

| Product code   | Amount of refund <sup>(1)</sup> |
|----------------|---------------------------------|
| 1509 10 90 100 | 34,50                           |
| 1509 10 90 900 | —                               |
| 1509 90 00 100 | 40,50                           |
| 1509 90 00 900 | —                               |
| 1510 00 90 100 | 5,00                            |
| 1510 00 90 900 | —                               |

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

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

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## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 4 October 1996

**establishing the list of products belonging to Classes A 'No contribution to fire' provided for in Decision 94/611/EC implementing Article 20 of Council Directive 89/106/EEC on construction products**

(Text with EEA relevance)

(96/603/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products <sup>(1)</sup>, as amended by Directive 93/68/EEC <sup>(2)</sup>,

Having regard to Commission Decision 94/611/EC of 9 September 1994 implementing Article 20 of Council Directive 89/106/EEC on construction products <sup>(3)</sup>, and in particular Article 1 (1) thereof,

Whereas Article 3 (2) of Directive 89/106/EEC states that in order to take account of different levels of protection for the construction works that may prevail at national, regional or local levels, each essential requirement may give rise to the establishment of classes in the interpretative documents and the technical specifications;

Whereas point 4.2.1 of Interpretative Document No 2 'Safety in case of fire', contained in the Communication of the Commission with regard to the interpretative documents of Council Directive 89/106/EEC <sup>(4)</sup>, justifies the need for different levels of the Essential Requirement as a

function of the type, use and location of the construction work, its layout, and the availability of the emergency facilities;

Whereas point 2.2 of Interpretative Document No 2 lists a number of interrelated measures for the satisfaction of the Essential Requirement 'Safety in case of fire' which, together, contribute to the definition of a fire-safety strategy that can be developed in different ways in Member States;

Whereas point 4.2.3.3 of Interpretative Document No 2 identifies one of the measures prevailing in Member States that consists in limiting the generation and spread of fire and smoke within the room of origin (or in a given area) by limiting the contribution of construction products to the full development of a fire;

Whereas the definition of classes of the Essential Requirement depends partially on the level of such limitation;

Whereas the level of limitation may be expressed only by different levels of product performance, in the products end-use conditions, in reaction to fire;

Whereas point 4.3.1.1 of Interpretative Document No 2 specifies that to enable the reaction-to-fire performance of products to be evaluated, a harmonized solution will be developed which may utilize full or bench-scale tests that are correlated to relevant real fire scenarios;

Whereas this solution lies in a system of classes which are not included in the interpretative document but which were adopted in Decision 94/611/EC;

<sup>(1)</sup> OJ No L 40, 11. 2. 1989, p. 12.

<sup>(2)</sup> OJ No L 220, 30. 8. 1993, p. 1.

<sup>(3)</sup> OJ No L 241, 16. 9. 1994, p. 25.

<sup>(4)</sup> OJ No C 62, 28. 2. 1994, p. 1.

Whereas in the system of classes contained in Decision 94/611/EC, the category 'No contribution to fire' was established with a view to covering products which do not need to be tested for their reaction to fire and which are referred to as Classes A in Tables 1 and 2 and, additionally, in Table 1 as 'list of non-combustible products';

Whereas Article 20 (2) of Directive 89/106/EEC indicates the procedure to be followed for the adoption of the provisions necessary for the establishment of classes of requirements in so far as they are not included in the interpretative documents;

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

HAS ADOPTED THIS DECISION:

*Article 1*

The materials, and products made from them, that are listed in the Annex to this Decision, shall, on account of

their low level of combustibility and subject to the conditions also set out in the Annex, be classified in Classes A ('No contribution to fire') as provided for in Tables 1 and 2 of the Annex to Decision 94/611/EC.

For the purpose of this classification, no reaction-to-fire testing of those materials and products made from them shall be required.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4 October 1996.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

## ANNEX

**Materials to be considered as reaction to fire Classes A provided for in Decision 94/611/EC without the need for testing***General notes*

Products should be made only from one or more of the following materials if they are to be considered as Classes A without testing. Products made by gluing one or more of the following materials together will be considered Classes A without testing provided that the glue does not exceed 0,1 % by weight or volume (whichever is the lower).

Panel products (e.g. of insulating material) with one or more organic layers, or products containing organic material which is not homogeneously distributed (with the exception of glue) are excluded from the list.

Products made by coating one of the following materials with an inorganic layer (e.g. coated metal products) may also be considered as Classes A without testing.

None of the materials in the table is allowed to contain more than 1,0 % by weight or volume (whichever is the lower) of homogeneously distributed organic material.

| Material                                                                                             | Notes                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Expanded clay                                                                                        |                                                                                                                                                                                                         |
| Expanded perlite                                                                                     |                                                                                                                                                                                                         |
| Expanded vermiculite                                                                                 |                                                                                                                                                                                                         |
| Mineral wool                                                                                         |                                                                                                                                                                                                         |
| Cellular glass                                                                                       |                                                                                                                                                                                                         |
| Concrete                                                                                             | Includes ready-mixed concrete and precast reinforced and prestressed products                                                                                                                           |
| Aggregate concrete (dense and lightweight mineral aggregates, excluding integral thermal insulation) | May contain admixtures and additions (e.g. PFA), pigments and other materials. Includes precast units                                                                                                   |
| Autoclaved aerated concrete units                                                                    | Units manufactured from hydraulic binders such as cement and/or lime, combined with fine materials (siliceous material, PFA, blast furnace slag), and cell generating material. Includes precast units. |
| Fibre cement                                                                                         |                                                                                                                                                                                                         |
| Cement                                                                                               |                                                                                                                                                                                                         |
| Lime                                                                                                 |                                                                                                                                                                                                         |
| Blast furnace slag/pulverized fly ash (PFA)                                                          |                                                                                                                                                                                                         |
| Mineral aggregates                                                                                   |                                                                                                                                                                                                         |
| Iron, steel and stainless steel                                                                      | Not in finely divided form                                                                                                                                                                              |
| Copper and copper alloys                                                                             | Not in finely divided form                                                                                                                                                                              |

| Material                             | Notes                                                                                                                                                                                                                                  |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zinc and zinc alloys                 | Not in finely divided form                                                                                                                                                                                                             |
| Aluminium and aluminium alloys       | Not in finely divided form                                                                                                                                                                                                             |
| Lead                                 | Not in finely divided form                                                                                                                                                                                                             |
| Gypsum and gypsum based plasters     | May include additives (retarders, fillers, fibres, pigments, hydrated lime, air and water retaining agents and plasticisers), dense aggregates (e.g. natural or crushed sand) or lightweight aggregates (e.g. perlite or vermiculite). |
| Mortar with inorganic binding agents | Rendering/plastering mortars and mortars for floor screeds based on one or more inorganic binding agent(s), e.g. cement, lime, masonry cement and gypsum                                                                               |
| Clay units                           | Units from clay or other argillaceous materials, with or without sand, fuel or other additives. Includes bricks, tiles, paving and fireclay units (e.g. chimney liners)                                                                |
| Calcium silicate units               | Units made from a mixture of lime and natural siliceous materials (sand, siliceous gravel or rock or mixtures thereof). May include colouring pigments.                                                                                |
| Natural stone and slate products     | A worked or non-worked element produced from natural stone (magmatic, sedimentary or metamorphic rocks) or slate                                                                                                                       |
| Gypsum unit                          | Includes blocks and other units of calcium sulphate and water, that may incorporate fibres, fillers, aggregates and other additives, and may be coloured by pigments                                                                   |
| Terrazo                              | Includes precast concrete terrazotiles and in-situ flooring.                                                                                                                                                                           |
| Glass                                | Includes heat strengthened, chemically toughened, laminated and wired glass                                                                                                                                                            |
| Glass ceramics                       | Glass ceramics consisting of a crystalline and a residual glass phase                                                                                                                                                                  |
| Ceramics                             | Includes dust-pressed and extruded products, glazed or unglazed                                                                                                                                                                        |

## COMMISSION DECISION

of 8 October 1996

allocating quotas for the placing on the market in the Community for  
hydrochlorofluorocarbons for the period 1 January to 31 December 1996

(Only the German, Greek, English, French, Italian and Dutch texts are authentic)

(Text with EEA relevance)

(96/604/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3093/94 of 15 December 1994 on substances that deplete the ozone layer<sup>(1)</sup>, and in particular Articles 4 (8) and 7 (2) thereof,

Whereas Article 4 (8) of Regulation (EC) No 3093/94 defines the total calculated level of hydrochlorofluorocarbons (HCFCs) which producers and importers may place on the market or use for their own account in the period 1 January to 31 December 1995 and in each 12-month-period thereafter; whereas this corresponds to a quantity of 8 079 ODP tonnes;

Whereas the Commission is required, under Article 4 (8), in accordance with the procedure laid down in Article 16, to assign a quota to each producer or importer when the total quantity of HCFCs which producers and importers place on the market or use for their own account reaches 80 % of the quantity defined or at the latest on 1 January 2000, whichever comes first;

Whereas, for the purposes of Article 4 (8), Article 17 (1) (b) requires producers and importers of HCFCs to communicate to the Commission at quarterly intervals their production of HCFCs placed on the market or used for their own account within, or imports into, the Community;

Whereas the 80 % threshold has been reached in the year 1995; whereas it is likely that this will also be the case in 1996 and whereas it is therefore necessary to assign placing on the market quotas for the year 1996;

Whereas it is appropriate to retain a part of the total quota for allocation to importers in the Community who are not engaged in the production of HCFCs; whereas, in 1995, the level of imports by non-producers reached about 2 % of the total quota available; whereas it is appropriate to provide for a reserve to accommodate addi-

tional needs; whereas it is therefore appropriate to retain in total 3 % of the total quota for allocation to importers who are not engaged in the production of HCFCs, and as a reserve for allocation to HCFC producers in the Community to accommodate additional needs; whereas this corresponds to a quantity of 243 ODP tonnes;

Whereas licences for the import of HCFCs by non-producing importers are issued by the Commission upon request by the importers concerned and the latter reserve is allocated by the Commission, in accordance with the procedure laid down in Article 16;

Whereas the difference between the total calculated level of HCFCs which may be placed on the market in 1996 and the part retained for allocation to non-producing importers and as a reserve to support additional needs, is allocated to producers in the Community; whereas this corresponds to a quantity of 7 836 ODP tonnes;

Whereas the allocations of the placing on the market quotas for HCFCs are based on the principles of continuity, equality and proportionality, and whereas, in establishing the placing on the market quotas for producers in the Community, the Commission has been guided by the criteria to interfere with the market as little as possible and to reflect the overall objective of Regulation (EC) No 3093/94 to further reduce production and use of substances which damage the ozone layer;

Whereas the placing on the market quotas for producers have been established on the basis of the market share which producers in the Community have reached in 1995, whereas it is appropriate to take 1995 as a base-year, given that this way was the first complete year when HCFCs began to effectively replace chlorofluorocarbons (CFCs) as production and placing on the market of CFCs were generally stopped in 1995 under the terms of Regulation (EC) No 3093/94; whereas the quantity of HCFCs to be allocated in 1996 exceeds the total quantity of HCFCs placed on the market in 1995; whereas it is therefore necessary for the quota allocation to also take into account the difference between these two figures; whereas this corresponds to a quantity of 459,5 ODP tonnes;

<sup>(1)</sup> OJ No L 333, 22. 12. 1994, p. 1.

Whereas the main element on the basis of which the 1996 placing on the market quotas for producers have been established is the total quantity of sales of HCFCs and the respective market shares in 1995, calculated in ODP tonnes; whereas this corresponds to the allocation of 7 376,5 ODP tonnes, whereas this method of calculation corresponds to the general approach of Regulation (EC) No 3093/94, while at the same time representing least possible interference with the market;

Whereas it has been considered appropriate in relation to the additional quantity, to take as a basis for allocation the respective market shares of the Community producers calculated in metric tonnes; whereas this method of calculation recognizes the fact that some HCFCs are more damaging to the ozone layer than others and thereby reflects the objective of Regulation (EC) No 3093/94 to further reduce the impact on the ozone layer of the substances covered;

Whereas the measures provided for in this Decision are in accordance with the opinion of the committee established by Article 16 of Regulation (EC) No 3093/94,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. The amount of hydrochlorofluorocarbons subject to Regulation (EC) No 3093/94, and calculated in accordance with Article 4 (8) thereto, which producers and importers may place on the market or use for their own account within the Community in 1996 shall be 8 079 ODP tonnes.

2. The amount of hydrochlorofluorocarbons subject to Regulation (EC) No 3093/94 which producers may place on the market or use for their own account within the Community in 1996 shall be 7 836 ODP tonnes.

The amount of hydrochlorofluorocarbons subject to Regulation (EC) No 3093/94 to be allocated by the Commission to importers within the Community who are not engaged in the production of HCFCs and as a reserve to producers to support additional needs shall be 243 ODP tonnes.

#### *Article 2*

The allocation of quotas for the placing on the market or use for their own account of hydrochlorofluorocarbons by

producers in the Community during the period 1 January to 31 December 1996 shall be to the undertakings indicated in Article 3, as set out in the Annex<sup>(1)</sup>.

#### *Article 3*

This Decision is addressed to the following undertakings:

Allied Signal Fluorochemicals Europe B.V.  
Kempenweg 90  
NL-6000 AG Weert

DuPont de Nemours B.V.  
Baanhoekweg 22  
NL-3313 LA Dordrecht

Ausimont SpA  
Via S. Pietro 62  
I-20021 Bollate

Elf Atochem SA  
4, cours Michelet  
F-92091 Paris-La Défense 10 Cedex

Hoechst AG  
Aktiengesellschaft  
Bruningstraße 50  
D-65926 Frankfurt

Rhône-Poulenc Chemicals Ltd  
PO Box 46 — St Andrews Road  
Avonmouth  
GB-Bristol BS11 9YF

Chemical Industries of Northern Greece SA  
(SICNG)  
Thessaloniki Plant  
PO Box 10 183  
GR-541 10 Thessaloniki

ICI Klea  
PO Box 13  
The Heath — Runcorn  
GB-Cheshire WA7 4QF

Solvay  
rue du Prince Albert, 33  
B-1050 Brussels.

Done at Brussels, 8 October 1996.

*For the Commission*

Ritt BJERREGAARD

*Member of the Commission*

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<sup>(1)</sup> The Annex is not published because it contains confidential commercial information.

## COMMISSION DECISION

of 11 October 1996

amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products

(Text with EEA relevance)

(96/605/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 3 thereof,

Whereas by Council Decision 79/542/EEC<sup>(2)</sup>, as last amended by Commission Decision 96/279/EC<sup>(3)</sup>, a list of third countries from which Member States authorize imports of bovine animals, swine, equidae, sheep and goat, fresh meat and meat products has been established;

Whereas the authorities of Tunisia gave guarantees that live equidae to be exported to the Community for immediate slaughter have never been treated with substances having a thyrostatic, oestrogenic, androgenic or gestagenic action;

Whereas, it is necessary to modify the Decision 79/542/EEC accordingly;

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

HAS ADOPTED THIS DECISION:

*Article 1*

Part 1 of the Annex of Decision 79/542/EEC is amended as follows:

— in the line concerning Tunisia and in the column for residues, the reference O is replaced by (d).

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 11 October 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 146, 14. 6. 1979, p. 15.

<sup>(3)</sup> OJ No L 107, 30. 4. 1996, p. 1.

**CORRIGENDA****Corrigendum to Council Regulation (EEC) No 3911/92 of 9 December 1992 on the export of cultural goods**

*(Official Journal of the European Communities No L 395 of 31 December 1992)*

Page 2, Article 2 (2), second subparagraph, third line:

*for:* '... may not require export licences ...',

*read:* '... are authorized not to require export licences ...'.

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**Corrigendum to Commission Regulation (EEC) No 2192/93 of 28 July 1993 concerning certain operative events for the agricultural conversion rates used in the wine sector and amending Regulations (EEC) No 1059/83, (EEC) No 377/93, (EEC) No 2729/88, (EEC) No 3233/92 and (EEC) No 3234/92**

*(Official Journal of the European Communities No L 196 of 5 August 1993)*

Page 20, Article 1 (e):

*for:* '... on the first day of the month ...',

*read:* '... on the first day of each month ...'.

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