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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2021/96

of 23 October 1996

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

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⁾, and in particular point (a) of the first subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽⁵⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their

sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93 ⁽⁶⁾, as amended by Regulation (EC) No 1380/95 ⁽⁷⁾, 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 ⁽⁸⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁹⁾, as last amended by Regulation (EC) No 150/95 ⁽¹⁰⁾, 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 ⁽¹¹⁾, as last amended by Regulation (EC) No 1482/96 ⁽¹²⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁴⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 16.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁸⁾ OJ No L 65, 15. 3. 1996, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹²⁾ OJ No L 188, 27. 7. 1996, p. 22.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 23 October 1996 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	38,33 ⁽¹⁾
1701 11 90 910	38,48 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	38,33 ⁽¹⁾
1701 12 90 910	38,48 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4167
	— ECU/100 kg —
1701 99 10 100	41,67
1701 99 10 910	42,44
1701 99 10 950	42,44
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4167

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

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

**COMMISSION REGULATION (EC) No 2022/96
of 23 October 1996**

**fixing the maximum export refund for white sugar for the 12th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EC) No 1464/96**

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⁾, and in particular the second subparagraph of Article 17 (5) (b) thereof,

Whereas Commission Regulation (EC) No 1464/96 of 25 July 1996 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1464/96 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 12th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽⁵⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas

this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 12th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 45,512 per 100 kilograms.

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.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 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 187, 26. 7. 1996, p. 42.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

COMMISSION REGULATION (EC) No 2023/96

of 23 October 1996

fixing the representative prices and the additional import duties for molasses 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 market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or

if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 October 1996.

⁽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. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	7,73	0,00	—
1703 90 00 ⁽¹⁾	11,31	—	0,00

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 2024/96

of 23 October 1996

opening an individual sale by invitation to tender for vinous alcohol to be used
in the motor fuel sector in Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36, and 39 of Regulation (EEC) No 822/87 and held by intervention agencies⁽¹⁾,

Whereas Commission Regulation (EEC) No 377/93⁽²⁾, as last amended by Regulation (EC) No 3152/94⁽³⁾, lays down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, individual sales by invitation to tender should be opened for vinous alcohol obtained from the distillation operation referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian intervention agency;

Whereas a second invitation to tender should be organized for the sale of vinous alcohol to Sweden with a view to its end use as motor fuel in the public transport sector, given Sweden's insufficient capacity to produce alcohol intended for use in the motor fuel sector;

Whereas that use is unlikely to disturb traditional alcohol markets; whereas, in addition, vinous alcohol does not replace synthetic alcohol in this case but alcohol obtained from renewable raw materials;

Whereas compliance with the stipulated destination and end use of the alcohol will be guaranteed by the competent control authorities in the Member States, as laid down in Article 37 of Regulation (EEC) No 377/93, and also by an international control company which will verify correct performance of the tender, by denaturing the alcohol in accordance with the specifications of the Swedish authorities and by a financial security which will be released as and when proof is supplied of the destination and use of a quantity of alcohol removed;

Whereas the tender prices expressed in ecus/hl, submitted under invitations to tender for vinous alcohol must take account of any amendments made under the agromonetary system established by 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⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. One individual sale by invitation to tender No 200/96 EC shall be held of a total quantity of 100 000 hectolitres of alcohol obtained from the distillation operation referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian intervention agency.
2. The alcohol offered for sale must be used only as motor fuel in the public transport sector in Sweden.
3. The alcohol must be denatured in Sweden in accordance with the specification adopted by the Swedish authorities.

Article 2

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

Article 3

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

⁽¹⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽²⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽³⁾ OJ No L 332, 22. 12. 1994, p. 34.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 196, 5. 8. 1993, p. 19.

2. Notwithstanding Article 18 (6) of Regulation (EEC) No 377/93, utilization of the alcohol awarded must be completed within two years of the date of the first removal.

Article 4

1. The performance guarantee shall be ECU 36,23 per hectolitre of alcohol at 100 % vol and shall be lodged for the total quantity offered for sale.

2. The performance guarantee shall be released on demand by the intervention agency concerned for the quantity removed once proof is supplied of the destination and intended use of that quantity of alcohol removed, in accordance with Commission Regulation (EEC) No 2220/85⁽¹⁾.

Article 5

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

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

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

— or refuse to take over the lot in question.

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

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

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

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

Article 6

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

Article 7

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, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 200/96 EC

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

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Bonollo SpA Torrita di Siena (SI)		1 200	35	Raw alcohol
	Bonollo SpA Anagni-Paduni (FR)		6 500	35	Raw alcohol
	Caviro Srl Faenza (RA)		5 000	35	Raw alcohol
	Caviro Srl Forti (FO)		1 600	35	Raw alcohol
	D'Auria SpA Ortona-Caldari (CH)		2 000	35	Raw alcohol
	Del Salento SpA Castel S. Giorgio (SA)		1 000	35	Raw alcohol
	Del Sud SpA Rutigliano		900	35	Raw alcohol
	Deta Srl Barberino Val D'Elsa (FI)		500	35	Raw alcohol
	Di Lorenzo G. Srl Pontevalleceppi (PG)		3 600	35	Raw alcohol
	Di Trani SpA-S. Giovanni Russo (SA)		900	35	Raw alcohol
	Di Trani SpA Foggia (FG)		600	35	Raw alcohol
	DI.CO.VI.SA Srl Grogastu (CA)		1 000	35	Raw alcohol
	D.C.A. SpA Fiduciano Ascoli-Piceno		550	35	Raw alcohol
	Enodistil SpA Alcamo-Scampati (PA)		2 700	35	Raw alcohol
	F.lli Balice Snc Valenzano (BA)		1 000	35	Raw alcohol
	F.lli Cipriani SpA Chizzola Di Ala (TN)		1 200	35	Raw alcohol
	Ge.Dis SpA Marsala-C. da Bartolotta		1 500	35	Raw alcohol
	Giacomo De Luca Sas-Novoli (LE)		1 500	35	Raw alcohol
	Inga Srl-Serravalle Serivia (AL)		1 000	35	Raw alcohol
	Kronion Srl-Fiduc. di Sciacca (PA)		1 500	35	Raw alcohol
	Mazzari SpA-S. Agata sul Santreno (RA)		2 000	35	Raw alcohol
	Neri Srl-Faenza (RA)		3 000	35	Raw alcohol
	SVA SpA-Ortona (CH)-S. Leonardo		1 000	35	Raw alcohol
	Tampieri SpA-Faenza (RA)		1 000	35	Raw alcohol
	Villapana SpA-Faenza (RA)		3 000	35	Raw alcohol
	Vinum SpA-Petrosino (TP)		600	35	Raw alcohol
	Vinum SpA-Marsala (TP)		600	35	Raw alcohol
	Bonollo SpA-Agnani-Paduni (FR)		1 200	36	Raw alcohol
	Del Sud SpA-Rutigliano (BA)		1 650	36	Raw alcohol
	Mazzari SpA-St. agata sul Santreno (RA)		2 650	36	Raw alcohol

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
	Bonollo SpA-Anagni-Paduni (FR)		4 700	39	Raw alcohol
	Bonollo Umberto SpA-Mestrino (PD)		1 550	39	Raw alcohol
	Cavaro srl-Ortona (FG)		4 000	39	Raw alcohol
	Di Trani SpA-Palo del Colle (BA)		600	39	Raw alcohol
	Di Trani SpA-Foggia (FG)		600	39	Raw alcohol
	Dister. Coop. Srl-Imola (BO)		1 400	39	Raw alcohol
	Enodistil SpA-Alcamo Scampati (PA)		2 400	39	Raw alcohol
	F. Ili Cipriani SpA-Chizzola di Ala (TN)		1 000	39	Raw alcohol
	GE.Dis SpA Marsala-C. da Bartolotta		1 500	39	Raw alcohol
	I.C.V. SpA-Mag. Fid.N.96		1 500	39	Raw alcohol
	Kronion Srl-Fiduc. di Sciacca (PA)		800	39	Raw alcohol
	Mazzari SpA-S. Agata sul Santreno (RA)		3 000	39	Raw alcohol
	Neri Srl-Faenza (RA)		2 000	39	Raw alcohol
	Saig SpA-Giulianova		2 500	39	Raw alcohol
	Bertolino SpA-Partinico (PA)		20 000	35	neutral
	TOTAL		100 000		

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

II. Destination and use of the alcohol

The alcohol offered for sale must be used exclusively as motor fuel in the public transport sector in Sweden.

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

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

III. Submission of tenders

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

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

2. Tenders must:

- be sent by registered mail to the European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 120 building of the European Commission, Rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 200/96 EC (alcohol), DG VI-E-2, to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 12. 11. 1996.
5. Tenders must state the name and address of the tenderer and must:
 - (a) include a reference to individual sale by tender No 200/96 EC;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93.
6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
— AIMA, via Palestro 81, I-00185 Roma (tel.: 47 49 91; telex: 62 03 31, 62 02 52, 61 30 03; fax: 445 39 40, 495 39 40).

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

ANNEX II

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

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

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

ANNEX III

Communication of refusal or acceptance of lots under the individual invitation to tender for the export of vinous alcohol opened by Regulation (EC) No 2024/96

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

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

COMMISSION REGULATION (EC) No 2025/96

of 23 October 1996

determining the extent to which applications lodged in October 1996 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 2698/93⁽¹⁾ laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by the Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic, as last amended by Regulation (EC) No 1223/96⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1996 are for quantities less than the quantities available and can therefore be met in full;

Whereas, it is appropriate, for the first mentioned category of products, to draw the attention of operators to

the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1996 submitted pursuant to Regulation (EEC) No 2698/93 shall be met as referred to in the Annex.

2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 245, 1. 10. 1993, p. 80.

⁽²⁾ OJ No L 161, 29. 6. 1996, p. 63.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1996
1	100,00
2	100,00
3	100,00
4	100,00
H1	100,00
H2	100,00
5	100,00
6	100,00
7	100,00
8	100,00
9	100,00
10	100,00
11	100,00
12	100,00
13	100,00

COMMISSION REGULATION (EC) No 2026/96

of 23 October 1996

determining the extent to which applications lodged in October 1996 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with Bulgaria and Romania can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1590/94 of 30 June 1994 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the Interim Agreement between the Community and Bulgaria and Romania ⁽¹⁾, as last amended by Regulation (EC) No 1223/96 ⁽²⁾, and in particular Article 4 (4) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1996 are for quantities less than the quantities available and can therefore be met in full;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1996 submitted pursuant to Regulation (EC) No 1590/94 shall be met as referred to in the Annex.

2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 167, 1. 7. 1994, p. 16.

⁽²⁾ OJ No L 161, 29. 6. 1996, p. 63.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1996
14	100,00
15	100,00
16	100,00
17	100,00

**COMMISSION REGULATION (EC) No 2027/96
of 23 October 1996**

determining the extent to which applications lodged in October 1996 for import licences for certain pigmeat sector products under the regime provided for by Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products can be accepted

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

Having regard to Commission Regulation (EC) No 1432/94 of 22 June 1994 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products ⁽¹⁾, as amended by Regulation (EC) No 1593/95 ⁽²⁾, and in particular Article 4 (4) thereof,

Whereas the applications for import licences lodged for the period 1 October to 31 December 1996 are for quantities less than the quantities available and can therefore be met in full;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for

products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1996 submitted pursuant to Regulation (EC) No 1432/94 shall be met as referred to in Annex.
2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 156, 23. 6. 1994, p. 14.

⁽²⁾ OJ No L 150, 1. 7. 1995, p. 94.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1996
1	100

**COMMISSION REGULATION (EC) No 2028/96
of 23 October 1996**

**determining the extent to which applications lodged in October 1996 for import
licences under the regime provided for by tariff quotas for certain products in
the pigmeat sector for the period 1 July 1996 to 30 June 1997**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1486/95 of 28 June 1995 opening and providing for the administration of tariff quotas for certain products in the pigmeat sector⁽¹⁾, as amended by Regulation (EC) No 1176/96⁽²⁾, and in particular Article 5 (5) thereof,

Whereas the applications for import licences lodged for the fourth quarter of 1996 are, for certain products, for quantities less than the quantities available and can therefore be met in full and for other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution;

Whereas the surplus to be added to the quantity available for the following period should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 October to 31 December 1996 submitted under Regulation (EC) No 1486/95 shall be met as referred to in Annex I.

2. During the first 10 days of the period 1 January to 31 March 1997 applications may be lodged pursuant to Regulation (EC) No 1486/95 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 58.

⁽²⁾ OJ No L 155, 28. 6. 1996, p. 26.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 October to 31 December 1996
G2	100
G3	14
G4	100
G5	100
G6	100
G7	100

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 January to 31 March 1997
G2	6 830,8
G3	416,5
G4	419
G5	854
G6	2 250
G7	627,2

**COMMISSION REGULATION (EC) No 2029/96
of 23 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 24 October 1996.

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

Done at Brussels, 23 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 23 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	50,5
	999	50,5
ex 0707 00 30	052	82,2
	999	82,2
0805 30 30	052	63,9
	388	67,0
	512	53,8
	524	72,2
	528	59,9
	600	59,8
	999	62,8
0806 10 40	052	98,5
	400	208,5
	999	153,5
0808 10 92, 0808 10 94, 0808 10 98	052	62,7
	060	59,8
	064	44,9
	400	78,8
	404	73,7
	804	94,2
	999	69,0
0808 20 57	052	78,8
	064	76,9
	999	77,9

⁽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 2030/96
of 23 October 1996
amending the import duties in the cereals sector

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

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 1975/96⁽⁴⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1975/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1975/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 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 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 262, 16. 10. 1996, p. 3.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	15,43	5,43
1001 90 91	Common wheat seed	39,35	29,35
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	39,35	29,35
	medium quality	42,61	32,61
	low quality	56,77	46,77
1002 00 00	Rye	77,14	67,14
1003 00 10	Barley, seed	77,14	67,14
1003 00 90	Barley, other ⁽³⁾	77,14	67,14
1005 10 90	Maize seed other than hybrid	79,62	69,62
1005 90 00	Maize other than seed ⁽³⁾	79,62	69,62
1007 00 90	Grain sorghum other than hybrids for sowing	77,14	67,14

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 15 October to 22 October 1996)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	122,61	127,86	120,16	91,31	162,00 (¹)	100,28 (¹)
Gulf premium (ECU/tonne)	—	15,71	8,88	15,25	—	—
Great lake premium (ECU/tonne)	15,47	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 8,93 per tonne; Great Lakes — Rotterdam: ECU 17,31 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 2031/96**of 23 October 1996****setting export refunds on products processed from fruit and vegetables other than those granted for added sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Having regard to the Treaty establishing the European Community,

Whereas Article 14 (3) of Regulation (EEC) No 426/86 states that prices on the Community market are to be determined taking account of those most favourable from the exportation standpoint; whereas international trade prices are to be determined account taken of the prices indicated in the second subparagraph of that paragraph;

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 2314/95⁽²⁾, and in particular Articles 13 (8), 14 (5) and 14a (7) thereof,

Whereas the international trade situation or the special requirements of certain markets may make it necessary to vary the refund on a given product depending on the destination of that product;

Whereas Commission Regulation (EC) No 1429/95⁽³⁾, as amended by Regulation (EC) No 341/96⁽⁴⁾, sets implementing rules for export refunds on products processed from fruit and vegetables;

Whereas economically significant exports can be made at the present time of provisionally preserved cherries, peeled tomatoes, preserved cherries, prepared hazelnuts and orange juice;

Whereas Article 13 (1) of Regulation (EEC) No 426/86 states that, to the extent necessary to permit exports in economically significant quantities of the products referred to in Article 1 (1) (a) of that Regulation, on the basis of prices for those products in international trade, the difference between those prices and the prices in the Community may be covered by export refunds; whereas Article 14a (4) of Regulation (EEC) No 426/86 provides that, if the refund on sugar incorporated into the products listed in Article 1 (1) is insufficient to allow export of the products, the refund fixed in accordance with Article 14 is to be applicable to those products;

Whereas the representative market rates as 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 in third-country currencies and are the basis for determining the agricultural conversion rates of the Member States' currencies; whereas rules for determining and applying these conversion rates were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

Whereas Article 14 (2) of Regulation (EEC) No 426/86 states that refunds must be fixed with regard to the existing situation and outlook for prices for products processed from fruit and vegetables on the Community market and supply availability, on the one hand, and prices in international trade on the other hand; whereas account must also be taken of the costs indicated at (b) in that paragraph and of the economic aspect of the envisaged exports;

Whereas application of the rules mentioned above to the present and forecast market situation, in particular to prices of products processed from fruit and vegetables in the Community and in international trade, leads to the refund rates set in the Annex hereto;

Whereas refunds are, pursuant to Article 13 (1) of Regulation (EEC) No 426/86, to be set with due regard to the

Whereas, pursuant to Article 13 (2) of Regulation (EEC) No 426/86, the most efficient possible use should be made of the resources available without creating discrimination between traders; whereas, therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements;

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 233, 30. 9. 1995, p. 69.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 28.

⁽⁴⁾ OJ No L 48, 27. 2. 1996, p. 8.

⁽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.

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refund rates and quantities eligible for refunds in the processed fruit and vegetables sector for licences with advance fixing of the refund issued between

1 November 1996 and 28 February 1997 shall be those fixed in the Annex hereto.

2. Quantities for which licences are issued in the context of food aid, as referred to in Article 14a of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁾, shall not count against the eligible quantities referred to in the first paragraph.

Article 2

This Regulation shall enter into force on 25 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX

Product ⁽¹⁾		Product code	Destination code ⁽²⁾	Licence issuing period November 1996 to February 1997	
				Period for submission of applications: from 25 October 1996 to 21 February 1997	
				Refund rate (ECU/tonne net)	Quantities provided (in tonnes)
Provisionally preserved cherries		0812 10 00 100	A	95,0	2 980
Peeled tomatoes		2002 10 10 100	B	70,4	42 857
Preserved cherries		2006 00 31 000 2006 00 99 100	A	215,0	1 020
Prepared hazelnuts		2008 19 19 100 2008 19 99 100	C	102,3	673
Orange juice	With a sugar content of not less than 10° Brix, but less than 22° Brix	2009 11 99 110 2009 19 99 110	C	9,8	382
	With a sugar content of not less than 22° Brix, but less than 33° Brix	2009 11 99 120 2009 19 99 120	C	19,7	1
	With a sugar content of not less than 33° Brix, but less than 44° Brix	2009 11 99 130 2009 19 99 130	C	29,5	1
	With a sugar content of not less than 44° Brix, but less than 55° Brix	2009 11 99 140 2009 19 99 140	C	39,4	22
	With a sugar content of not less than 55° Brix	2009 11 99 150 2009 19 99 150	C	49,3	342

⁽¹⁾ The full definitions of the eligible products are given in the 'processed fruit and vegetables' sector of Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

⁽²⁾ The destinations codes are defined as follows:

A: All destinations except the countries of North America,

B: All destinations except the United States of America,

C: All destinations.

COMMISSION REGULATION (EC) No 2032/96
of 23 October 1996
fixing the import duties in the rice sector

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽¹⁾,

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⁽²⁾, and in particular Article 4 (1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11 (1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 24 October 1996.

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

Done at Brussels, 23 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 71.

ANNEX I

to the Commission Regulation of 23 October 1996 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁸⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Basmati India ⁽⁵⁾ Article 4 of Regulation (EC) No 1573/95	Basmati Pakistan ⁽⁷⁾ Article 4 of Regulation (EC) No 1573/95
1006 10 21	⁽⁸⁾	140,81		
1006 10 23	⁽⁸⁾	140,81		
1006 10 25	⁽⁸⁾	140,81		
1006 10 27	⁽⁸⁾	140,81		
1006 10 92	⁽⁸⁾	140,81		
1006 10 94	⁽⁸⁾	140,81		
1006 10 96	⁽⁸⁾	140,81		
1006 10 98	⁽⁸⁾	140,81		
1006 20 11	357,14	174,23		
1006 20 13	357,14	174,23		
1006 20 15	357,14	174,23		
1006 20 17	303,10	147,21	53,1	253,1
1006 20 92	357,14	174,23		
1006 20 94	357,14	174,23		
1006 20 96	357,14	174,23		
1006 20 98	303,10	147,21	53,1	253,1
1006 30 21	⁽⁸⁾	271,09		
1006 30 23	⁽⁸⁾	271,09		
1006 30 25	⁽⁸⁾	271,09		
1006 30 27	⁽⁸⁾	271,09		
1006 30 42	⁽⁸⁾	271,09		
1006 30 44	⁽⁸⁾	271,09		
1006 30 46	⁽⁸⁾	271,09		
1006 30 48	⁽⁸⁾	271,09		
1006 30 61	⁽⁸⁾	271,09		
1006 30 63	⁽⁸⁾	271,09		
1006 30 65	⁽⁸⁾	271,09		
1006 30 67	⁽⁸⁾	271,09		
1006 30 92	⁽⁸⁾	271,09		
1006 30 94	⁽⁸⁾	271,09		
1006 30 96	⁽⁸⁾	271,09		
1006 30 98	⁽⁸⁾	271,09		
1006 40 00	⁽⁸⁾	84,38		

⁽¹⁾ Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

⁽²⁾ In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11 (3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ No L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ No L 263, 19. 9. 1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India, a reduction of ECU 250 per tonne applies (Article 4 of Regulation (EC) No 1503/96).

⁽⁷⁾ For husked rice of the Basmati variety originating in Pakistan, a reduction of ECU 50 per tonne applies (Article 4 of Regulation (EC) No 1503/96).

⁽⁸⁾ Duties fixed in the Common Customs Tariff.

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	303,10	572,00	357,14	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	412,58	365,22	380,00	430,00	—
(b) fob price (\$/tonne)	—	—	—	350,00	400,00	—
(c) Sea freight (\$/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 16 September 1996

concerning the conclusion of the results of negotiations with certain third countries under GATT Article XXIV:6 and other related matters (Argentina)

(96/611/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113, in conjunction with Article 228 (2), first sentence thereof,

Having regard to the proposal from the Commission,

Whereas the Community has entered into negotiations under the General Agreement on Tariffs and Trade (GATT) Article XXIV:6; whereas these negotiations have resulted in an Agreement with Argentina;

Whereas the phasing in of the duty reductions provided for in the Agreement should be specified;

Whereas the Community has entered into discussions with Argentina relating to the Community's import regime for cereals; whereas the result of these discussions are contained in an Agreement in the form of an Exchange of Letters;

Whereas it is in the interest of the Community to approve these Agreements,

— Exchange of Letters between the European Community and the Republic of Argentina on cereals (Annex II).

The texts of the Agreements referred to in this Article are attached to this Decision.

Article 2

The phasing in of the duty reductions provided for in the Agreement is laid down in Annex III.

Article 3

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements in order to bind the Community⁽¹⁾.

HAS DECIDED AS FOLLOWS:

Article 1

The following Agreements are hereby approved on behalf of the Community:

— Agreement for the conclusion of negotiations between the European Community and the Republic of Argentina under GATT Article XXIV:6 (Annex I),

Done at Brussels, 16 September 1996.

For the Council

The President

I. YATES

⁽¹⁾ The date of entry into force of the Agreements will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

ANNEX I

AGREEMENT

for the conclusion of negotiations between the European Community and the Republic of Argentina under GATT Article XXIV:6

THE EUROPEAN COMMUNITY AND THE REPUBLIC OF ARGENTINA,

Desiring to bring their GATT Article XXIV:6 negotiations, following the enlargement of the European Community which took place on 1 January 1995, to conclusion on the basis of a reasonable and mutually satisfactory compromise, and

Further desiring to strengthen the close partnership in commercial and economic matters between the European Community and the Republic of Argentina,

AGREE TO THE FOLLOWING PROVISIONS:

- A. The European Community shall incorporate in its new Schedule CXL, for the customs territory of the EC-15, the concessions that were included in the previous Schedule LXXX as modified by the European Community Schedule annexed to the Marrakesh Protocol to the General Agreement, 1994 (dated 15 April 1994) and additions thereto as set out in document G/SP/2 (dated 3 August 1994).
- B. To settle the current GATT Article XXIV:6 negotiations on agriculture the following has been agreed and will apply with effect from 1 January 1996:
- 0808 10 93 Fresh apples (1 January to 31 March):
 - two additional steps (10 %, 12 %) before the full tariff equivalent is applied in the period 15 February to 31 March.
 - 0808 10 99 Fresh apples (1 April to 31 July):
 - reduction of the final tariff rate from 3 to 0 %,
 - one additional step (14 %) before the full tariff equivalent is applied in the period 1 April to 30 June,
 - three additional steps (10 %, 12 %, 14 %) before the full tariff equivalent is applied in the period 1 to 15 July.
 - 0808 20 31 Fresh pears (1 January to 31 March):
 - reduction of the final tariff rate from 8 to 5 % for pears respecting the entry price for the period 1 February to 31 March.
 - 0808 20 33 Fresh pears (1 to 30 April and 1 to 15 July):
 - reduction of the final tariff rate from 2,5 to 0 %,
 - one additional step (14 %) before the full tariff equivalent is applied in the period 1 to 30 April,
 - three additional steps (10 %, 12 %, 14 %) before the full tariff equivalent is applied in the period 1 to 15 July.
 - 0805 30 10 Lemons:
 - four additional steps (10 %, 12 %, 14 %, 16 %) before the full tariff equivalent is applied in the period 1 May to 31 July,
 - three additional steps (10 %, 12 %, 14 %) before the full tariff equivalent is applied in the period 1 to 15 August.

- Grape juice and grape must. Tariff rate quota for 14 000 tonnes (*erga omnes*).
See Annex I. This tariff rate quota will apply with effect from 1 September 1996⁽¹⁾.
- 1508 10 10 Ground-nut oil, crude:
 - reduction of the final tariff rate (3,2 %) to zero.

The Republic of Argentina accepts the basic components of the European Community's approach to adjusting the GATT obligations of EC-12 and those of Austria, Sweden and Finland, following the recent enlargement of the Community:

- netting out of export commitments,
- netting out of tariff quotas,
- aggregation of domestic support commitments.

The appropriate legal modalities of implementation remain to be agreed.

C. Final provisions:

This Agreement shall enter into force on the date of signature.

Consultations will be held with regard to the matters in this Agreement at any time at the request of either party.

Signed at ... this ... day of ... in the year one thousand nine hundred and ninety-six.

*For the Government of
the Republic of Argentina*

*For the Council of
the European Union*

⁽¹⁾ In accordance with present Community regulations, imports for inward processing will not be counted against the TRQ. Taking into account the fact that in the past imports of products covered by the TRQ were sometimes higher than 14 000 tonnes the European Community is prepared to open up, on an autonomous basis, additional import opportunities if it emerges, after assessing relevant data (domestic supply and demand situation including market assessment by operators), that the internal market situation in the European Community necessitates additional import of grape juice and grape must used for the production of grape juice and/or non-wine sector products.

Tariff quota for grape juice and grape must

Description of product	Code	Initial quota quantity and in-quota tariff rate	Final quota quantity and in-quota tariff rate	Other terms and conditions
Grape juice (including grape must):		14 000 t	14 000 t	The products imported will be used for the production of grape juice and/or non-wine sector products such as vinegar, non-alcoholic drinks, jams and sauces. Qualification for the quota is subject to conditions laid down in the relevant Community provisions.
— Of a density exceeding 1,33 g/cm ³ at 20 °C:				
— — Of a value not exceeding ECU 22 per 100 kg net weight	2009 60 11	46,7 % + ECU 24,0/100 kg/net	The initial in-quota tariff rates shall be reduced as committed in the Uruguay Round for out-quota rates	
— — Other	2009 60 19	46,7 %		
— Of a density not exceeding 1,33 g/cm ³ at 20 °C:				
— — Of a value exceeding ECU 18/100 kg net weight:				
— — — Concentrated	2009 60 51	26,1 %		
— — Of a value not exceeding ECU 18/100 kg net weight:				
— — — Other	2009 60 90	26,1 %		

ANNEX II

EXCHANGE OF LETTERS

between the European Community and the Republic of Argentina on cereals

A. Letter from the European Community

Brussels, ...

Sir,

I have the honour to confirm the following understanding reached between the delegations of the Republic of Argentina and the European Community:

The European Community agrees to make the following adjustment to its import rules for 'flint maize' (within tariff code 1005 90 00) from 1 January to 30 June 1996:

The abatement for flint maize (within tariff code 1005 90 00) will be increased from ECU 8/tonne to ECU 14/tonne.

Flint maize will be certified by the Instituto Argentino de Sanidad y Calidad Vegetal as being in conformity with the specifications for 'maíz colorado o plata'.

The two Parties will enter into consultations before 1 March 1996 with a view to determining whether the level of the abatement is reflecting prevailing market conditions.

It is agreed that the two Parties will enter into discussions in the first half of 1996 with a view to examining what measures might be necessary in view of the European Community commitments, under Schedule LXXX, for subsequent marketing years. If the outcome of those consultations is mutually satisfactory, its results may be implemented starting 1 July 1996.

Subject to the foregoing being implemented, the Republic of Argentina will not request consultations under Article XXII or XXIII of the GATT 1994 on this issue.

I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement between the European Community and the Republic of Argentina.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of
the Council of the European Union*

B. Letter from the Republic of Argentina

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'I have the honour to confirm the following understanding reached between the delegations of the Republic of Argentina and the European Community:

The European Community agrees to make the following adjustment to its import rules for "flint maize" (within tariff code 1005 90 00) from 1 January to 30 June 1996:

The abatement for flint maize (within tariff code 1005 90 00) will be increased from ECU 8/tonne to ECU 14/tonne.

Flint maize will be certified by the Instituto Argentino de Sanidad y Calidad Vegetal as being in conformity with the specifications for "maíz colorado o plata".

The two Parties will enter into consultations before 1 March 1996 with a view to determining whether the level of the abatement is reflecting prevailing market conditions.

It is agreed that the two Parties will enter into discussions in the first half of 1996 with a view to examining what measures might be necessary in view of the European Community commitments, under Schedule LXXX, for subsequent marketing years. If the outcome of those consultations is mutually satisfactory, its results may be implemented starting 1 July 1996.

Subject to the foregoing being implemented, the Republic of Argentina will not request consultations under Article XXII or XXIII of the GATT 1994 on this issue.

I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement between the European Community and the Republic of Argentina.'

I have the honour to confirm that the above is acceptable to my Government and that your letter and this letter constitute an agreement in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the Republic of Argentina*

ANNEX III

Phasing in of the duty reductions

Summary description UR code	CN code 1996	Rate of duty to be applied in 1996 and in later years indicated	
1	2	3	
Fresh apples, 1 April to 31 July 0808 10 99	1 April to 30 June 0808 10 61 0808 10 63 0808 10 69 1 to 31 July 0808 10 71 0808 10 73 0808 10 79	1996	5,0 %
		1997	4,0 %
		1998	3,0 %
		1999	2,0 %
		2000	1,0 %
		2001	0,0 %
Fresh pears, 1 February to 31 March ex 0808 20 31	ex 0808 20 31	1996	9,2 %
		1997	8,3 %
		1998	7,5 %
		1999	6,7 %
		2000	5,8 %
		2001	5,0 %
Fresh pears, 1 to 30 April and 1 to 15 July ex 0808 20 33	1 to 30 April 0808 20 37 1 to 15 July 0808 20 47	1996	4,2 %
		1997	3,3 %
		1998	2,5 %
		1999	1,7 %
		2000	0,8 %
		2001	0,0 %
		1996	3,3 %
		1997	2,5 %
		1998	1,7 %
		1999	0,8 %
		2000	0,0 %
Ground nut oil, crude 1508 10 10	1508 10 10	1. 1. 1996	4,2 %
		1. 7. 1996	3,3 %
		1. 7. 1997	2,5 %
		1. 7. 1998	1,7 %
		1. 7. 1999	0,8 %
		1. 7. 2000	0,0 %

COUNCIL DECISION

of 14 October 1996

on the conclusion of the Protocol to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra consequent on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union

(96/612/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 99 and 113, in conjunction with the second sentence of Article 228 (2) and the first indent of Article 228 (3) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas it is necessary to approve the Protocol to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra consequent on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union ⁽³⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol to the Agreement in the form of an Exchange of Letters between the European Economic

Community and the Principality of Andorra consequent on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union is hereby approved on behalf of the European Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Community, give the notification provided for in Article 5 of the Protocol ⁽⁴⁾.

Done at Luxembourg, 14 October 1996.

*For the Council**The President*

R. QUINN

⁽¹⁾ OJ No C 88, 25. 3. 1996, p. 1.

⁽²⁾ Opinion delivered on 19 July 1996 (not yet published in the Official Journal).

⁽³⁾ OJ No L 374, 31. 12. 1990, p. 14.

⁽⁴⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

PROTOCOL

to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra consequent on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union

THE EUROPEAN COMMUNITY,

of the one part, and

THE PRINCIPALITY OF ANDORRA,

of the other part,

HAVING REGARD to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra signed in Luxembourg on 28 June 1990, hereinafter referred to as the 'Agreement',

WHEREAS the Republic of Austria, the Republic of Finland and the Kingdom of Sweden acceded to the European Union on 1 January 1995,

HAVE DECIDED to determine by common agreement the adjustments and transitional measures which need to be incorporated into the Agreement as a consequence of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN UNION:

Luigi GUIDOBONO CAVALCHINI GAROFOLI
Ambassador, Permanent Representative of the Italian Republic,
Chairman of the Permanent Representatives Committee

Pablo BENAVIDES SALAS
Director of Directorate-General IA/D of the Commission of the European Communities

THE GOVERNMENT OF THE PRINCIPALITY OF ANDORRA:

Albert PINTAT SANTOLARIA
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the Principality of Andorra to the European Communities

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

The Finnish and Swedish texts of the Agreement, including the Annexes and Protocols which form an integral part of that Agreement and the declarations attached to the Final Act, shall be authentic in the same manner as the original texts. The Joint Committee shall approve the Finnish and Swedish versions.

Article 2

Until 1 January 1996 the Republic of Austria may continue to apply to the Principality of Andorra the customs duties and licensing arrangements which were applicable at the time of accession to spirituous beverages and undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol falling within Harmonized System (HS) heading 2208. All such licensing arrangements must be applied in a non-discriminatory manner.

Article 3

The amendments contained in the Annex hereto shall be incorporated into the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation.

Article 4

This Protocol shall form an integral part of the Agreement.

Article 5

This Protocol shall be subject to approval in accordance with the Contracting Parties' own procedures. It shall enter into force on the first day of the month following notification by the Contracting Parties that they have completed those procedures.

Article 6

This Protocol is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Catalan languages, each text being equally authentic.

Hecho en Bruselas, el veinte de junio de mil novecientos noventa y seis.

Udfærdiget i Bruxelles, den tyvende juni nitten hundrede og seksoghalvfems.

Geschehen zu Brüssel am zwanzigsten Juni neunzehnhundertsechsunneunzig.

Έγινε στις Βρυξέλλες, στις είκοσι Ιουνίου χίλια εννιακόσια ενενήντα έξι.

Done at Brussels on the twentieth day of June in the year one thousand nine hundred and ninety-six.

Fait à Bruxelles, le vingt juin mil neuf cent quatre-vingt-seize.

Fatto a Bruxelles, addì venti giugno millenovecentonovantasei.

Gedaan te Brussel, de twintigste juni negentienhonderd zesennegentig.

Feito em Bruxelas, em vinte de Junho de mil novecentos e noventa e seis.

Tehty Brysselissä kahdentenakymmenentenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäkuusi.

Som skedde i Bryssel den tjugonde juni nittonhundranittiosex.

Fet a Brussel·les el vint de juny de mil nou-cents noranta-sis.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar

Love Jack Baker
Sincerely

Pel Govern del Principat d'Andorra

Winnipeg.

*ANNEX***Amendment to the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation**

The following is added to Article 3 (4):

'ANNETTU JÄLKIÄTEEN'

'UTFÄRDAT I EFTERHAND'.

The following is added to Article 3 (5):

'KAKSOISKAPPALE'

'DUPLIKAT'.

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 3601/92 of 14 December 1992 laying down detailed rules for the application of specific measures for table olives***(Official Journal of the European Communities No L 366 of 15 December 1992)*

Page 18, Article 6, first paragraph, second line:

for: '... in accordance with Article 38...',*read:* '... in accordance with Article 39...'.

Corrigendum to the Administrative Arrangements on trade in textile products between the European Community and the Republic of India*(Official Journal of the European Communities No L 173 of 11 July 1996)*

Page 23, Annex

The following entries should be added to the Annex:

'Agreed Minute No 2 (1992)	Temporary specific management system
Agreed Minute No 3 (1992)	Regions with traditionally small quotas
Agreed Minute No 4 (1992)	Regional concentration
Note Verbale (1992)	Refers to Agreed Minute No 2 (1992)'
