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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2044/96
of 24 October 1996
concerning the stopping of fishing for cod and haddock by vessels flying the flag
of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as amended by Regulation (EC) No 2870/95 ⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 3078/95 of 21 December 1995 allocating, for 1996, certain catch quotas between Member States for vessels fishing in Faeroese waters ⁽³⁾, as last amended by Regulation (EC) No 1063/96 ⁽⁴⁾, provides for cod and haddock quotas for 1996;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod and haddock in Faeroese waters by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the

quota allocated for 1996; whereas the United Kingdom has prohibited fishing for this stock as from 30 August 1996; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod and haddock in Faeroese waters by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1996.

Fishing for cod and haddock in Faeroese waters by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

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 with effect from 30 August 1996.

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

Done at Brussels, 24 October 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 62.

⁽⁴⁾ OJ No L 141, 14. 6. 1996, p. 1.

COMMISSION REGULATION (EC) No 2045/96

of 25 October 1996

fixing the maximum buying-in price and the quantities of beef to be bought in under the 170th partial invitation to tender as a general intervention measure pursuant to Regulations (EEC) No 1627/89 and (EC) No 2002/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1997/96⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef⁽³⁾, as last amended by Regulation (EC) No 1931/96⁽⁴⁾, an invitation to tender was opened pursuant to Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EC) No 2003/96⁽⁶⁾ and by Article 1 of 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⁽⁷⁾, and for lean bovine animals by Article 1 (2) by Commission Regulation (EC) No 1931/96, as amended by Regulation (EC) No 2015/96⁽⁸⁾;

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

Whereas, once tenders submitted in respect of the 170th partial invitation to tender have been considered and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaught-

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

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

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

Whereas the scale of the quantities awarded warrants the application of the possibility provided for in Article 16 (2) of Regulation (EEC) No 2456/93 of extending the period during which the intervention products are to be delivered;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the 170th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

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

- the maximum buying-in price shall be ECU 266 per 100 kg carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcase price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 12 360 tonnes,
- the quantities offered at a price greater than ECU 238 shall be multiplied by a coefficient of 45 %, in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 267, 19. 10. 1996, p. 1.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 254, 8. 10. 1996, p. 35.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 267, 19. 10. 1996, p. 12.

⁽⁷⁾ OJ No L 267, 19. 10. 1996, p. 10.

⁽⁸⁾ OJ No L 269, 22. 10. 1996, p. 16.

- (ii) in those Member States or Member States' regions meeting the conditions of Article 6 (4) of Regulation (EEC) No 805/68:
- the maximum buying-in price shall be ECU 214,412 per 100 kg carcasses or half-carcasses of quality R3,
 - the price of forequarters shall be derived from the carcase price using the coefficient 0,80 for the straight cut,
 - the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 244 tonnes;
- (b) for category C:
- the maximum buying-in price shall be ECU 266 per 100 kg carcasses or half-carcasses of quality R3,
 - the price of forequarters shall be derived from the carcase price using the coefficient 0,80 for the straight cut,
 - the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 18 479 tonnes;
- the quantities offered at a price greater than ECU 238 shall be multiplied by a coefficient of 45 % in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;
- (c) for carcasses and half-carcasses of lean animals as referred to in Article 6 (b) of Regulation (EEC) No 805/68:
- the maximum buying-in price shall be ECU 353,80 per 100 kg carcasses or half-carcasses,
 - the maximum quantity of carcasses or half-carcasses shall be 182 tonnes.

Article 2

The first sentence of Article 16 (2) of Regulation (EEC) No 2456/93 notwithstanding, the time limit for delivery to intervention stores is extended by one week.

Article 3

This Regulation shall enter into force on 28 October 1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2046/96
of 25 October 1996

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

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 introducing specific measures in respect
of certain agricultural products for the benefit of the
Azores and Madeira ⁽¹⁾, as last amended by Commission
Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article
10 thereof,

Whereas the amounts of aid for the supply of cereals
products to the Azores and Madeira has been settled by
Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last
amended by Regulation (EC) No 1861/96 ⁽⁴⁾, whereas, as a
consequence of the changes of the rates and prices for
cereals products in the European part of the Community
and on the world market, the aid for supply to the Azores
and Madeira should be set at the amounts given in the
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November
1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 6.

ANNEX

to the Commission Regulation of 25 October 1996 amending Regulation (EEC) No 1833/92
setting the amounts of aid for the supply of cereals products from the Community to the
Azores and Madeira

<i>(Ecu/tonne)</i>			
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	16,00	16,00
Barley	(1003 00 90)	34,00	34,00
Maize	(1005 90 00)	41,00	41,00
Durum wheat	(1001 10 00)	16,00	16,00

COMMISSION REGULATION (EC) No 2047/96**of 25 October 1996****amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands**

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1862/96 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 8.

ANNEX

to the Commission Regulation of 25 October 1996 amending Regulation (EEC) No 1832/92
setting the amounts of aid for the supply of cereals products from the Community to the
Canary Islands

(Ecu/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	16,00
Barley	(1003 00 90)	34,00
Maize	(1005 90 00)	41,00
Durum wheat	(1001 10 00)	16,00
Oats	(1004 00 00)	34,00

COMMISSION REGULATION (EC) No 2048/96

of 25 October 1996

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

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 1863/96⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 247, 28. 9. 1996, p. 10.

ANNEX

to the Commission Regulation of 25 October 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	19,00	19,00	19,00	22,00
Barley (1003 00 90)	37,00	37,00	37,00	40,00
Maize (1005 90 00)	44,00	44,00	44,00	47,00
Durum wheat (1001 10 00)	19,00	19,00	19,00	22,00

COMMISSION REGULATION (EC) No 2049/96

of 25 October 1996

opening individual invitations to tender for the sale for export of alcohol of vinous origin

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 ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾,

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 ⁽³⁾,

Whereas Commission Regulation (EEC) No 377/93 ⁽⁴⁾, as last amended by Regulation (EC) No 3152/94 ⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas individual invitations to tender should be opened for the export of vinous alcohol to certain Caribbean and Central American countries so as to guarantee continuity of supplies to those countries and reduce the Community stock of vinous alcohol;

Whereas a specific security should be provided for to ensure that the alcohol is actually exported from the customs territory of the Community and any failure to comply with the date laid down for export should be progressively penalized; whereas the security must be separate from the performance guarantee ensuring in particular that the alcohol is removed from storage and the alcohol awarded is used for the purposes laid down;

Whereas Commission Regulation (EEC) No 2192/93 ⁽⁶⁾, concerning certain operative events for the agricultural conversion rates used in the wine sector and amending in particular Regulation (EEC) No 377/93, specifies the agricultural conversion rates to be used to convert 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

Three sales by individual invitation to tender Nos 211/96 EC, 212/96 EC and 213/96 EC shall be held for a total quantity of 150 000 hectolitres of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian and Spanish intervention agencies.

Individual invitations to tender Nos 211/96 EC, 212/96 EC and 213/96 EC shall cover a quantity of 50 000 hectolitres of alcohol at 100 % vol each.

Article 2

The alcohol offered for sale:

- shall be for export outside the European Community,
- must be imported into and dehydrated in Costa Rica in the case of individual invitation to tender No 211/96 EC, in El Salvador in the case of individual invitation to tender No 212/96 EC and in Jamaica in the case of individual invitation to tender No 213/96 EC,
- must be used only as motor fuel.

Article 3

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 shall be as set out in Annex I hereto.

Article 4

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

However, notwithstanding Article 15 of Regulation (EEC) No 377/93, the closing date for the submission of tenders for the invitations to tender covered by this Regulation, shall fall between the eighth and the 25th day following the date of publication of the individual invitations to tender.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽⁵⁾ OJ No L 332, 22. 12. 1994, p. 34.

⁽⁶⁾ OJ No L 196, 5. 8. 1993, p. 19.

Article 5

1. The tendering security referred to in Article 15 of Regulation (EEC) No 377/93 shall be ECU 3,622 per hectolitre of alcohol at 100 % vol and shall be lodged for the total quantity of alcohol offered for sale under each invitation to tender referred to in Article 1.

Maintenance of the tender after the closing date for the submission tenders and the provision of a security to ensure export and of a performance guarantee shall constitute the primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85⁽¹⁾ as regards the tendering security.

The tendering security lodged for each invitation to tender referred to in Article 1 shall be released immediately if the tender is not accepted or if the successful tenderer had lodged the full security to ensure export and the entire performance guarantee for the invitation to tender in question.

2. The security to ensure export shall amount to ECU 5 per hectolitre of alcohol at 100 % vol and shall be lodged for each quantity of alcohol covered by a removal order under each invitation to tender referred to in Article 1.

The security shall be released only by the intervention agency holding the alcohol for each quantity of alcohol for which proof has been furnished that it has been exported within the time limit laid down in Article 6.

Notwithstanding Article 23 of Regulation (EEC) No 2220/85, and except in cases of *force majeure*, where the time limit laid down in Article 6 has not been complied with, the security to ensure export of ECU 5 per hectolitre of alcohol at 100 % vol shall be forfeit as follows:

- (a) 15 % in all cases;
- (b) 0,33 % of the amount remaining after deduction of the 15 %, for each day the time limit in question is exceeded.

3. The performance guarantee shall be ECU 25 per hectolitre of alcohol at 100 % vol.

The guarantee shall be released in accordance with Article 34 (3) (b) of Regulation (EEC) No 377/93.

4. Notwithstanding Article 17 of Regulation (EEC) No 377/93, the security covering export and the performance guarantee shall be lodged simultaneously with each intervention agency concerned, for each invitation to tender referred to in Article 1 of this Regulation not later than the day of issue of a removal order for the quantity of alcohol concerned.

5. The agricultural conversion rate to be applied for conversion into national currency shall be that in force on the closing date for the submission of tenders for the invitation to tender in question in the case of the security to ensure export, expressed in ecus per hectolitre at 100 % vol.

Article 6

1. The alcohol awarded under the invitations to tender referred to in Article 1 shall be exported by 30 June 1997 at the latest.

2. The alcohol awarded shall be used within two years of the date of first removal.

Article 7

To be admissible, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose. The tender shall also include proof that the tenderer has binding commitments with an operator in the motor-fuel sector in one of the third countries listed in Article 2 who has undertaken to dehydrate the alcohol awarded in one of those countries and to export it for use solely as motor fuel.

Article 8

1. Before the alcohol awarded is removed, the intervention agency and the successful tenderer shall take a reference sample and shall analyse that sample to verify the alcoholic strength by volume (% 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:

- 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.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

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

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

Article 9

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 replaced by alcohol of the same type by the intervention agencies 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 10

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, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 211/96 EC

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

Member State	Location	Reference number of vat	Quantity in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Villarrobledo	15	34 541	35 + 36	Raw alcohol
	Villarrobledo	17	15 459	39	Raw alcohol
	Total		50 000		

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 Spanish pesetas, obtain samples of the alcohol offered for sale. Such samples are to be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 2 of this Regulation for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international inspection body 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 are to be submitted for 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Tenders relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 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 211/96 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 8 November 1996.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 211/96 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, specify the final destination of the alcohol awarded and include proof of an undertaking with an operator covering dehydration and use solely as motor fuel.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:

- FEGA, Beneficencia 8, E-28004 Madrid (tel. 347 65 00, telex: 23427 FEGA, fax: 521 98 32).

The security must amount to ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 212/96 EC

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

Member State	Location	Reference number of vat	Quantity in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Bertolino SpA — Partinico (PA)		10 000	35	Raw alcohol
	Bonollo SpA — Formigine (MO)		15 000	36	Raw alcohol
	I.C.V. SpA — Borgoricco (PD)		5 000	39	Raw alcohol
	F.lli Cipriani SpA — Chizzola d'Ala (TN)		7 500	35	Raw alcohol
	Villapana SpA — Faenza (RA)		7 500	35	Raw alcohol
	Ge.Dis. SpA — Marsala		5 000	39	Raw alcohol
	Total		50 000		

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 are to be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 2 of this Regulation for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international inspection body 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 are to be submitted for 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Tenders relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
- be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 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 212/96 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 8 November 1996.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 212/96 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, specify the final destination of the alcohol awarded and include proof an undertaking with an operator covering dehydration and use solely as motor fuel.

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 Rome (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

The security must amount to ECU 3,622 per hectolitre of alcohol at 100 % vol.

INDIVIDUAL INVITATION TO TENDER No 213/96 EC

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

Member State	Location	Reference number of vat	Quantity in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
ITALY	Enodistil SpA — Alcamo (TP)		5 000	35	Raw alcohol
	Dist. Centro Adriatico Ascoli Piceno (AP)		7 500	35	Raw alcohol
	Caviro Srl — Faenza (RA)		7 500	35	Raw alcohol
	Balice Sno — Valenzano (BA)		5 000	36	Raw alcohol
	Caviro Srl — Faenza (RA)		5 000	36	Raw alcohol
	Di Trani SpA — Trani (BA)		10 000	39	Raw alcohol
	Kronion Srl — Agrigento (AG)		5 000	39	Raw alcohol
	Distercoop Srl — Faenza (RA)		5 000	39	Raw alcohol
	Total		50 000		

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 are to be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 2 of this Regulation for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international inspection body 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 are to be submitted for 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Tenders relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, Rue de la Loi/Wetstraat 200, B-1049 Brussels, or
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3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 213/96 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 8 November 1996.

5. Tenders must state the name and address of the tenderer and must:

- (a) include a reference to individual sale by tender No 213/96 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, specify the final destination of the alcohol awarded and include proof of an undertaking with an operator covering dehydration and use solely as motor fuel.

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 Rome (tel. 47 49 91; telex 62 03 31, 62 02 52, 61 30 03; fax 445 39 40, 495 39 40).

The security must amount to 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) (Attention Mr Chiappone/Mr Van der Stappen)

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

ANNEX III

Notification of refusal or acceptance of lots under the individual invitation to tender for the export of vinous alcohol opened by Regulation (EC) No 2049/96

- 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 (hectolitres)	Location of alcohol	Reason for refusal or acceptance to take over

COMMISSION REGULATION (EC) No 2050/96

of 25 October 1996

correcting Regulation (EC) No 1294/96 laying down detailed rules for the application of Council Regulation (EEC) No 822/87 as regards harvest, production and stock declarations relating to wine-sector products

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 ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾, and in particular Articles 3 (4), 36 (6), 39 (7) and 81 thereof,

Whereas Commission Regulation (EC) No 1294/96 ⁽³⁾ lays down detailed rules for the application of Regulation (EEC) No 822/87, in particular as regards harvest, production and stock declarations relating to wine products;

Whereas a check has shown that the published version does not correspond to the measures submitted for an opinion to the Management Committee; whereas the Regulation in question should accordingly be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1294/96 is hereby amended as follows:

(a) in Article 1 (1), 'who produce grapes' is added after 'harvesters';

(b) the following Article is inserted:

'Article 16a

In addition to utilization for statistical purposes, the information given in declarations shall be used for the application of Regulations (EEC) No 822/87 and (EEC) No 823/87.

In particular, data on the breakdown of production into table wine, quality wine psr and other wine shall determine the rights and obligations resulting for producers from the application of the said Regulations.'

Article 2

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

It shall apply with effect from 2 September 1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 166, 5. 7. 1996, p. 14.

COMMISSION REGULATION (EC) No 2051/96

of 25 October 1996

laying down certain detailed rules for granting of assistance for the export of beef and veal which may benefit from a special import treatment in Canada and amending Regulation (EC) No 1445/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1997/96⁽²⁾, and in particular Articles 9 and 13 thereof,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country⁽³⁾, and in particular Article 1 (2) thereof,

Whereas, pursuant to the Agreement for the conclusion of negotiations between the European Community and Canada under Article XXIV:6 referred to in Annex IV of Council Decision 95/591/EC of 22 December 1995 concerning the conclusion of the results of negotiations with certain third countries under GATT Article XXIV:6 and other related matters (United States and Canada)⁽⁴⁾, export subsidies on fresh, chilled or frozen beef and veal destined for Canada shall be limited to 5 000 tonnes annually;

Whereas the management of that Agreement should be based on applications for specific Community export licences; whereas 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⁽⁵⁾, as last amended by Regulation (EC) No 2856/95⁽⁶⁾, should be amended accordingly; whereas, moreover, certificates of identity should be produced to the Canadian Customs authorities; whereas it is necessary to define the nature of those identity certificates and the procedures for using them;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation establishes certain detailed rules of application in respect of exports to Canada of 5 000 tonnes per year of beef and veal of Community origin, fresh, chilled or frozen, qualifying for special treatment.

The quantity available per quarter shall be 1 250 tonnes plus, in the case of the last three quarters, the quantity remaining in respect of the previous quarter.

2. The meat referred to in paragraph 1 must comply with the health protection requirements laid down by Canada and relate to animals slaughtered not more than two months in advance of clearance through customs for export.

Article 2

When the meat is being cleared through customs for export, the certificate of identity defined in Article 3 shall be issued, at the applicant's request, on presentation of the export licence issued in accordance with Article 12 a of Regulation (EC) No 1445/95 and a veterinary certificate showing the date of slaughter of the animals from which the meat for export derives.

Article 3

1. The certificate of identity shall be made out, with at least one copy, on a form corresponding to the specimen in the Annex.

The certificate is printed in English on white paper measuring 210 × 297 mm. Each certificate shall have an individual serial number assigned by the customs office referred to in Article 4.

The exporting Member State may require any certificates used on its territory to be printed in one of its official languages as well as in English.

2. Copies shall bear the same serial number as the original. Any particulars entered on the original and on the copies shall be typewritten, or, if handwritten, printed in block letters in ink.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 267, 19. 10. 1996, p. 1.

⁽³⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽⁴⁾ OJ No L 334, 30. 12. 1995, p. 25.

⁽⁵⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁶⁾ OJ No L 299, 12. 12. 1995, p. 10.

Article 4

1. The certificate of identity and the copies shall be issued by the customs office where the meat is cleared through customs for export.

2. The customs office referred to in paragraph 1 shall endorse the original certificate in the appropriate section and transmit the certificate to the party concerned, retaining a copy.

Article 5

Member States shall take the necessary measures to check the origin and nature of products for which certificates of identity are issued.

Article 6

The following Article 12 a is inserted in Regulation (EC) No 1445/95:

Article 12 a

1. This Article shall apply to exports to Canada pursuant to Commission Regulation (EC) No 2051/96 (*).

2. Licence applications for the products indicated in Article 1 of Regulation (EC) No 2051/96 may be lodged only in Member States meeting the health conditions required by the Canadian authorities.

3. Licence applications and licences shall carry the entry Canada in box 7. Licences shall carry an obligation to export from the Member State of issue to that destination.

4. Article 8 (4) of Regulation (EEC) No 3719/88 notwithstanding, the quantities exported may not exceed those shown on the licence. Licences shall carry the entry "0" in box 19.

5. Licences shall carry one of the following entries in box 22:

— Vacuno fresco, refrigerado o congelado — Acuerdo entre la CE y Canadá.

Válido solamente en ... (Estado miembro de expedición).

La cantidad exportada no debe superar ... kilos (cantidad en cifras y letras).

— Fersk, kølet eller frosset oksekød — Aftale mellem EF og Canada.

Kun gyldig i ... (udstedende medlemsstat).

Mængden, der skal udføres, må ikke overstige ... (mængde i tal og bogstaver) kg.

— Frisches, gekühltes oder gefrorenes Rindfleisch — Abkommen zwischen der EG und Kanada.

Nur gültig in ... (Mitgliedstaat der Lizenzerteilung).

Ausfuhrmenge darf nicht über ... kg (Menge in Ziffern und Buchstabe) liegen.

— Νωπό, διατηρημένο με απλή ψύξη ή κατεψυγμένο βόειο κρέας — Συμφωνία μεταξύ της ΕΚ και του Καναδά.

Ισχύει μόνο σε ... (κράτος μέλος έκδοσης).

Η ποσότητα προς εξαγωγή δεν πρέπει να υπερβαίνει ... χιλιόγραμμα (η ποσότητα αναφέρεται αριθμητικώς και ολογράφως).

— Fresh, chilled or frozen beef — Agreement between EC and Canada.

Valid only in ... (Member State of issue).

Quantity to be exported may not exceed ... kg (in figures and letters).

— Viande fraîche, réfrigérée ou congelée — Accord entre la CE et le Canada.

Uniquement valable en ... (État membre de délivrance).

La quantité à exporter ne peut excéder ... kg (quantité en chiffres et en lettres).

— Carni bovine fresche, refrigerate o congelate — Accordo tra CE e Canada.

Valido soltanto in ... (Stato membro emittente).

La quantità da esportare non può essere superiore a ... kg (in cifre e in lettere).

— Vers, gekoeld of bevroren rundvlees — Overeenkomst tussen de EG en Canada.

Alleen geldig in ... (Lid-Staat die het certificaat afgeeft).

Uitgevoerde hoeveelheid mag niet meer dan ... kg zijn (hoeveelheid in cijfers en letters).

— Carne de bovino fresca, refrigerada ou congelada — Acordo entre a CE e Canadá.

Válido apenas em ... (Estado-membro de emissão).

A quantidade a exportar não pode ser superior a ... kg (quantidade em algarismos e por extenso).

— Tuoretta, jäädytettyä tai jäädytettyä lihaa — Euroopan yhteisön ja Kanadan välinen sopimus.

Voimassa ainoastaan ... (jäsenvaltio, jossa todistus on annettu).

Vietävä määrä ei saa ylittää ... kilogrammaa (määrä numeroin ja kirjaimin).

— Färskt, kylt eller fryst nötkött — Avtal mellan EG och Kanada.

Enbart giltigt i ... (utfärdande medlemsstat).

Den utförda kvantiteten får inte överstiga ... kg.

6. Licence applications may be lodged only in the first 10 days of each quarter. However, in respect of the last quarter of 1996 applications may be lodged in the first 10 days of November.

7. On the third working day following the closing date for lodging of applications Member States shall send the Commission a list of applicants and of product quantities applied for.

8. The Commission shall decide to what extent licence applications can be accepted. If the quantities for which licences have been applied for exceed those available it shall set a single acceptance percentage applying to quantities requested. If the overall quantity covered by all applications is less than that available it shall determine the balance to be carried over to the quantity available for the following quarter.

9. Licences shall be issued on the 21st day of each quarter. However, in respect of the last quarter of 1996 licences shall be issued on 21 November.

10. Article 8 (1) notwithstanding, licences shall be valid 90 days from the actual day of issue, Article 21

(2) of Regulation (EEC) No 3719/88 applying, but not beyond 31 December of the year of issue.

11. Should the quantities applied for be reduced pursuant to paragraph 8 the security shall be immediately released for all quantities not granted.

12. Over and above the requirements specified in Article 30 (1) (b) of Regulation (EEC) No 3719/88, release of security against export licences shall be conditional on presentation of proof of arrival at destination, Article 33 (4) of that Regulation applying.

(*) OJ No L 274, 26. 10. 1996, p. 18.

Article 7

This Regulation shall enter into force on 1 November 1996.

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

Done at Brussels, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

EUROPEAN COMMUNITIES

ANNEX

1 Exporter	2 Certificate No	ORIGINAL
3 Consignee	CERTIFICATE OF IDENTITY EXPORT OF CERTAIN BEEF AND VEAL TO CANADA	

NOTES

- A. This certificate must be made out in one original and not less than one copy.
- B. The original and at least one copy must be produced for certification to the customs office at which customs export formalities are completed.
- C. The original must be produced to the customs authorities of Canada.

1	4 Marks, numbers, number and kind of packages; description of goods	5 Gross weight	6 Invoice Nos
		7 Net weight	
2	4 Marks, numbers, number and kind of packages; description of goods	5 Gross weight	6 Invoice Nos
		7 Net weight	

8 DECLARATION BY THE EXPORTER

The undersigned exporter declares that the goods described above conform to the provisions of Regulation (EC) No 2051/96.

At _____ on _____

(Signature)

9 CERTIFICATION BY THE COMPETENT CUSTOMS OFFICE

Customs formalities for export to Canada, of the goods covered by this certificate have been completed.

At _____ on _____

(Signature)

(Stamp)

COMMISSION REGULATION (EC) No 2052/96

of 25 October 1996

fixing the single reduction coefficient for determining the provisional quantity of bananas to be allocated to each Category C operator within the tariff quota for 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas⁽¹⁾, as last amended by Commission Regulation (EC) No 3290/94⁽²⁾,

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community⁽³⁾, as last amended by Commission Regulation (EC) No 1409/96⁽⁴⁾, and in particular Article 4 (4) thereof,

Whereas, on 4 April 1995, the Commission sent the Council a proposal for a Regulation adjusting Regulation (EEC) No 404/93 as regards the volume of the annual tariff quota for the import of bananas into the Community following the accession of Austria, Finland and Sweden, whereas, despite the Commission's best efforts, the Council has not yet decided on the increase in the tariff quota on the basis of the above proposal;

Whereas, without pre-empting the measures to be decided by the Council, the quantities for allocation to Category C operators for 1997 should be provisionally established so that the import licences can be issued for the early quarters of that year, whereas the reduction coefficient applying to Category C operators should accordingly be calculated on the basis of a tariff quota amounting to 2 200 000 tonnes, whereas the quantities applied for in

respect of 1997 amount to 199 347 000 tonnes and exceed the 77 000 tonnes of the tariff quota set pursuant to Article 19 (1) (c) of Regulation (EEC) No 404/93; whereas a single percentage reduction should therefore be applied to the quantities requested by each operator;

Whereas this Regulation must enter into force immediately, taking account of the time limits laid down in Regulation (EEC) No 1442/93,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional quantity to be allocated to each Category C operator for 1997, within the tariff quota provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, shall be calculated by applying to the quantity applied for by each operator a single reduction coefficient of 0,000386 pursuant to Article 4 (4) of Regulation (EEC) No 1442/93.

Article 2

This Regulation shall apply without prejudice to the measures adopted, where appropriate, for the application of subsequent Council decisions.

Article 3

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, 25 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 181, 20. 7. 1996, p. 13.

COMMISSION REGULATION (EC) No 2053/96

of 25 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 26 October 1996.

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

Done at Brussels, 25 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 25 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	50,7
	999	50,7
0709 90 79	052	98,7
	999	98,7
0805 30 30	052	62,2
	388	66,4
	512	53,8
	524	68,2
	528	59,8
	600	59,8
	999	61,7
0806 10 40	052	100,5
	400	226,3
	999	163,4
0808 10 92, 0808 10 94, 0808 10 98	052	62,8
	060	55,7
	064	45,5
	400	66,9
	404	73,7
	999	60,9
0808 20 57	052	81,2
	064	78,5
	400	69,5
	999	76,4

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 June 1996

on aid granted by the Region of Friuli-Venezia Giulia, Italy, in the form of reduced-interest loans for the purchase of reference quantities (milk quotas)

(Only the Italian text is authentic)

(96/616/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 93 (2) thereof,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 2931/95 ⁽²⁾, and in particular Article 23 thereof,

Having given the parties concerned an opportunity to make known their views ⁽³⁾,

Whereas:

I

By letter dated 13 February 1995 the Italian Permanent Representation to the European Union sent the Commission draft Regional Law No 77 of the Region of Friuli-Venezia Giulia which provides for the grant of subsidized loans for the purchase of reference quantities (milk quotas).

By letter of 3 May 1995, the Commission notified Italy of its decision to initiate the procedure under Article 93 (2) of the Treaty in respect of the abovementioned aid.

In its letter the Commission informed the Italian Government that it considered that the measure in question was

likely to undermine the market organization for milk and milk products and was therefore incompatible with the common market.

The Commission thus believed that the aid was liable to distort competition and affect trade between Member States and met the requirements of Article 92 (1) of the Treaty but was not eligible for any of the derogations provided for in paragraphs 2 and 3 of that Article.

The Commission gave the Italian Government notice to submit its comments. It gave the other Member States and other interested parties notice to submit their comments as well.

The French Government submitted its comments by letter of 31 January 1996. These comments were forwarded to the Italian Government by letter of 27 February 1996.

II

Italy put forward the following arguments in a letter dated 22 June 1995:

1. Council Regulation (EEC) No 3950/92 ⁽⁴⁾ recognizes that milk quotas may be transferred definitively.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No C 342, 20. 12. 1995, p. 9.

⁽⁴⁾ OJ No L 405, 31. 12. 1992, p. 1. Regulation last amended by Regulation (EEC) No 1552/95 (OJ No L 148, 30. 6. 1995, p. 43).

A milk quota is to be regarded as an intangible asset belonging to a holding which can be transferred by transfer agreement. It can be considered as a factor of production in the same way as labour, land or business capital.

The purchase of a milk quota is to be looked upon as a genuine investment made by a transferee that is entirely comparable with the purchase of any other factor of production. In the case under consideration, therefore, Regulation (EEC) No 2328/91 ⁽¹⁾ applies and the draft Law notified complies with it.

2. The aid in question does not have the aim of raising overall milk production or of undermining the common organization of the market in the sector concerned.

According to the information contained in the abovementioned letter, the draft Law notified has been adopted meanwhile and is now Regional Law No 4/95. The aid has not been paid, however, pending a final decision by the Commission (letter from the Italian authorities of 9 February 1996).

The French Government has put forward the same arguments, referring in a more general way to 'specific Community rules for financing the acquisition of operating assets' (which is inaccurate since there are no such specific rules; the French Government appears to be referring in substance to Regulation (EC) No 2328/91) and adding:

- (i) Regulation (EEC) No 3950/92 establishing the additional levy scheme and Regulation (EEC) No 804/68 introducing the market organization for milk products are quite distinct but equal in terms of the ranking of legal rules (Article 5 (c) of Regulation (EEC) No 804/68 provides 'The price system is established without prejudice to the implementation of the additional levy'.)
- (ii) A quota can be transferred at the same time as a wide range of assets (land, farm buildings, livestock or dead stock). In a transaction the valuation of these various components may differ, according to whether they are accompanied by an individual reference quantity (quota). If there is no outside reference point for the value of an individual quota in directly comparable situations, it is not possible in practice in the financing of the purchase of such an asset to distinguish the respective proportion of each component.

III

For the above reasons, the aid in question is incompatible with the common market under Article 92 of the Treaty.

The Commission's views on the arguments put forward by Italy and supported by the French Government are as follows:

1. Applicability of Regulation (EEC) No 2328/91

The Commission does not agree with the assertion of the Italian authorities that the purchase of a milk quota is to be regarded as an investment similar to those referred to in Regulation (EEC) No 2328/91.

The financial value of a tangible investment is frequently determined by taking into account intangible assets linked with the investment property (e.g. rights, administrative authorizations, an owner's goodwill), which does not mean that these intangibles, which may nevertheless in certain cases be the subject of a separate transaction, can be regarded as investments under Regulation (EEC) No 2328/91.

Article 6 of Regulation (EEC) No 2328/91 (which sets out limits and prohibitions for the sectors for which there are no normal outlets) refers expressly to investments in the milk sector and provides that no investment will be permitted in the milk and milk products sector that has the effect of overshooting a reference quantity determined in accordance with the rules relating to the additional levy unless an additional reference quantity has been granted beforehand or obtained by means of a transfer under the same rules. The existence of a reference quantity is a prerequisite of an investment and cannot therefore be the subject of that investment.

This provision, which applies also where State aid for investments in farm holdings is being examined under Articles 92 and 93, provides therefore that the market organization arrangements apply in full and does not give grounds for any exception to the rules governing those arrangements in particular the prohibition contained in Article 24 of Regulation (EEC) No 804/68 (below).

2. Common organization of the market in milk and milk products

Articles 92, 93 and 94 of the Treaty are made applicable to the milk sector by Article 23 of Regulation (EC) No 804/68 on the common organization of the market in milk and milk products.

⁽¹⁾ OJ No L 218, 6. 8. 1991, p. 1. Regulation last amended by Regulation (EC) No 2387/95 (OJ No L 244, 12. 10. 1995, p. 50).

As the Commission said when initiating the procedure, the additional levy arrangements introduced by Council Regulation (EEC) No 856/84⁽¹⁾ and renewed by Regulation (EEC) No 3950/92, with the aim of narrowing the gap between supply and demand for milk and milk products, and the resulting structural surpluses, are now one of the fundamental mechanisms of the market organization for milk and milk products.

Regulation (EEC) No 3950/92 in particular defines the flexibility which is given to Member States in applying the additional levy scheme so that the milk sector can be restructured. Adequate resources are available already under these arrangements to Member States to encourage restructuring and the improved effectiveness of production structures by applying the system of reserves and by designating producers who have submitted a plan for materially improving their holdings as referred to in Article 5 of Regulation (EEC) No 2328/91 as beneficiaries of the redistribution of production rights. These do not include the grant of loans for the purchase of quotas.

It should be pointed out here that, contrary to the French authorities' assertion under (i), the common market organization does not consist solely of the rules relating to the price arrangements but comprises several mechanisms and provisions which together constitute the full and exhaustive framework whose mandatory nature the Commission is continually reaffirming and which, according to the established case law of the Court of Justice, excludes any right by Member States to adopt measures which are likely to derogate from or undermine it.

The market organization for milk, like any common market organization, is based on the principle of the open market, freely accessible to all producers, whose operation is governed by the instruments provided for by that organization.

The aid concerned constitutes a breach of Article 24 of Regulation (EEC) No 804/68, which prohibits all aid the amount of which is fixed on the basis of the price or quantity of products covered by the common market organization introduced by that Regulation, subject to the provisions of Article 92 (2) of the Treaty.

Consequently, even if, as the Italian authorities assert, the measure in question does not aim to undermine the market organization, its effect (like that of any other measure liable to affect adversely the operating rules of the market for the sector in question) is precisely that.

In view of the above, the Commission cannot accept the arguments presented by Italy.

⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 10.

IV

The aid in question constitutes an infringement of the Community rules on the common organization of the market in the products referred to in Regulation (EEC) No 804/68 and cannot therefore be regarded as compatible with the common market.

It meets the requirements of Article 92 (1) of the Treaty but does not qualify for any of the exceptions contained in paragraphs 2 and 3 of that Article, for the reasons set out below.

under Article 92 (1), any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods is incompatible with the common market.

Because of its direct and immediate effect on producers' production costs, the aid in question confers a benefit on them, as against producers of similar products in Italy or another Member State who do not have access to a comparable aid.

Consequently, the measure is likely to affect intra-Community trade in the agricultural products concerned, such trade being affected by any aid granted to promote national products. It is therefore a State aid which satisfies the requirements of Article 92 (1) of the Treaty.

Article 92 (1) provides that aids which meet the criteria it sets out are in principle incompatible with the common market. Paragraphs 2 and 3 of that Article lay down exceptions to that incompatibility.

Under Article 24 of Regulation (EEC) No 804/68 only the exceptions provided for in Article 92 (2) would apply in the case under consideration. It is obvious that those exceptions are not applicable.

The aids are consequently incompatible with the common market,

HAS ADOPTED THIS DECISION:

Article 1

The aid provided for in Regional Law No 4/95 of the Region of Friuli-Venezia Giulia is incompatible with the common market in accordance with Article 92 (1) of the Treaty.

Article 2

Italy shall abolish the aid referred to in Article 1 within two months of the date of notification of this Decision.

Article 3

Italy shall inform the Commission within two months of the date of notification of this Decision of the measures taken to comply with it.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 12 June 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 17 July 1996

concerning aid granted by the Autonomous Province of Bolzano (Italy) to
Acciaierie di Bolzano

(Only the Italian text is authentic)

(Text with EEA relevance)

(96/617/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community,Having regard to Commission Decision No 3855/91/
ECSC of 27 November 1991 establishing Community
rules for aid to the steel industry⁽¹⁾, and in particular
Article 6 (4) thereof,Having given the interested parties notice to submit their
comments⁽²⁾ in accordance with the abovementioned
provisions and having regard to those comments,

Whereas:

I

By letter dated 1 August 1995 the Commission informed
the Italian Government of its decision to initiate the
procedure under Article 6 (4) of Decision No 3855/91/
ECSC in respect of the aid granted to Acciaierie di
Bolzano (ACB).

Following a complaint, the Commission, by letter of 21
December 1994, asked the Italian authorities for informa-
tion on aid granted to ACB, at the time controlled by the
steel group Falck.

On the basis of the information available to it, confirmed
by the data sent by the Italian Government on 7 April
1995, the Commission concluded that ACB had, in the
period 1982-1990, received aid from the Autonomous
Province of Bolzano, under Provincial Law No 25/81, as
follows:

— by Decision 784 of 14 February 1983:

- (a) loan of Lit 5 600 million,
- (b) non-repayable grant of Lit 8 000 million,

— by Decision 3082 of 1 July 1985:

- (c) loan of Lit 12 941 million,

— by Decision 6346 of 3 December 1985:

- (d) non-repayable grant of Lit 10 234 million,

— by Decision 7673 of 14 December 1987:

- (e) loan of Lit 6 321 million,

— by Decision 2429 of 2 May 1988:

- (f) non-repayable grant of Lit 3 750 million,

— by Decision 4158 of 4 July 1988:

- (g) loan of Lit 987 million,
- (h) non-repayable grant of Lit 650 million,

amounting to a total of Lit 25 849 million (ECU 12,025
million) in the form of 10-year loans at 3 %, i. e. about
nine percentage points below the normal market rate in
Italy at the time (about 12 %) and outright grants total-
ling Lit 22 634 million (ECU 10,5 million).

Apart from the loan of Lit 5,6 billion which was the
subject of Commission Decision 91/176/ECSC⁽³⁾, none of
the other aid measures were ever notified to the Commis-
sion, much less authorized by it.

Accordingly, the Commission concluded that the aid
granted to ACB was illegal, as it had not been notified,
and incompatible with the common market as it did not
appear to qualify for exemption from the prohibition
under Article 4 (c) of the Treaty.

For those reasons, the Commission decided to initiate the
procedure provided for in Article 6 (4) of Decision No
3855/91/ECSC in respect of the abovementioned aid.

II

As part of the procedure, the Commission asked the
Italian Government to submit its comments, other
Member States and interested parties being invited to do
so in a notice of commencement of the procedure,
published in the *Official Journal of the European
Communities*.

⁽¹⁾ OJ No L 362, 31. 12. 1991, p. 57.

⁽²⁾ OJ No C 344, 22. 12. 1995, p. 8.

⁽³⁾ OJ No L 86, 6. 4. 1991, p. 28.

The German producers' association 'Wirtschaftsvereinigung Stahl' and the British Steel Producers' Association sent the Commission their comments by letters of 19 January and 5 February 1996 respectively, which were forwarded to the Italian authorities on 20 February 1996.

In their comments, the other interested parties claimed that the aid was illegal as it had not been notified to the Commission, and that it should be examined in the light of the Community rules in force when the Commission adopted its decision and not when the aid was granted. In their view, the aid should be assessed under Decision No 3855/91/ECSC (the Steel Aid Code). As the aid in question did not qualify for exemption under the code, the interested parties concluded that the Commission should declare it incompatible with the common market for coal and steel.

By letter dated 27 March 1996 the Italian authorities acknowledged both that the Autonomous Province of Bolzano had granted public resources to ACB in the amounts referred to above and that the latter constituted State aid, but claimed that:

- part of the aid, in particular that granted before 1986, fell under Decision 91/176/ECSC,
- the Commission should apply the Community law in force at the time the aid was granted; the aid granted before 31 December 1985, although illegal in so far as it was granted without being notified in advance to the Commission, was compatible with the common market as it complied with the relevant Community rules in force at the time (Commission Decision No 2320/81/ECSC⁽¹⁾),
- a large part of the aid granted after 1 January 1986, although illegal for not having been notified to the Commission, should be regarded as compatible with the common market as it was intended for investment by ACB in environmental protection, research and development, energy savings and the restructuring of the enterprise,
- as a rule, all the aid was granted as part of a restructuring plan for ACB which had been notified to the Commission and approved by it.
- following authorization of the regional aid scheme established by the Provincial Law in question, the Autonomous Province of Bolzano had notified in 1982 four aid cases under that Law, asking the Commission whether it was necessary to notify other

individual aid grants; not having received a reply from the Commission, the Italian authorities concluded that it was not necessary to notify individual cases and that the principle of legitimate expectation applied.

III

ACB manufactures special steel products listed in Annex I to the ECSC Treaty under Code No 4400. By reason of its product, ACB is thus an undertaking covered by the rules of the ECSC Treaty. Article 4 (c) of that Treaty provides that subsidies or aids granted by Member States, in any form whatsoever, are recognized as incompatible with the common market for coal and steel and must accordingly be abolished and prohibited within the Community. The only possible exceptions to this general prohibition are those expressly provided for in the Steel Aid Code.

The Italian authorities consider that some of the aid in question, more particularly that granted before 31 December 1985, was covered by Commission Decision 91/176/ECSC.

In May 1983, the Commission, pursuant to Decision No 2320/81/ECSC, authorized investment aid to Falck under a restructuring plan notified in September 1980. The decision provided that the last date for the payment of the approved aid, consisting in an assisted loan of Lit 5 600 million comprising aid of Lit 2 000 million, i. e. the difference between the rate applied and the market rate, was 31 December 1985, failing which the aid would be considered incompatible with the common market. Despite this, no aid was granted before that date.

In Decision 91/176/ECSC, the Commission found that the aid of Lit 2 000 million to ACB was incompatible as it had been granted after the date specified, owing to the rules on the sharing of powers between the Bolzano provincial authorities and central government. Its decision therefore declared the aid incompatible with the proper functioning of the common market. However, in view of the good faith shown by the recipient and the difficulties caused by the sharing of powers between the local and central authorities that had led to the delay in granting the aid, the Commission did not require repayment of that aid.

The Italian authorities cannot, however, invoke a negative decision in order to bolster its claim that all the other aid granted by Bolzano Province prior to 31 December 1985 is compatible, as the decision did not authorize any aid but merely, for the reasons stated, refrained from requiring repayment of the Lit 2 000 million of aid contained in the abovementioned financing.

⁽¹⁾ OJ No L 228, 13. 8. 1981, p. 14.

According to the comments submitted by the Italian Government, the Commission should consider whether the aid granted before 31 December 1985, like that granted after that date, although illegal for not having been notified, is compatible with the common market under the provisions in force at the time it was granted and not under the present Steel Aid Code.

The question raised by the Italian authorities concerning the rules applicable to the aid in question, in particular that granted prior to 1985, is not relevant in this case. Even if Decision No 2320/81/ECSC were to be applied to the aid granted before 31 December 1985, the measures in question would not be considered compatible with those provisions in view of the conditions set out therein.

Article 2 (1) of that Decision provides that aid to steel may be considered compatible provided that, among other things, the recipient has initiated a restructuring programme capable of restoring its competitiveness and of making it financially viable without aid under normal market conditions and that the said programme results in an overall reduction in production capacity. However, according to the documents in the Commission's possession, neither of these two conditions are met in the case in question, so that the public measures in question must be regarded as incompatible with the common market under Decision No 2320/81/ECSC.

The Steel Aid Code in force provides an exhaustive list of derogations, including the possibility that aid granted to defray expenditure on research and development projects, as well as aid for environmental protection, may be deemed compatible under certain conditions; clearly the rules relating to aid for closures are not applicable in the case in point, as the recipient enterprise has remained in operation.

According to the documents available, it seems that, as regards research and development, contrary to the claims of the Italian authorities, most of the investment costs of ACB and the relevant aid do not come under that heading but rather under that of productive investments which do not as such qualify for exemption from the ban in Article 4 (c) of the ECSC Treaty in accordance with the Community rules in force on State aid for research and development.

As regards environmental protection, the documents indicate that ACB has borne investment costs of around Lit

15 000 million. However, the Italian authorities have failed to show that the conditions for the application of Article 3 of the Steel Aid Code are met, in particular that the investments had the chief aim of safeguarding the environment, enabling the firm to comply with new standards adopted at least two years after its plant had come into operation.

As regards energy saving and improving product quality, the Commission notes that, under the Steel Aid Code, these elements do not qualify for exemption under Article 4 (c) of the ECSC Treaty.

Furthermore, it is not valid to argue that ACB's output is small and would therefore have a limited effect on Community trade, since the ECSC Treaty, unlike the EC Treaty, does not require aid to have an effect on Community trade in order to be deemed incompatible.

Nor can the Italian authorities rely on the fact that the aid was granted under Provincial Law No 25/81, authorized by the Commission. In approving the aid scheme provided for in the Law, the Commission stipulated that the Community rules and provisions on aid to steel should be complied with in full.

Lastly, it is clear that the Commission's authorization of ACB's restructuring plan, notified under Article 54 of the ECSC Treaty, cannot be regarded as constituting automatic authorization of any aid granted under that restructuring plan.

IV

The derogation from the ban in principle on steel aid set out in Article 4 (c) of the ECSC Treaty is not intended to reduce the effect of the Community Steel Aid Code, which is justified by the serious distortions of competition which could be caused by aid that is incompatible with the common market in a sector that is still very sensitive. It is therefore necessary for the code to be complied with strictly, which means that aid to a steel enterprise can be authorized only if the Commission has been able to verify that the conditions laid down by the code have been met.

In the light of the foregoing (under section III in particular), it must be concluded that these conditions have not been met in the case in point and that the Italian authorities' comments are not sufficient to alter the Commission's initial assessment which prompted its initiation of the Article 6 (4) procedure. With the exception of the Lit 5 600 million loan already covered by Decision 91/176/ECSC, the aid granted by the Autonomous Province of Bolzano to ACB must be regarded as illegal as it was not notified to the Commission. The aid is also incompatible with the common market as it does not qualify for exemption from the ban in Article 4 (c) of the ECSC Treaty provided for in the Steel Aid Code.

It is appropriate, however, in the single instance of the State aid granted 10 years ago — before 1 January 1986 — to take account of the very special circumstances surrounding this case.

As the Italian authorities have pointed out, the investment aid in question was notified to the Commission, which expressed a favourable opinion on the basis of Article 54 of the ECSC Treaty. By letter dated 3 November 1982 the Italian authorities notified the first of four grants of aid to the textile sector following the Commission's authorization of the regional aid scheme established by Law No 25/81 of the Autonomous Province of Bolzano. It is under that Law that the aid was granted to ACB.

Not having received any reply from the Commission concerning the first four aid cases, and having also notified the ACB investment plan, the Italian authorities concluded that the Commission was already aware of the aid programme relating to the investments and did not intend to respond. As a result, the Italian authorities concluded that, although individual notifications could be required, they were not necessary in the case in point.

It is also pointed out that, even if it is not relevant under Community law, at the time the aid in question was granted, the rules on the sharing of powers between the local and national authorities with regard to notification of aid to steel undertakings were rather vague. This could have misled the Bolzano authorities, who left notification of aid to the central authorities, as had been the case with the ACB investment plan. For their part, the central authorities believed that it was for the local authorities to notify individual aid grants each time a proposal was decided.

For these reasons, it is possible that the Italian authorities may have been misled with regard to the specific scope of the situations in which aid must be notified.

This line of reasoning, however, is no longer relevant for the following reasons:

- (a) Commission Decision No 3484/85/ECSC⁽¹⁾ (which entered into force on 1 January 1986) specifically requires any plans to grant aid to the steel industry to be notified in advance,
- (b) there is no provision in the investment plan notified to the Commission for the aid that was granted.

Consequently, it seems appropriate not to require the repayment of the aid granted prior to 1 January 1986 and to require the repayment of aid granted by Decision 7673 of 14 December 1987 in the form of a loan of Lit 6 321 million at 3 % instead of 12 %; by Decision 2429 of 2 May 1988 as a non-repayable grant of Lit 3 750 million; by Decision 4158 of 4 July 1988 as a loan of Lit 987 million at 3 % instead of 12 %, and a non-repayable grant of Lit 650 million.

In accordance with the case-law of the Court of Justice of the European Communities⁽²⁾, the relevant provisions of national law must be applied in such a way that the recovery required by Community law is not rendered practically impossible,

HAS ADOPTED THIS DECISION:

Article 1

The aid granted to Acciaierie di Bolzano under Provincial Law No 25/81 is illegal as it was not notified before being granted. Such aid measures are incompatible with the common market pursuant to Article 4 (c) of the ECSC Treaty.

Article 2

Italy shall, acting in accordance with the provisions of Italian law relating to the recovery of amounts owed to the State, recover the aid paid to Acciaierie di Bolzano from 1 January 1986 under Provincial Law No 25/81 by Decisions Nos 7673 of 14 December 1987, 2429 of 2 May 1988 and 4158 of 4 July 1988. In order to abolish the

⁽¹⁾ OJ No L 340, 18. 12. 1985, p. 1.

⁽²⁾ Case 94/87, Commission v Germany, [1989] ECR 175.

effects of the aid, interest shall be charged on the amount of aid from the date of payment to the date of repayment. The rate shall be that used by the Commission to calculate the net grant equivalent of regional aid in the period in question.

Article 3

Italy shall inform the Commission, within two months of the notification of this Decision, of the measures taken to comply herewith.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 July 1996.

For the Commission

Karel VAN MIERT

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1967/96 of 9 October 1996 determining the amounts of the agricultural components and the additional duties applicable from 1 July to 31 December 1996 in the importation into the Community of goods covered by Council Regulation (EC) No 3448/93 from Switzerland

(Official Journal of the European Communities No L 261 of 15 October 1996)

On page 9, in Annex III:

for:

CN Code	Description	ECU/100 kg
'1806 32 90	— Containing by weight of milk fat 3 % or more, but less than 6 % — Other	59,869 (*)

(*) Use additional code indicator No 7, see Annex II.'

read:

CN Code	Description	ECU/100 kg
'1806 32 90	— Containing by weight of milk fat 3 % or more, but less than 6 % — Other	59,869 (*)

(*) Use additional code indicator No 7, see Annex II.'