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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2086/96

of 28 October 1996

derogating, for the 1996/97 marketing year, from Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of products processed from lemons

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas, within the framework of the Community scheme supporting the processing of lemons, it appears that certain processing companies are experiencing financial difficulties in paying the minimum price to producers and whereas that situation should therefore be taken into account when authorizing the Member States, in respect of the new 1996/97 marketing year, to pay the financial compensation directly to producers under certain conditions as from the entry into force of this Regulation;

Whereas recourse to this possibility by a Member State will, for reasons of management and control, prevent the possibility of use being made of the provisions for granting financial compensation as referred to in Article 2 of Regulation (EEC) No 1035/77⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 2 of Regulation (EEC) No 1035/77, a Member State may pay financial compensation directly to producers for the quantities delivered by the latter under contracts as referred to in Article 1 (2) of that Regulation that are concluded after the entry into force of this Regulation. In that case, processors must pay to producers a price which is at least equal to the difference between the minimum price referred to in Article 1 (3) and the financial compensation referred to in Article 2 of that Regulation.

Article 2

Where Article 1 is applied, the financial compensation shall be paid to the producer at his request when the control authorities in the Member State in which processing is carried out have established that the products which are covered by contracts have been delivered.

Article 3

The decision of the Member State to apply Article 1 must concern all producers and processors on its territory.

⁽¹⁾ OJ No C 108, 19. 7. 1996, p. 16.

⁽²⁾ OJ No C 320, 28. 10. 1996.

⁽³⁾ Opinion delivered on 25 September 1996 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 125, 19. 5. 1977, p. 3. Regulation as last amended by Regulation (EEC) No 1199/90 (OJ No L 119, 11. 5. 1990, p. 61).

Article 4

The detailed rules for the application of this Regulation, in particular with regard to the guarantee, shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72⁽¹⁾.

Article 5

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

It shall apply until the end of the 1996/97 marketing year.

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

Done at Luxembourg, 28 October 1996.

For the Council

The President

I. YATES

⁽¹⁾ Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables (OJ No L 118, 20. 5. 1972, p. 1). Regulation as last amended by Regulation (EC) No 1363/95 (OJ No L 132, 16. 6. 1995, p. 8).

**COUNCIL REGULATION (EC) No 2087/96
of 28 October 1996**

**amending, as regards the period of application, Regulation (EC) No 1543/95
derogating, for the 1995/96 marketing year, from Regulation (EC) No 3119/93
laying down special measures to encourage the processing of certain citrus fruits**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas certain citrus fruit processors are still experiencing financial difficulties in paying the minimum price to producers; whereas, in order to rectify that situation, Regulation (EC) No 1543/95 ⁽⁴⁾, authorizes Member States, in respect of the 1995/96 marketing year, to pay the financial compensation directly to producers under certain conditions; whereas, as a result, Regulation (EC) No 1543/95 should be extended to the new 1996/97 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 5 of Regulation (EC) No 1543/95 is hereby replaced by the following:

‘It shall apply to the 1995/96 and 1996/97 marketing years.’

Article 2

This Regulation shall enter into force on the third day following that 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 Luxembourg, 28 October 1996.

For the Council

The President

I. YATES

⁽¹⁾ OJ No C 108, 19. 7. 1996, p. 17.

⁽²⁾ OJ No C 320, 28. 10. 1996.

⁽³⁾ Opinion delivered on 25 September 1996 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 148, 30. 6. 1995, p. 30.

COMMISSION REGULATION (EC) No 2088/96
of 31 October 1996

fixing the export refunds on beef and amending Regulation (EEC) No 3846/87
establishing an agricultural product nomenclature for export refunds

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 13 thereof,

Whereas Article 13 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 32/82⁽³⁾, as last amended by Regulation (EEC) No 3169/87⁽⁴⁾, Regulation (EEC) No 1964/82⁽⁵⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84⁽⁶⁾, as last amended by Regulation (EEC) No 3661/92⁽⁷⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other on adult bovine animals of a live weight of at least 300 kilograms;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the

Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

Whereas Commission Regulation (EEC) No 3846/87⁽⁸⁾, as last amended by Regulation (EC) No 1222/96⁽⁹⁾, establishes the agricultural product nomenclature for the purposes of export refunds; whereas, with a view to clarification, the destinations must be identified in a separate Annex;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 267, 19. 10. 1996, p. 1.

⁽³⁾ OJ No L 4, 8. 1. 1982, p. 11.

⁽⁴⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁵⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁶⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁷⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽⁸⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 161, 29. 6. 1996, p. 62.

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽¹⁾, as amended by Regulation (EEC) No 2026/83⁽²⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 990/93⁽³⁾, as amended by Regulation (EC) No 1380/95⁽⁴⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia und 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⁽⁵⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

Whereas Regulation (EEC) No 3846/87 establishes an agricultural product nomenclature for export refunds on the basis of the combined nomenclature; whereas the former be adapted in the wake of the negotiations on the Uruguay Round Agriculture Agreement with a view to the export of 5 000 tonnes of beef and veal to Canada;

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. The list of products on which export refunds as referred to in Article 13 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex I.
2. The destinations are identified in Annex II to this Regulation.
3. The descriptions for CN codes 0201 30 00 and 0202 30 90 and the footnotes in Sector 5 of the Annex to Regulation (EEC) No 3846/87 are hereby replaced by those set out in Annex III hereto.

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, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽²⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁴⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX I

to the Council Regulation of 31 October 1996 fixing export refunds on beef

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (?) (?)	Product code	Destination	Refund (?) (?)
		— Live weight —			— Net weight —
0102 10 10 120	01	82,00	0201 20 20 120	02	114,00
0102 10 10 130	02	54,50		03	79,50
	03	37,50		04	39,50
	04	19,00			
0102 10 30 120	01	82,00	0201 20 30 110 (1)	02	112,50
0102 10 30 130	02	54,50		03	77,00
	03	37,50		04	38,00
	04	19,00			
0102 10 90 120	01	82,00	0201 20 30 120	02	83,00
0102 90 41 100	02	73,00		03	58,50
0102 90 51 000	02	54,50		04	29,00
	03	37,50	0201 20 50 110 (1)	02	196,50
	04	19,00		03	131,00
0102 90 59 000	02	54,50		04	65,00
	03	37,50	0201 20 50 120	02	145,00
	04	19,00		03	100,00
0102 90 61 000	02	54,50		04	50,00
	03	37,50	0201 20 50 130 (1)	02	112,50
	04	19,00		03	77,00
0102 90 69 000	02	54,50		04	38,00
	03	37,50	0201 20 50 140	02	83,00
	04	19,00		03	58,50
0102 90 71 000	02	73,00		04	29,00
	03	48,00	0201 20 90 700	02	83,00
	04	24,00		03	58,50
0102 90 79 000	02	73,00		04	29,00
	03	48,00			
	04	24,00			
		— Net weight —	0201 30 00 050	05 (4)	120,00
				07 (4a)	120,00
0201 10 00 110 (1)	02	112,50	0201 30 00 100 (2)	02	274,00
	03	77,00		03	187,50
	04	38,00		04	94,00
0201 10 00 120	02	83,00		06	240,50
	03	58,50	0201 30 00 150 (6)	08	145,50
	04	29,00		09	133,50
0201 10 00 130 (1)	02	155,00		03	112,50
	03	104,00		04	56,50
	04	52,50		06	130,50
0201 10 00 140	02	114,00	0201 30 00 190 (6)	02	115,00
	03	79,50		03	75,50
	04	39,50		04	37,50
0201 20 20 110 (1)	02	155,00		06	92,50
	03	104,00			
	04	52,50			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (7) (9)	Product code	Destination	Refund (7) (9)
		— Net weight —			— Net weight —
0202 10 00 100	02	83,00	1602 50 10 120	02	132,50 (8)
	03	58,50		03	106,00 (8)
	04	29,00		04	106,00 (8)
0202 10 00 900	02	114,00	1602 50 10 140	02	117,00 (8)
	03	79,50		03	94,00 (8)
	04	39,50		04	94,00 (8)
0202 20 10 000	02	114,00	1602 50 10 160	02	94,00 (8)
	03	79,50		03	75,50 (8)
	04	39,50		04	75,50 (8)
0202 20 30 000	02	83,00	1602 50 10 170	02	62,50 (8)
	03	58,50		03	50,00 (8)
	04	29,00		04	50,00 (8)
0202 20 50 100	02	145,00	1602 50 10 190	02	62,50
	03	100,00		03	50,00
	04	50,00		04	50,00
0202 20 50 900	02	83,00	1602 50 10 240	02	—
	03	58,50		03	—
	04	29,00		04	—
0202 20 90 100	02	83,00	1602 50 10 260	02	—
	03	58,50		03	—
	04	29,00		04	—
0202 30 90 100	05 (4)	120,00	1602 50 10 280	02	—
	07 (4a)	120,00		03	—
				04	—
0202 30 90 400 (6)	08	145,50	1602 50 31 125	01	129,50 (5)
	09	133,50	1602 50 31 135	01	75,50 (8)
	03	112,50	1602 50 31 195	01	37,00
	04	56,50	1602 50 31 325	01	116,00 (5)
	06	130,50	1602 50 31 335	01	67,50 (8)
0202 30 90 500 (6)	02	115,00	1602 50 31 395	01	37,00
	03	75,50	1602 50 39 125	01	129,50 (5)
	04	37,50	1602 50 39 135	01	75,50 (8)
	06	92,50	1602 50 39 195	01	37,00
0206 10 95 000	02	115,00	1602 50 39 325	01	116,00 (5)
	03	75,50	1602 50 39 335	01	67,50 (8)
	04	37,50	1602 50 39 395	01	37,00
	06	92,50	1602 50 39 425	01	85,50 (5)
0206 29 91 000	02	115,00	1602 50 39 435	01	50,00 (8)
	03	75,50	1602 50 39 495	01	37,00
	04	37,50	1602 50 39 505	01	37,00
	06	92,50	1602 50 39 525	01	85,50 (5)
0210 20 90 100	02	96,00	1602 50 39 535	01	50,00 (8)
	04	57,00	1602 50 39 595	01	37,00
0210 20 90 300	02	119,00			
0210 20 90 500 (3)	02	119,00			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (?) ⁽⁹⁾	Product code	Destination	Refund (?) ⁽⁹⁾
		— Net weight —			— Net weight —
1602 50 39 615	01	37,00	1602 50 80 495	01	37,00
1602 50 39 625	01	16,50	1602 50 80 505	01	37,00
1602 50 39 705	01	15,00	1602 50 80 515	01	16,50
1602 50 39 805	01	—	1602 50 80 535	01	50,00 ⁽⁸⁾
1602 50 39 905	01	—	1602 50 80 595	01	37,00
1602 50 80 135	01	75,50 ⁽⁸⁾	1602 50 80 615	01	37,00
1602 50 80 195	01	37,00	1602 50 80 625	01	16,50
1602 50 80 335	01	67,50 ⁽⁸⁾	1602 50 80 705	01	15,00
1602 50 80 395	01	37,00	1602 50 80 805	01	—
1602 50 80 435	01	50,00 ⁽⁸⁾	1602 50 80 905	01	—

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

(4a) Carried out in accordance with amended Commission Regulation (EEC) No 2051/96 (OJ No L 274, 26. 10. 1996, p. 18).

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210 of 1. 8. 1986, p. 39).

(7) Article 13 (10) of amended Regulation (EEC) No 805/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(8) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

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

NB: The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

Zone 01: all third countries

Zone 02: zones 08 and 09

Zone 03	Zone 05	
022 Ceuta and Melilla	400 United States of America	373 Mauritius
024 Iceland		375 Comoros
028 Norway		377 Mayotte
041 Faroe Islands	Zone 06	378 Zambia
043 Andorra		386 Malawi
044 Gibraltar	809 New Caledonia	388 South Africa
045 Vatican City	822 French Polynesia	395 Lesotho
053 Estonia		604 Lebanon
054 Latvia	Zone 07	608 Syria
055 Lithuania		612 Iraq
060 Poland	404 Canada	616 Iran
061 Czech Republic		624 Israel
063 Slovakia	Zone 08	625 Gaza and Jericho
064 Hungary		628 Jordan
066 Romania	046 Malta	632 Saudi Arabia
068 Bulgaria	052 Turkey	636 Kuwait
070 Albania	072 Ukraine	640 Bahrain
091 Slovenia	073 Belarus	644 Qatar
092 Croatia	074 Moldova	647 United Arab Emirates
093 Bosnia-Herzegovina	075 Russia	649 Oman
094 Serbia and Montenegro	076 Georgia	653 Yemen
096 Former Yugoslav Republic of Macedonia	077 Armenia	720 China
109 The communes of Livigno and Campione d'Italia; the island of Helgoland	078 Azerbaijan	
	079 Kazakhstan	Zone 09
406 Greenland	080 Turkmenistan	228 Mauritania
600 Cyprus	081 Uzbekistan	232 Mali
662 Pakistan	082 Tajikistan	236 Burkina Faso
669 Sri Lanka	083 Kirghistan	240 Niger
676 Myanmar (Burma)	204 Morocco	244 Chad
680 Thailand	208 Algeria	247 Cape Verde
690 Vietnam	212 Tunisia	248 Senegal
700 Indonesia	216 Libya	252 Gambia
708 Philippines	220 Egypt	257 Guinea-Bissau
724 North Korea	224 Sudan	260 Guinea
740 Hong Kong	324 Rwanda	264 Sierra Leone
950 Stores and provisions (Destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended)	328 Burundi	268 Liberia
	329 St Helena and dependencies	272 Côte d'Ivoire
	330 Angola	276 Ghana
	334 Ethiopia	280 Togo
	336 Eritrea	284 Benin
	338 Djibouti	288 Nigeria
	342 Somalia	302 Cameroon
	350 Uganda	306 Central African Republic
	352 Tanzania	310 Equatorial Guinea
	355 Seychelles and dependencies	311 Sao Tome and Principe
	357 British Indian Ocean Territory	314 Gabon
	366 Mozambique	318 Congo
		322 Zaire
Zone 04		
039 Switzerland		

NB: The countries are those defined by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

ANNEX III

CN code	Description of goods	code Product
ex 0201 30 00	— Boneless: — — Boneless cuts exported to the USA under the conditions laid down in Commission Regulation (EEC) No 2973/79 ⁽⁴⁾ or to Canada under conditions laid down in Regulation (EC) No 2051/96 ^(4a) — — From the hindquarters of male adult bovine animals with a maximum of nine ribs or nine pairs of ribs ⁽²⁾, each piece individually wrapped — — Other boned cuts, each piece individually wrapped with a lean bovine meat content (excluding fat) of 50 % or more ⁽⁶⁾ — — Other, including minced meat, with a lean meat content (excluding fat) of 78 % or more ⁽⁶⁾	0201 30 00 050 0201 30 00 100 0201 30 00 150 0201 30 00 190
0202 30 90	— — Other: — — — Boned cuts exported to the United States of America under the conditions laid down in Regulation (EEC) No 2973/79 ⁽⁴⁾ or to Canada under conditions laid down in Regulation (EC) No 2051/96 ^(4a) — — — Boned cuts, each piece individually wrapped with a lean bovine meat content (excluding fat) of 50 % or more ⁽⁶⁾ — — — Other, including minced meat, with a lean content (excluding fat) of 78 % or more ⁽⁶⁾ — — — Other:	0202 30 90 100 0202 30 90 400 0202 30 90 500 0202 30 90 900

(1) Entry within this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82 (OJ No L 4, 8. 1. 1982, p. 11).

(2) Entry within this subheading is subject to compliance with the conditions laid down in Commission Regulation (EEC) No 1964/82 (OJ No L 212, 21. 7. 1982, p. 48).

(3) The refund on beef in brine is granted on the net weight of the meat after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(4a) OJ No L 274, 26. 10. 1996, p. 18.

(5) OJ No L 221, 18. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210, 1. 8. 1986, p. 39).

(7) OJ No L 62, 7. 3. 1980, p. 5.

(8) *Determination of collagen content:*

The collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

(9) No containing meat other than that of animals of the bovine species.

NB: Article 7 of Council Regulation (EEC) 885/68 (OJ No L 156, 4. 7. 1968, p. 2), provides that no export refunds are to be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EC) No 2089/96

of 31 October 1996

fixing the export refunds on syrups and certain other sugar products exported in the natural 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 Article 17 (5) thereof,

Whereas Article 17 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) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 3 of 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⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;

Whereas Article 17 (6) of Regulation (EEC) No 1785/81 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry⁽⁴⁾, last amended by Commission Regulation (EC) No 1126/96⁽⁵⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 17 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 214, 8. 9. 1995, p. 16.

⁽⁴⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁵⁾ OJ No L 150, 25. 6. 1996, p. 3.

Whereas Council Regulation (EEC) No 990/93 ⁽¹⁾, as amended by Regulation (EC) No 1380/95 ⁽²⁾, 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 ⁽³⁾; 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

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

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, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽²⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽³⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 31 October 1996 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	43,05 ⁽²⁾ ⁽³⁾
1702 60 10 000	43,05 ⁽²⁾ ⁽³⁾
1702 60 90 200	81,80 ⁽³⁾ ⁽⁵⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 800	0,4305 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	43,05 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,4305 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,4305 ⁽¹⁾ ⁽³⁾
1702 90 99 900	0,4305 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	43,05 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,4305 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽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.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

⁽⁵⁾ Applicable only to products defined under Article 13 (3) of Regulation (EEC) No 394/70.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 2090/96

of 31 October 1996

altering the export refunds on white sugar and raw sugar exported in the natural 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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2021/96 ⁽³⁾, as amended by Regulation (EC) No 2075/96 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2021/96 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to amended Regulation (EC) No 2021/96 are hereby altered to the amounts shown in the Annex hereto.

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, 31 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 271, 24. 10. 1996, p. 1.

⁽⁴⁾ OJ No L 279, 31. 10. 1996, p. 3.

ANNEX

to the Commission Regulation of 31 October 1996 altering 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	39,60 ⁽¹⁾
1701 11 90 910	38,97 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	39,60 ⁽¹⁾
1701 12 90 910	38,97 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4305
	— ECU/100 kg —
1701 99 10 100	43,05
1701 99 10 910	43,05
1701 99 10 950	43,05
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4305

⁽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 2091/96

of 31 October 1996

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1996.

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 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.

ANNEX

to the Commission Regulation of 31 October 1996 fixing the corrective amount applicable
to the refund on cereals

(ECU/tonne)

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

⁽¹⁾ The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 2092/96
of 31 October 1996
fixing the export refunds on rice and broken rice

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⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas export possibilities exist for a quantity of 10 000 tonnes of rice to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95⁽²⁾, as last amended by Regulation (EC) No 285/96⁽³⁾ should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Commission Regulation (EEC) No 1361/76⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁷⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1996.

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽³⁾ OJ No L 37, 15. 2. 1996, p. 18.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 31 October 1996 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	200,00	1006 30 65 900	01	250,00
1006 20 13 000	01	200,00		04	250,00
1006 20 15 000	01	200,00	1006 30 67 100	—	—
1006 20 17 000	—	—	1006 30 67 900	—	—
1006 20 92 000	01	200,00	1006 30 92 100	01	250,00
1006 20 94 000	01	200,00		02	256,00
1006 20 96 000	01	200,00		03	261,00
1006 20 98 000	—	—		04	250,00
1006 30 21 000	01	200,00	1006 30 92 900	01	250,00
1006 30 23 000	01	200,00		04	250,00
1006 30 25 000	01	200,00	1006 30 94 100	01	250,00
1006 30 27 000	—	—		02	256,00
1006 30 42 000	01	200,00		03	261,00
1006 30 44 000	01	200,00		04	250,00
1006 30 46 000	01	200,00	1006 30 94 900	01	250,00
1006 30 48 000	—	—		04	250,00
1006 30 61 100	01	250,00		—	—
	02	256,00	1006 30 96 100	01	250,00
	03	261,00		02	256,00
	04	250,00		03	261,00
1006 30 61 900	01	250,00		04	250,00
	04	250,00	1006 30 96 900	01	250,00
1006 30 63 100	01	250,00		04	250,00
	02	256,00		—	—
	03	261,00	1006 30 98 100	—	—
	04	250,00	1006 30 98 900	—	—
1006 30 63 900	01	250,00	1006 40 00 000	—	—
	04	250,00			
1006 30 65 100	01	250,00			
	02	256,00			
	03	261,00			
	04	250,00			

(1) The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

(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.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 2093/96

of 31 October 1996

setting the amounts of aid for the supply of rice 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 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands;

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

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

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these 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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

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, 31 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 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽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.

ANNEX

to the Commission Regulation of 31 October 1996 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	264,00	
Broken rice (1006 40)	58,00	

COMMISSION REGULATION (EC) No 2094/96

of 31 October 1996

setting the amounts of aid for the supply of rice 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, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products⁽⁵⁾, as last amended by Regulation (EC) No 1683/94⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

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

Done at Brussels, 31 October 1996.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁹⁾, as last amended by Regulation (EC) No 1482/96⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these 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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 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 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ No L 178, 12. 7. 1994, p. 53.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 31 October 1996 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	264,00	264,00

COMMISSION REGULATION (EC) No 2095/96
of 31 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 1 November 1996.

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

Done at Brussels, 31 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 31 October 1996 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽¹⁾ ⁽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	362,06	176,69		
1006 20 13	362,06	176,69		
1006 20 15	362,06	176,69		
1006 20 17	308,88	150,10	58,88	258,88
1006 20 92	362,06	176,69		
1006 20 94	362,06	176,69		
1006 20 96	362,06	176,69		
1006 20 98	308,88	150,10	58,88	258,88
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)	308,88	572,00	362,06	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	412,02	371,77	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.

COMMISSION REGULATION (EC) No 2096/96
of 31 October 1996
fixing 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 Article 10 of Regulation (EEC) No 1766/92 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 55 %, minus the cif import price applicable to the consignment in question;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 for the 1996/97 marketing year as regards import duties in the cereals 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 for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 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 1 November 1996.

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

Done at Brussels, 31 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.

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⁾	15,88	5,88
1001 90 91	Common wheat seed	45,00	35,00
1001 90 99	Common high quality wheat other than for sowing ⁽¹⁾	45,00	35,00
	medium quality	44,59	34,59
	low quality	64,31	54,31
1002 00 00	Rye	77,40	67,40
1003 00 10	Barley, seed	77,40	67,40
1003 00 90	Barley, other ⁽³⁾	77,40	67,40
1005 10 90	Maize seed other than hybrid	85,15	75,15
1005 90 00	Maize other than seed ⁽³⁾	85,15	75,15
1007 00 90	Grain sorghum other than hybrids for sowing	77,40	67,40

⁽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 17 October to 30 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)	118,63	123,91	114,73	86,76	161,66 (¹)	100,14 (¹)
Gulf premium (ECU/tonne)	—	18,28	7,74	14,87	—	—
Great lake premium (ECU/tonne)	13,90	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 9,67 per tonne; Great Lakes — Rotterdam: ECU 18,91 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 2097/96

of 31 October 1996

determining the world market price for unginning cotton and the rate for the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as amended by Regulation (EC) No 1584/96⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginning cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton⁽⁴⁾, as last amended by Regulation (EC) No 1645/96⁽⁵⁾; whereas if it cannot be determined in this way it is to be based on the last price determined;

Whereas Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend; whereas to this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustments to reflect dif-

ferences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginning cotton indicated hereunder;

Whereas Article 5 (3) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is overrun but with a 15 % increase in the estimate for unginning cotton production; whereas Commission Regulation (EC) No 1683/96⁽⁶⁾ determined estimated production for the 1996/97 marketing year; whereas application of these rules gives the advance payment rates for each Member State indicated hereunder,

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginning cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 32,544 per 100 kilograms.

2. Advance payment of the aid as indicated in Article 5 (3) of Regulation (EC) No 1554/95 shall be at the rate of:

- ECU 62,063 per 100 kilograms in Spain,
- ECU 31,555 per 100 kilograms in Greece,
- ECU 73,756 per 100 kilograms in other Member States.

Article 2

This Regulation shall enter into force on 1 November 1996.

⁽⁶⁾ OJ No L 217, 28. 8. 1996, p. 1.

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 206, 16. 8. 1996, p. 16.

⁽⁴⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ No L 207, 17. 8. 1996, p. 3.

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2098/96

of 31 October 1996

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 229/96⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EC) No 531/96⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.
2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.
3. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only when 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 1 November 1996.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 78, 28. 3. 1996, p. 13.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 31 October 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 31 October 1996 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 63,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported (b) On exportation of other goods	67,23 108,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	65,00 197,25 190,00

COMMISSION REGULATION (EC) No 2099/96

of 31 October 1996

fixing the rates of refunds applicable to certain products from the sugar sector
exported in the form of goods not covered by Annex II to the Treaty

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⁾ and in particular Article 17 (5) (a) and (15),

Whereas Article 17 (1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds⁽³⁾ as last amended by Regulation (EC) No 229/96⁽⁴⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 17 (3) of Regulation (EEC) No 1785/81 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

Whereas the refunds fixed under this Regulation may be fixed in advance; whereas the market situation over the next few months cannot be established at the moment;

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex II to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to take precautionary measures in such situa-

tions without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86⁽⁵⁾, as last amended by Regulation (EC) No 1126/96, for the basic product in question, used during the assumed period of manufacture of the goods;

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 462/95⁽⁸⁾; whereas account should be taken of this when fixing the funds;

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. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 1 November 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 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽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.

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

Done at Brussels, 31 October 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 31 October 1996 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Product	Rate of refund in ECU/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	8,49	8,49
— in all other cases	43,05	43,05
Raw sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	7,81	7,81
— in all other cases	39,61	39,61
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	$\frac{8,49^{(1)} \times S^{(1)}}{100}$	$\frac{8,49^{(1)} \times S^{(1)}}{100}$
— in all other cases	$\frac{43,05^{(1)} \times S^{(1)}}{100}$	$\frac{43,05^{(1)} \times S^{(1)}}{100}$
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion	the rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses	—	—
Isoglucose ⁽²⁾ :		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	8,49 ⁽³⁾	8,49 ⁽³⁾
— in all other cases	43,05 ⁽³⁾	43,05 ⁽³⁾

⁽¹⁾ 'S' represents in 100 kilograms of syrup

— the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EC) No 2100/96

of 31 October 1996

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 13 (1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁴⁾, as last amended by Regulation (EC) No 229/96⁽⁵⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁶⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in

Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁷⁾, as last amended by Regulation (EC) No 1516/95⁽⁸⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

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 1 November 1996.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁵⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁶⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁷⁾ OJ No L 159, 1. 7. 1993, p. 112.

⁽⁸⁾ OJ No L 147, 30. 6. 1995, p. 49.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 31 October 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 31 October 1996 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	0,480 0,738
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases	0,415 0,008 0,638
1002 00 00	Rye	3,112
1003 00 90	Barley	3,039
1004 00 00	Oats	2,796
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (3): — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2) — in other cases	2,987 3,775 2,203 2,991 3,775 2,987 3,775

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1006 20	Husked rice:	
	– round grain	19,608
	– medium grain	17,457
	– long grain	17,457
ex 1006 30	Wholly-milled rice:	
	– round grain	25,300
	– medium grain	25,300
	– long grain	25,300
1006 40 00	Broken rice used in the form of:	
	– starch of CN code 1108 19 10:	
	– – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾	3,790
	– – in other cases	4,620
	– other (including unprocessed)	4,620
1007 00 90	Sorghum	3,039
1101 00	Wheat or meslin flour:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,510
	– in other cases	0,785
1102 10 00	Rye flour	4,263
1103 11 10	Groats and durum wheat meal:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,681
	– in other cases	1,048
1103 11 90	Common wheat groats and spelt:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,589
	– in other cases	0,906

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ No L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ No L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 2101/96
of 31 October 1996
on the supply of meat as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated corned beef to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Meat shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 29/96
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Sao Tomé and Príncipe
4. **Representative of the recipient**: Gabinete de Gestão das Aludas, Caixa Postal 31, Av. Marginal 12 de Julho. Tel: (239-12) 21672/21998 (contact: Sr. Diogenes Moniz)
5. **Place or country of destination** ⁽³⁾: São Tomé and Príncipe
6. **Product to be mobilized**: corned beef
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾: see OJ No C 114, 29. 4. 1991, p. 1 (VII A (1))
8. **Total quantity (tonnes)**: 50
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (VII A (2) and VII A (3))
Language to be used for the marking: Portuguese
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: magasins portuaires, São Tomé
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 12. 1996 — 5. 1. 1997
18. **Deadline for the supply**: 26. 1. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 18. 11. 1996 (Brussels time)
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 2. 12. 1996 (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 6 — 19. 1. 1997
 - (c) deadline for the supply: 9. 2. 1997
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 130, bureau 7/46, 200 rue de la Loi/Wetstraat, B-1049 Bruxelles/Brussel; (telex 25670 AGREC B; fax (32 2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refunds only for products covered by product code 1602 50 31 125 or 1602 50 31 325, referred to in Regulation (EC) No 3567/93 (OJ No L 327, 28. 12. 1993, p. 1). The refunds are those which are applicable at the date of expiry of the period allowed for the submission of tenders.

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
 - health certificate.
- (⁷) Notwithstanding OJ No C 114, point VIIA.3(c) is replaced by the following: 'the words "European Community"'.

- (⁸) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.

COMMISSION REGULATION (EC) No 2102/96
of 31 October 1996
on the supply of white sugar as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽¹⁾, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated sugar to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽²⁾, as amended by Regulation (EEC) No 790/91 ⁽³⁾; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 26/96
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: São Tomé and Príncipe
4. **Representative of the recipient**: Gabinete de Gestão das Ajudas, Calxa Postal 31, Av. Marginal 12 de Julho. Tel: (239-12) 21672/21998 (contact: Sr. Diogenes Moniz)
5. **Place or country of destination** ⁽³⁾: São Tomé and Príncipe
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (V.A.(1))
8. **Total quantity**: 1 500 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹⁰⁾: see OJ No C 114, 29. 4. 1991, p. 1 (V.A.(2) and V.A. (3))
Language to be used for the marking: Portuguese
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
— A or B sugar (points (a) and (b))
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**:
16. **Address of the warehouse and, if appropriate, port of landing**: magasins portuaires, São Tomé
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 23. 12. 1996 — 5. 1. 1997
18. **Deadline for the supply**: 26. 1. 1997
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 18. 11. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 2. 12. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 6 — 19. 1. 1997
 - (c) deadline for the supply: 9. 2. 1997
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel, (tlx: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: periodic refund applicable to white sugar on 28. 10. 1996 fixed by Commission Regulation (EC) No 2021/96 (OJ No L 271, 24. 10. 1996, p. 1)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
 - health certificate.
- (⁹) Notwithstanding OJ No C 114, point V.A(3)(c) is replaced by the following: 'the words "European Community"'.

- (¹⁰) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.

COMMISSION REGULATION (EC) No 2103/96

of 31 October 1996

establishing the forecast supply balance for olive oil for the Canary Islands under the specific measures provided for in Articles 2 and 3 of Council Regulation (EEC) No 1601/92

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 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94 of 16 November 1994 laying down common detailed rules for the implementation of Council Regulation (EEC) No 1601/92 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, establishes specific measures for the Canary Islands with regard to certain agricultural products;

Whereas Commission Regulation (EC) No 2542/95⁽⁵⁾ establishes the forecast supply balance for olive oil for the period 1 November to 31 October 1996;

Whereas, in order to enable the Canary Islands to be supplied with olive oil for the entire 1996/97 marketing year, an additional forecast supply balance must be adopted for the period 1 November 1996 to 31 October 1997;

Whereas, in order to avoid any interruption in the arrangements, this Regulation should apply from 1 November 1996;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the application of Articles 2 and 3 of Regulation (EEC) No 1601/92, the forecast balance for the supply of olive oil sector products benefiting from exemption from duties on imports from third countries or benefiting from Community aid shall be as laid out in the Annex hereto.

Article 2

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

It shall apply from 1 November 1996.

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

Done at Brussels, 31 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 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ No L 260, 31. 10. 1995, p. 31.

ANNEX

Forecast supply balance for olive oil for the Canary Islands for the period 1 November 1996 to 31 October 1997

<i>(in tonnes)</i>		
Product code	Description of goods	Quantity
1509 10 90 100	Virgin olive oil in immediate packings of a net content of 5 litres or less	600
1509 10 90 900	Virgin olive oil in immediate packings of a net content greater than 5 litres	600
1509 90 00 100	Olive oil (Riviera) in immediate packings of a net content of 5 litres or less	11 200
1509 90 00 900	Olive oil (Riviera) in immediate packings of a net content greater than 5 litres	1 500
1510 00 90 100	Pomace oil in immediate packings of a net content of 5 litres or less	350
1510 00 90 900	Pomace oil in immediate packings of a net content greater than 5 litres	150
Total		14 400

The quantities fixed may be exceeded up to a maximum of 20 % provided that the combined quantity for the products concerned is not exceeded.

COMMISSION REGULATION (EC) No 2104/96

of 31 October 1996

amending Regulation (EEC) No 2026/92 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 2026/92 ⁽³⁾, as last amended by Regulation (EC) No 2545/95 ⁽⁴⁾, fixes the forecast supply balance for olive oil for Madeira for the period 1 November 1995 to 31 October 1996; whereas, in order to permit supplies of olive oil to be made to Madeira during the 1996/97 marketing year, a forecast supply balance must be established for the period 1 November 1996 to 31 October 1997;

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

Article 1

Regulation (EEC) No 2026/92 is hereby amended as follows:

1. In the first subparagraph of Article 1 (1), '1 November 1995 to 31 October 1996' is replaced by '1 November 1996 to 31 October 1997'.
2. The Annex is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 November 1996.

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

Done at Brussels, 31 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 207, 23. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 260, 31. 10. 1995, p. 43.

ANNEX

Forecast supply balance for olive oil for Madeira for the period 1 November 1996 to 31 October 1997

<i>(in tonnes)</i>		
Code	Description	Quantity
1509 10 90 100	Virgin olive oil in immediate containers holding no more than 5 litres	100
1509 10 90 900	Virgin olive oil in immediate containers holding more than 5 litres	—
1509 90 00 100	Olive oil ('Riviera') in immediate containers holding no more than 5 litres	650
1509 90 00 900	Olive oil ('Riviera') in immediate containers holding more than 5 litres	—
1510 00 90 100	Olive-residue oil in immediate containers holding no more than 5 litres	—
1510 00 90 900	Olive-residue oil in immediate containers holding more than 5 litres	—
Total		750

COMMISSION REGULATION (EC) No 2105/96

of 31 October 1996

amending Regulation (EEC) No 689/92 fixing the procedure and conditions for the taking-over of cereals by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 689/92⁽³⁾, as last amended by Regulation (EC) No 1775/96⁽⁴⁾, fixes the conditions for the acceptance of cereals for intervention; whereas cereals offered must have the physical and technical characteristics required for the qualities eligible for intervention; whereas it should be laid down that common wheat presented as being of breadmaking quality must be suitable for that purpose; whereas it should be laid down that, where doubt exists, the intervention agency must verify that this is the case;

Whereas there is, for the current marketing year, a particularly high risk of presentation to intervention of products which do not conform, in particular in certain Member States owing to the high moisture content recorded during the harvest and to the resort to rapid drying procedures;

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

Article 1

The last two subparagraphs of Article 2 (2) of Regulation (EEC) No 689/92 is replaced by the following text:

'For common wheat presented as being of breadmaking quality during the 1996/97 marketing year, the intervention agency shall, in case of doubt, undertake a germination test. Where the germinative capacity is less than 85 %, the common wheat in question shall be rejected.

However, if evidence is furnished to the satisfaction of the intervention agency that the common wheat offered is of breadmaking quality, the wheat shall be accepted as such. The costs of carrying out the tests required to furnish the abovementioned evidence shall be defrayed by the supplier.'

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 from 1 November 1996.

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

Done at Brussels, 31 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 74, 20. 3. 1992, p. 18.

⁽⁴⁾ OJ No L 232, 13. 9. 1996, p. 18.

COMMISSION REGULATION (EC) No 2106/96

of 31 October 1996

temporarily suspending the issuing of export licences in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1685/95 of 10 July 1995 on arrangements for issuing export licences for wine sector products and amending Regulation (EEC) No 3388/81 laying down special detailed rules in respect of import and export licences in the wine sector⁽¹⁾, as last amended by Regulation (EC) No 2807/95⁽²⁾, and in particular Article 3 (4) thereof,

Whereas under Article 55 (7) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽³⁾, as amended by Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the Agreements concluded during the Uruguay Round of multilateral trade negotiations⁽⁴⁾; export refunds are granted for products in the wine sector only within the limits on volumes and expenditure laid down in those Agreements;

Whereas Article 3 of Regulation (EC) No 1685/95 lays down the conditions in which special measures may be taken by the Commission to avoid early exhaustion of the annual quantity commitment provided for under the Agreement;

Whereas on the basis of information available to the Commission on 30 October 1996 concerning applications

for export licences, it appears that there is a serious risk that the quantity provided for in the Agreement will shortly be exhausted; whereas it is necessary to avoid a volume of applications likely to lead to a distortion in competition between operators and to threaten the continuity of exports during the remainder of the year; whereas, consequently, applications for which licences have not yet been granted should be rejected, and the issuing of export licences with advance fixing of the refund for the products concerned should be temporarily suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences with advance fixing of refunds in the wine sector lodged from 23 October 1996 shall be rejected, and the lodging of applications for such licences shall be suspended until 5 November 1996.

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, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 161, 12. 7. 1995, p. 2.

⁽²⁾ OJ No L 291, 6. 12. 1995, p. 18.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

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

COMMISSION REGULATION (EC) No 2107/96**of 31 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 1 November 1996.

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

Done at Brussels, 31 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 31 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 45	204	46,1
	999	46,1
ex 0707 00 35	624	94,3
	999	94,3
0709 90 79	052	88,1
	999	88,1
0805 30 40	052	65,8
	388	66,0
	524	39,4
	528	56,4
	999	56,9
0806 10 50	052	83,5
	400	243,6
	999	163,6
0808 10 92, 0808 10 94, 0808 10 98	052	68,2
	060	57,0
	064	48,7
	400	72,3
	404	79,2
	999	65,1
0808 20 67	052	73,6
	064	76,3
	400	68,3
	999	72,7

⁽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 2108/96

of 31 October 1996

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾, as amended by Regulation (EC) No 1380/95⁽⁶⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁷⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1996.

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁷⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

**to the Commission Regulation of 31 October 1996 fixing the export refunds on cereals and on
wheat or rye flour, groats and meal**

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
0709 90 60 000	—	—	1101 00 11 000	—	—
0712 90 19 000	—	—	1101 00 15 100	01	27,00
1001 10 00 200	—	—	1101 00 15 130	01	25,50
1001 10 00 400	—	—	1101 00 15 150	01	23,50
1001 90 91 000	—	—	1101 00 15 170	01	21,50
1001 90 99 000	01	0	1101 00 15 180	01	20,00
1002 00 00 000	01	0	1101 00 15 190	—	—
1003 00 10 000	—	—	1101 00 90 000	—	—
1003 00 90 000	01	0	1102 10 00 500	01	41,00
1004 00 00 200	—	—	1102 10 00 700	—	—
1004 00 00 400	—	—	1102 10 00 900	—	—
1005 10 90 000	—	—	1103 11 10 200	01	27,00 ⁽³⁾
1005 90 00 000	—	—	1103 11 10 400	—	— ⁽³⁾
1007 00 90 000	—	—	1103 11 10 900	—	—
1008 20 00 000	—	—	1103 11 90 200	01	27,00 ⁽³⁾
			1103 11 90 800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries,

⁽²⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

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

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

COMMISSION REGULATION (EC) No 2109/96

of 31 October 1996

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1996.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 31 October 1996 fixing the export refunds on malt

(ECU/tonne)	
Product code	Refund ⁽¹⁾
1107 10 19 000	27,00
1107 10 99 000	36,43
1107 20 00 000	42,17

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

COMMISSION REGULATION (EC) No 2110/96
of 31 October 1996
amending Regulation (EC) No 1832/96 setting export refunds for fruit and
vegetables

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 26 (11) thereof,

Whereas Commission Regulation (EC) No 1832/96⁽³⁾, fixes the quantities which may be covered by applications for export licences other than food and aid;

Whereas Commission Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables⁽⁴⁾, as last amended by Regulation (EC) No 2702/95⁽⁵⁾, lays down the criteria for establishing the quantities for which export licences may be issued; whereas those quantities should also be adjusted in the light of the situation on the market; whereas, in the inter-

ests of transparency, exporters should be informed of the updated position with regard to those quantities;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1832/96 is hereby replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 243, 24. 9. 1996, p. 17.

⁽⁴⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽⁵⁾ OJ No L 280, 23. 11. 1995, p. 30.

ANNEX

ANNEX II

RATES AND QUANTITIES FOR LICENCES WITHOUT ADVANCE FIXING OF THE REFUND

Product	Product code ⁽¹⁾	Destination or destination group ⁽²⁾	Indicative refund rate (ECU/net tonne)	Period 2 Applications from 1. 10. 1996 to 24. 11. 1996
				Indicative quantity (tonnes)
Tomatoes	0702 00 15 100 0702 00 20 100 0702 00 25 100 0702 00 30 100 0702 00 35 100 0702 00 40 100 0702 00 45 100 0702 00 50 100	F	36,2	3 288
Shelled almonds	0802 12 90 000	F	77,9	286
Hazelnuts in shell	0802 21 00 000	F	91,0	112
Shelled hazelnuts	0802 22 00 000	F	175,6	1 160
Walnuts in shell	0802 31 00 000	F	112,9	138
Oranges	0805 10 01 200 0805 10 05 200 0805 10 09 200 0805 10 11 200 0805 10 15 200 0805 10 19 200 0805 10 21 200 0805 10 25 200 0805 10 29 200 0805 10 31 200 0805 10 33 200 0805 10 35 200 0805 10 37 200 0805 10 38 200 0805 10 39 200 0805 10 42 200 0805 10 44 200 0805 10 46 200 0805 10 51 200 0805 10 55 200 0805 10 59 200 0805 10 61 200 0805 10 65 200 0805 10 69 200	A C	88,6	30 932
Lemons	0805 30 20 100 0805 30 30 100 0805 30 40 100	F	108,7	5 079
Table grapes	0806 10 21 200 0806 10 29 200 0806 10 30 200 0806 10 40 200 0806 10 50 200 0806 10 61 200 0806 10 69 200	F	39,0	2 808

Product	Product code ⁽¹⁾	Destination or destination group ⁽²⁾	Indicative refund rate (ECU/net tonne)	Period 2 Applications from 1. 10. 1996 to 24. 11. 1996
				Indicative quantity (tonnes)
Apples	0808 10 51 910 0808 10 53 910 0808 10 59 910 0808 10 61 910 0808 10 63 910 0808 10 69 910 0808 10 71 910 0808 10 73 910 0808 10 79 910 0808 10 92 910 0808 10 94 910 0808 10 98 910	A B D	64,4	10 201
Peaches and nectarines	0809 30 11 100 0809 30 19 100 0809 30 21 100 0809 30 29 100 0809 30 31 100 0809 30 39 100 0809 30 41 100 0809 30 49 100 0809 30 51 100 0809 30 59 100	E	40,2	

⁽¹⁾ The full definitions of the eligible products can be found in the section on fruit and vegetables in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

⁽²⁾ The destination codes are defined as follows:

A: Norway, Iceland, Greenland, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Malta.

B: Faeroes, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia.

C: Switzerland, Czech Republic, Slovakia.

D: Hong Kong, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

E: All destinations except Switzerland.

F: All destinations.

COMMISSION REGULATION (EC) No 2111/96

of 31 October 1996

on the issuing of export licences for fruit and vegetables without advance fixing of the refund

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 26 (11) thereof,

Whereas Commission Regulation (EC) No 1832/96 of 23 September 1996⁽³⁾, as amended by Regulation (EC) No 2110/96⁽⁴⁾, sets the indicative quantities laid down for the issuing of export licences without advance fixing of the refund other than licences applied for in the context of food aid;

Whereas Article 7 of Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables⁽⁵⁾, as last amended by Regulation (EC) No 2702/95⁽⁶⁾, provides that where there is an overrun of the indicative quantities, the excess quantities are to be deducted;

Whereas, in the light of information available to the Commission today, the indicative quantities laid down for the current period for tomatoes, apples and table grapes are close to being or have already been exceeded; whereas those overruns will probably result in a reduction in the indicative quantities for the following period; whereas that reduction would be prejudicial to exports followed by applications for licences without advance fixing of the refund during that following period;

Whereas, in order to avoid that situation, applications for licences without advance fixing of the refund for tomatoes, apples and table grapes exported after 5 November 1996 should be rejected until the end of the current period;

Whereas, in order to avoid their inclusion in the calculations made by the Commission pursuant to Articles 6 and 7 of Regulation (EC) No 1488/95, such applications must not be communicated to the Commission;

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

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences for tomatoes, table grapes and apples without advance fixing of the refund as referred to in Article 5 of Regulation (EC) No 1488/95, export declarations for which are accepted after 5 November and before 24 November 1996, are hereby rejected.

Notwithstanding Article 8 of Regulation (EC) No 1488/95, such applications shall not be included in communications to the Commission.

Article 2

This Regulation shall enter into force on 4 November 1996.

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

Done at Brussels, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 243, 24. 9. 1996, p. 17.

⁽⁴⁾ See page 58 of this Official Journal.

⁽⁵⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽⁶⁾ OJ No L 280, 23. 11. 1995, p. 30.

COMMISSION REGULATION (EC) No 2112/96
of 31 October 1996
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EC) No 150/95⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 2006/96⁽³⁾;

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

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

Whereas, as a consequence of the exchange rates recorded from 21 to 31 October 1996, it is necessary to fix a new agricultural conversion rate for the Austrian schilling, the

Dutch guilder, the German mark, the Belgian franc and the pound sterling;

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

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

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

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

Article 3

Regulation (EC) No 2006/96 is hereby repealed.

Article 4

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, 31 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽³⁾ OJ No L 267, 19. 10. 1996, p. 17.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 188, 27. 7. 1996, p. 22.

ANNEX I

Agricultural conversion rates

ECU 1 =	39,6411	Belgian and Luxembourg francs
	7,49997	Danish kroner
	1,92441	German marks
	311,761	Greek drachmas
	198,202	Portuguese escudos
	6,61023	French francs
	6,02811	Finnish marks
	2,15852	Dutch guilders
	0,829498	Irish punt
	1 973,93	Italian lire
	13,5396	Austrian schillings
	165,198	Spanish pesetas
	8,64446	Swedish kroner
	0,809915	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	38,1164	Belgian and Luxembourg francs	ECU 1 =	41,2928	Belgian and Luxembourg francs
	7,21151	Danish kroner		7,81247	Danish kroner
	1,85039	German marks		2,00459	German marks
	299,770	Greek drachmas		324,751	Greek drachmas
	190,579	Portuguese escudos		206,460	Portuguese escudos
	6,35599	French francs		6,88566	French francs
	5,79626	Finnish marks		6,27928	Finnish marks
	2,07550	Dutch guilders		2,24846	Dutch guilders
	0,797594	Irish punt		0,864060	Irish punt
	1 898,01	Italian lire		2 056,18	Italian lire
	13,0188	Austrian schillings		14,1038	Austrian schillings
	158,844	Spanish pesetas		172,081	Spanish pesetas
	8,31198	Swedish kroner		9,00465	Swedish kroner
	0,778764	Pound sterling		0,843661	Pound sterling

DIRECTIVE 96/69/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 8 October 1996****amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾,

- (1) Whereas measures should be adopted within the framework of the attainment of the objectives of the internal market; whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;
- (2) Whereas the first programme of action of the European Community on protection of the environment ⁽⁴⁾, approved by the Council on 22 November 1973, called for account to be taken of the latest scientific advances in combating atmospheric pollution caused by gases emitted from motor vehicles and for Directives adopted previously to be amended accordingly; whereas the fifth programme of action, the general approach of which was approved by the Council in its resolution of 1 February 1993 ⁽⁵⁾, provides for additional efforts to be made to effect a considerable reduction in the present level of pollutants emitted from motor vehicles;
- (3) Whereas the objective of reducing the level of pollutant emissions from motor vehicles and the operation of the internal market for vehicles cannot be sufficiently achieved by individual Member States; whereas they can, however, be better achieved at Community level by the approximation of the laws of the Member States relating to measures to be taken against air pollution by motor vehicles;
- (4) Whereas it is recognized that the development of transport in the Community has entailed significant constraints for the environment and that there is a risk of increased deterioration thereof; whereas official estimates of the increase in traffic density made hitherto have been exceeded by the actual trend throughout the Community and whereas for that reason very stringent emission standards should be laid down for all motor vehicles;
- (5) Whereas in 1993 the Commission adopted a European programme on emissions, fuels and engine technologies (Epefe); whereas that programme was established to ensure that proposals for future Directives on pollutant emissions seek the best solutions for the environment, for the consumer and for the economy; whereas, it deals with the pollution emitted by motor vehicles and the fuels which propel them;
- (6) Whereas Directive 70/220/EEC ⁽⁶⁾, which deals with the measures to be taken against air pollution by emissions from motor vehicles, is one of the separate Directives under the type-approval procedure laid down by Directive 70/156/EEC ⁽⁷⁾;
- (7) Whereas Directive 70/220/EEC lays down the limit values for carbon monoxide and unburnt hydrocarbon emissions from the engines of such vehicles; whereas these limit values were first reduced by Council Directive 74/290/EEC ⁽⁸⁾ and supplemented, in accordance with Commission Directive 77/102/EEC ⁽⁹⁾, by limit values for permissible emissions of nitrogen oxides; whereas the limit values for those three pollutants were successively reduced by Commission Directive 78/665/EEC ⁽¹⁰⁾ and Council Directives 83/351/EEC ⁽¹¹⁾ and 88/76/EEC ⁽¹²⁾; whereas limit values for particulate pollutant emissions from diesel engines were introduced by Directive 88/436/EEC ⁽¹³⁾; whereas more stringent European standards for emissions of gaseous pollutants

⁽¹⁾ OJ No C 390, 31. 12. 1994, p. 26, and OJ No C 19, 23. 1. 1996, p. 13.

⁽²⁾ OJ No C 201, 26. 7. 1993, p. 9.

⁽³⁾ Opinion of the European Parliament of 20 September 1995 (OJ No C 269, 16. 10. 1995, p. 82), common position of the Council of 22 December 1995 (OJ No C 37, 9. 2. 1996, p. 23) and Decision of the European Parliament of 9 May 1996 (OJ No C 152, 27. 5. 1996, p. 44).

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁵⁾ OJ No C 138, 17. 5. 1993, p. 1.

⁽⁶⁾ OJ No L 76, 6. 4. 1970, p. 1. Directive as last amended by Directive 94/12/EC (OJ No L 100, 19. 4. 1994, p. 42).

⁽⁷⁾ OJ No L 42, 23. 2. 1970, p. 1. Directive as last amended by Commission Directive 95/54/EC (OJ No L 266, 8. 11. 1995, p. 1).

⁽⁸⁾ OJ No L 159, 15. 6. 1974, p. 61.

⁽⁹⁾ OJ No L 32, 3. 2. 1977, p. 32.

⁽¹⁰⁾ OJ No L 223, 14. 8. 1978, p. 48.

⁽¹¹⁾ OJ No L 197, 20. 7. 1983, p. 1.

⁽¹²⁾ OJ No L 36, 9. 2. 1988, p. 1.

⁽¹³⁾ OJ No L 214, 6. 8. 1988, p. 1.

from motor vehicles below 1 400 cm³ were introduced by Directive 89/458/EEC⁽¹⁾; whereas those standards have been extended to all passenger cars independently of their engine capacity on the basis of an improved European test procedure including an extra-urban driving cycle; whereas requirements relating to the evaporative emissions and to the durability of emission-reducing vehicle components as well as more stringent particulate pollutant standards for motor vehicles equipped with diesel engines were introduced by Directive 91/441/EEC⁽²⁾; whereas passenger cars designed to carry more than six passengers, including the driver, or having a maximum mass of more than 2 500 kg, light commercial vehicles and off-road vehicles covered by Directive 70/220/EEC have, pursuant to Directive 93/59/EEC⁽³⁾, been subject to standards as stringent as those for passenger cars, taking into account the specific features of such vehicles; whereas the standards for passenger cars have been rendered more stringent by Directive 94/12/EC, which also introduced a new method for checking on the conformity of production; whereas it is necessary to harmonize the standards for light commercial vehicles with those for passenger cars so as to make them at least as stringent as those for passenger cars;

(8) Whereas the work undertaken by the Commission in this field has shown that the best technology currently available to the Community industry can be further improved in order to allow light commercial vehicles to comply with considerably reduced emission limits; whereas the same is true of other new technologies which are emerging; whereas the proposed standards will apply both to the approval of new vehicle types and to checks on conformity of production, since the amended method of sampling and statistical evaluation enables the tolerances allowed for the limit values set under previous stages of value reduction pursuant to Directive 70/220/EEC to be removed;

(9) Whereas the Commission has examined the feasibility of amalgamating vehicle classes II and III, the actual conditions under which light commercial vehicles are driven in urban and extra-urban traffic and the special characteristics of those vehicles;

(10) Whereas Member States should be allowed to expedite, by means of tax incentives, the placing on the market of vehicles which satisfy the requirements adopted at Community level, such incentives having

to comply with the provisions of the Treaty and satisfy certain conditions intended to avoid distortions of the internal market; whereas this Directive does not affect the Member States' right to include emissions of pollutants and other substances in the basis on which road traffic taxes on motor vehicles are calculated;

(11) Whereas the prior notification requirement of this Directive stands without prejudice to notification requirements under other provisions of Community law, notably Article 93 (3) of the Treaty;

(12) Whereas it is appropriate that the European Parliament and the Council should adopt, by 31 December 1997, the requirements valid for the stage beginning in 2000, on the basis of a proposal which the Commission must submit by 30 June 1996 and which is to be aimed at substantially reducing emissions from light commercial vehicles;

(13) Whereas the measures to reduce air pollution emissions from the year 2000 must form part of an integrated and multidirectional approach embracing all measures for reducing air pollution due to road traffic; whereas all the parameters set out in Article 4 of Directive 94/12/EC are relevant; whereas, for the requirements valid as from the year 2000, the aim should be, for light commercial vehicles, to lay down standards of equivalent stringency to those laid down for passenger cars employing an emission reduction technology of a uniform technical level, account being taken of the special characteristics of light commercial vehicles and, for vehicles of category N1, classes II and III, of the need to take into consideration any appropriate stipulations as to durability; whereas the Commission must undertake an analysis of the environmental, technological and cost-efficiency aspects and provide, by the end of June 1996, quantified objectives for the adoption of Community measures applicable from the year 2000,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 70/220/EEC shall be amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 October 1996, Member States must accept compliance with the requirements of Directive 70/220/EEC, as amended by this Directive, for the purposes of Articles 4 (1) and 7 (1) of Directive 70/156/EEC.

⁽¹⁾ OJ No L 226, 3. 8. 1989, p. 1.

⁽²⁾ OJ No L 242, 30. 8. 1991, p. 1.

⁽³⁾ OJ No L 186, 28. 7. 1993, p. 21.

2. With effect from 1 January 1997 for vehicles of class I and with effect from 1 January 1998 for vehicles of classes II and III, Member States may no longer grant:

— EC type-approval in accordance with Article 4 (1) of Directive 70/156/EEC, or

— national type-approval, except where the provisions of Article 8 (2) of Directive 70/156/EEC are invoked,

for a vehicle type on grounds related to air pollution by engine emissions, if it fails to comply with Directive 70/220/EEC, as amended by this Directive.

3. With effect from 1 October 1997 for vehicles of class I and with effect from 1 October 1998 for vehicles of classes II and III, Member States must:

— consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC as no longer valid for the purposes of Article 7 (1) of that Directive; and

— refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 70/156/EEC, except where the provisions of Article 8 (2) of Directive 70/156/EEC are invoked,

on grounds relating to air pollution by engine emissions, if the requirements of Directive 70/220/EEC, as amended by this Directive, are not fulfilled.

Article 3

Member States may make provision for tax incentives only in respect of motor vehicles which comply with Directive 70/220/EEC, as amended by this Directive. Such incentives must comply with the provisions of the Treaty and satisfy the following conditions:

— they shall be valid for all new vehicles offered for sale on the market of a Member State which comply in advance with the requirements of Directive 70/220/EEC, as amended by this Directive,

— they shall cease on the dates set in Article 2 (3) for the mandatory application of emission values for new motor vehicles,

— for each type of motor vehicle they shall be for an amount lower than the additional cost of the technical devices introduced to ensure compliance with the values set and their installation on the vehicle.

The Commission shall be informed of any plans to institute or change the tax incentives referred to in the first paragraph in sufficient time to submit its observations.

Article 4

The European Parliament and the Council, acting under the conditions laid down in the Treaty, shall decide by 31 December 1997 on proposals, to be submitted by the Commission by 30 June 1996, for a further stage in the reduction, by the adoption of Community measures, of air pollution caused by emissions from motor vehicles covered by this Directive. The measures will apply from the year 2000.

In these proposals, the Commission will follow the approach outlined in Article 4 of Directive 94/12/EC.

Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 October 1996. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 6

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

Article 7

This Directive is addressed to the Member States.

Done at Brussels, 8 October 1996.

For the European Parliament

The President

K. HÄNSCH

For the Council

The President

P. RABBITTE

ANNEX

Amendments to the Annexes to Directive 70/220/EEC as amended by Directive 93/59/EEC

The table in Section 5.3.1.4 is replaced by the following:

Category/class of vehicle		Limit values					
		Reference mass RW (kg)	Mass of carbon monoxide L ₁ (g/km)		Combined mass of hydrocarbons and oxides of nitrogen L ₂ (g/km)		Mass of particulates L ₃ (g/km)
			Petrol	Diesel	Petrol	Diesel ⁽¹⁾	Diesel ⁽¹⁾
M ⁽²⁾	—	all	2,2	1,0	0,5	0,7	0,08
N ₁ ⁽³⁾	I	RW ≤ 1 250	2,2	1,0	0,5	0,7	0,08
	II	1 250 < RW ≤ 1 700	4,0	1,25	0,6	1,0	0,12
	III	1 700 < RW	5,0	1,5	0,7	1,2	0,17

⁽¹⁾ Until 30 September 1999, for vehicles fitted with diesel engines of the direct injection type, the limit values L₂ and L₃ are the following:

	L ₂	L ₃
— category M ⁽²⁾ and N ₁ ⁽³⁾ class I:	0,9	0,10
— category N ₁ ⁽³⁾ class II:	1,3	0,14
— category N ₁ ⁽³⁾ class III:	1,6	0,20

⁽²⁾ Except:

- vehicles designed to carry more than six occupants including the driver,
- vehicles whose maximum mass exceed 2 500 kg.

⁽³⁾ And those category M vehicles which are specified in footnote ⁽²⁾.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 7 October 1996

on the conclusion of the Convention between the European Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East

(96/626/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130y in conjunction with Article 228 (3) first subparagraph thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament⁽¹⁾,

Whereas the Convention concluded with the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East, approved on 16 December 1993⁽²⁾, expired on 31 December 1995;

Whereas the Community assistance to UNRWA forms part of the campaign against poverty in the developing countries and thereby contributes to the sustainable economic and social development of the population concerned and the host countries in which that population lives;

Whereas a new Convention should be concluded with UNRWA so that the Community's aid can continue to be provided as part of a comprehensive programme offering a measure of continuity;

Whereas continued support of UNRWA operations would be likely to contribute to the attainment of the Community objectives described above,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention between the European Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East is hereby approved on behalf of the Community.

The text of the Convention is attached to this Decision.

Article 2

The execution of the Community programme of food aid to UNRWA shall be governed by the procedure defined in Regulation (EEC) No 3972/86⁽³⁾ and as from 8 July 1996 by Regulation (EC) No 1292/96⁽⁴⁾ which repealed the aforesaid Regulation on that date.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Convention in order to bind the Community.

Done at Luxembourg, 7 October 1996.

For the Council

The President

P. RABBITTE

⁽¹⁾ OJ No C 320, 28. 10. 1996.

⁽²⁾ OJ No L 9, 13. 1. 1994, p. 16.

⁽³⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽⁴⁾ OJ No L 166, 5. 7. 1996, p. 1.

CONVENTION

between the European Community and the United Nations Relief and Works Agency for Palestine refugees (UNRWA) concerning aid to refugees in the countries of the Near East

Article 1

The European Community (hereinafter referred to as 'the Community') hereby concludes this Convention with the United Nations Relief and Works Agency for Palestine Refugees (hereinafter referred to as 'UNRWA') in order to confirm its commitment to a programme of aid to UNRWA. This aid shall take the form of contributions in kind or in cash extending over a three-year period for use under the UNRWA education, health and feeding programmes.

Article 2

1. The Community shall pay to UNRWA annually a cash contribution towards the cost of the education and health programmes. The size of this contribution shall be ECU 28 million in 1996, ECU 29,4 million in 1997 and ECU 30,9 million in 1998 for the education programme; ECU 3,4 million in 1996, ECU 3,6 million in 1997 and ECU 3,8 million in 1998 for the general health programme; and ECU 2,7 million in 1996, ECU 2,3 million in 1997 and ECU 1,8 million in 1998 for various specific components of the health programme (including the operation and expansion of the family planning programme, and for other support staff). The distribution of these amounts between the three headings stipulated will be amenable to adjustment by UNRWA each year, according to its needs, and on condition that the Commission is informed accordingly.

2. UNRWA shall send the Community each year a report on the use made of the Community contribution. UNRWA shall also provide the Community with any documentation that it may require relating to the execution of the education and health programmes, including the supplementary feeding programmes; as well as any documents that will give detailed accounts of expenditure and budgetary estimates of future expenditure and the annual statistics of the UNRWA departments of education and health.

3. UNRWA shall inform the Community of any significant changes that may be planned in the education or health services provided by the Agency.

4. In the event of any significant changes in the education or health services provided by UNRWA during the period of validity of this Convention, the Community reserves the right to withdraw its agreement on the use of the funds made available to UNRWA under the Convention for these purposes. In such a case or cases the Community would notify UNRWA accordingly.

Article 3

Aid for UNRWA's food aid programmes

1. Other Community resources can also be mobilized to meet the specific needs of vulnerable groups.
2. The amounts and characteristics of the commodities and services provided will be subject to separately agreed financing conditions, based on annual requests from UNRWA.
3. UNRWA shall send the Community, each year, a report on the operation of the feeding programmes, indicating in particular the number, category and location of recipients and the services provided, the cost of the programmes and the use made of Community contributions in kind and in cash.

Article 4

Review

By the end of 1997, political developments regarding the refugees will be reviewed by the parties, and an evaluation made of any plans UNRWA has formulated, and, if this is the case, put into effect, for the handover of its functions to the Palestinian Council and/or any other body.

Article 5

Adjustments

If, during the life of the Convention, any or all of the functions of UNRWA are transferred to the Palestinian Council or to any other body, adjustments will be made, as appropriate, to those parts of the Community contribution to UNRWA under the Convention which are otherwise fixed under Article 2 (1), on the basis of an exchange of letters between the Community and UNRWA.

Article 6

Financial control, and visits

1. UNRWA shall:
 - (a) keep financial and accounting documents concerning the activities financed by the Community; and
 - (b) make available to the competent bodies of the Community, upon request, all relevant financial information including statements of accounts concerning the programme/project, whether they are executed by UNRWA or by subcontracting.

In conformity with the Financial Regulation of the Community, the Commission and the Court of Auditors may undertake, including on the spot, checks related to the operations financed by the Community.

2. UNRWA will facilitate the visits of representatives of the Community to the sites of UNRWA operations.

Article 7

Any dispute arising out of this Convention shall be settled by consultation between the two parties at the request of either party.

Article 8

Duration of the Convention

This Convention shall cover a period of three calendar years (1996, 1997 and 1998).

Article 9

This Convention shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each version being equally authentic.

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



Por el Organismo de Obras Públicas y Socorro de las Naciones Unidas para los Refugiados de Palestina (UNRWA)

For De Forenede Nationers Hjelpeorganisation for Palæstina-flygtninge (UNRWA)

Für das Hilfswerk der Vereinten Nationen für Palästinaflüchtlinge (UNRWA)

Για την Υπηρεσία Αρωγής και Έργων των Ηνωμένων Εθνών για τους πρόσφυγες της Παλαιστίνης (UNRWA)

For the United Nations Relief and Works Agency for Palestine Refugees (UNRWA)

Pour l'Office de secours et de travaux des Nations unies pour les réfugiés de Palestine (UNRWA)

Per l'Ente soccorso e lavori delle Nazioni Unite per i profughi della Palestina nel Vicino Oriente (UNRWA)

Voor de Organisatie van de Verenigde Naties voor hulpverlening aan Palestijnse vluchtelingen (UNRWA)

Pela Agência das Nações Unidas de Assistência aos Refugiados da Palestina (UNRWA)

Yhdistyneiden Kansakuntien Palestiinan pakolaisten avustus- ja työjärjestön (UNRWA) puolesta

Förenta nationernas hjälpeorganisation för palestinska flyktingar (UNRWA)



COMMISSION

COMMISSION DECISION

of 17 October 1996

implementing Article 2 of Council Directive 77/311/EEC of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors

(Text with EEA relevance)

(96/627/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/311/EEC of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors⁽¹⁾, and in particular Article 2 thereof,

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁽²⁾, and in particular Article 13 thereof,

Whereas it is necessary to fix the date of the end of the transitional period provided for by Directive 77/311/EEC so that the limits laid down for the driver-perceived noise level in Article 2 (1) of that Directive can enter into force;

Whereas this is necessary in order to create a stable and predictable regulatory framework and to ensure that the same noise level limits are applied uniformly in all Member States;

Whereas the measures provided for in this Decision are in accordance with the opinion delivered by the Committee

for the adaptation to technical progress of the Directives aimed at removing technical barriers to trade in agricultural and forestry tractors,

HAS ADOPTED THIS DECISION:

Article 1

The transitional period referred to in Article 2 (1) and (2) of Directive 77/311/EEC shall expire on 1 October 1999.

Article 2

Member States shall adopt the provisions necessary to comply with this Decision before 30 September 1999. They shall forthwith inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 105, 28. 4. 1977, p. 2.

⁽²⁾ OJ No L 84, 28. 3. 1974, p. 10.

COMMISSION DECISION

of 18 October 1996

amending Decision 96/483/EC drawing up the list of third countries entitled to use the model animal health certificates for imports into the Community of live poultry and hatching eggs other than ratites and eggs thereof as laid down by Decision 96/482/EC

(Text with EEA relevance)

(96/628/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs⁽¹⁾ as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Articles 23 (1), 24 and 26 (2) thereof,

Whereas Commission Decision 96/483/EC⁽²⁾ established a list of third countries entitled to use the model animal health certificates for imports into the Community of live poultry and hatching eggs other than ratites and eggs thereof as laid down by Commission Decision 96/482/EC⁽³⁾;

Whereas Israel has given the necessary assurances to be entitled, as from 1 October 1996, to use for such imports the model certificates without the supplementary health information provided under point IV of the model certificates; whereas these assurances have been examined by the Standing Veterinary Committee;

Whereas it is, therefore, appropriate to amend Decision 96/483/EC accordingly;

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

Article 1

The Annex to Decision 96/483/EC is replaced by the Annex to the present Decision.

Article 2

This Decision shall apply from 1 October 1996.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 303, 31. 10. 1990, p. 6.

⁽²⁾ OJ No L 196, 7. 8. 1996, p. 28.

⁽³⁾ OJ No L 196, 7. 8. 1996, p. 13.

ANNEX

ANNEX

Those third countries which are authorized to use the model certificates A to D set up in Annex I of Decision 96/482/EC are marked with an ×.

ISO code	Country	Regions	Certificate models			
			A	B	C	D
AU	Australia		×	×	×	×
BR-1	Brazil	(¹)	×	×	×	×
BR-2	Brazil	All regions other than BR-1	—	—	—	—
CA	Canada		×	×	×	×
CH	Switzerland		×	×	×	×
CL	Chile		×	×	×	×
CY	Cyprus		×	×	×	×
CZ	Czech Republic		×	×	×	×
HR-1	Croatia	(²)	×	×	×	×
HR-2	Croatia	All regions other than HR-1	—	—	—	—
HU	Hungary		×	×	×	×
IL	Israel		×	×	×	×
NZ	New Zealand		×	×	×	×
PL	Poland		×	×	×	×
RO	Romania		×	×	×	×
SI	Slovenia		×	×	×	×
SK	Slovak Republic		×	×	×	×
US	United States of America		×	×	×	×

(¹) BR-1: the States of Rio Grande do Sul, Santa Catarina, Parana, São Paulo and Mato Grosso in Brazil.

(²) HR-1: the provinces of Zagrebačka, Kaprinsko-Zagorska, Varaždinska, Koprivnicko-Križevačka, Bjelovarsko-Bilogorska, Primorsko-Goranska, Viroviticko-Podravka, Požeško-Slavonska, Istarska, Medimurska and Grad Zagreb in Croatia.

COMMISSION DECISION

of 23 October 1996

on a common technical regulation for telephony application requirements for public pan-European cellular digital land-based mobile communications,
Phase II

(Text with EEA relevance)

(96/629/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 6 (2) thereof,

Whereas the Commission has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required, as well as the associated scope statement;

Whereas the relevant standardization body has prepared the harmonized standards implementing the essential requirements applicable;

Whereas the corresponding harmonized standards or parts thereof implementing the essential requirements which are to be transformed into common technical regulations should be adopted;

Whereas the applicable parts of the harmonized standard regarding test cases require a prior validation process; whereas the status of validated test cases should be published in the *Official Journal of the European Communities*;

Whereas it should be possible for notified bodies to continue to approve terminal equipment according to the requirements of Commission Decision 94/12/EC⁽³⁾ for a transitional period of two years, and for such equipment to continue to be placed on the market and put into service after that period;

Whereas Decision 94/12/EC should be repealed at the end of the transitional period;

Whereas this Decision should be reviewed in order to ensure coherence between the notified bodies in the assessment of conformity with the harmonized standards applicable;

Whereas the common technical regulation provided for in this Decision is in accordance with the opinion of ACTE,

Article 1

1. This Decision shall apply to terminal equipment, including an active accessory if it modifies the terminal equipment performance in any manner affecting conformance to essential requirements, intended to be connected to the public pan-European cellular digital land-based mobile telecommunications network in accordance with the provisions of Article 2 (2).

2. This Decision establishes a common technical regulation covering the telephony application requirements for terminal equipment for the pan-European cellular digital land-based mobile telecommunications network comprising constant envelope modulation and operating in the 900 MHz band with a channel separation of 200 kHz and carrying traffic channels according to the TDMA principle.

Article 2

1. The common technical regulation shall include the applicable parts of the harmonized standard having been prepared by the relevant standardization body implementing the essential requirements referred to in Article 4 (g) of Directive 91/263/EEC. The reference to this standard and the applicable parts thereof are set out in Annexes I and II.

2. Terminal equipment falling within this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in Article 4 (a) and (b) of Directive 91/263/EEC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽⁴⁾ and 89/336/EEC⁽⁵⁾.

Article 3

Notified bodies designated for carrying out the procedures referred to in Article 9 of Directive 91/263/EEC shall, as regards terminal equipment for Phase II covered by

⁽¹⁾ OJ No L 128, 23. 5. 1991, p. 1.

⁽²⁾ OJ No L 220, 31. 8. 1993, p. 1.

⁽³⁾ OJ No L 8, 12. 1. 1994, p. 23.

⁽⁴⁾ OJ No L 77, 26. 3. 1973, p. 29.

⁽⁵⁾ OJ No L 139, 23. 5. 1989, p. 19.

Article 1 (1) of this Decision, use or ensure the use of the applicable parts of the harmonized standard referred to in Annexes I and II, by 24 October 1996.

Article 4

Terminal equipment may continue to be approved by notified bodies according to the requirements of Decision 94/12/EC for two years from 24 October 1996 and to be placed on the market and put into service after that period.

Article 5

This Decision shall be reviewed at the latest six months after its adoption.

Article 6

Decision 94/12/EC is repealed with effect from 24 October 1998.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 23 October 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

*ANNEX I***Reference to the harmonized standard applicable**

The harmonized standard referred to in Article 2 of the Decision is:

European digital cellular telecommunications system (Phase II);

Telephony application requirements for Global System for Mobile Communications (GSM) mobile stations;

Telephony

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 20 — October 1996

(excluding the foreword and all requirements except those referred to in Annex II)

Additional information

The European Telecommunications Standards Institute is recognized according to Council Directive 83/189/EEC⁽¹⁾.

The harmonized standard referred to above has been produced according to a mandate issued in accordance with relevant procedures of Directive 83/189/EEC.

The full text of the harmonized standard referenced above can be obtained from:

European Telecommunications Standards Institute
F-06921 Sophia Antipolis Cedex.

⁽¹⁾ OJ No L 109, 26. 4. 1983, p. 8.

ANNEX II

Applicable parts of TBR 20

TBR reference	TBR reference	TBR reference
TBR 20-30.1	TBR 20-32.8 *	
TBR 20-30.2	TBR 20-32.9 *	
TBR 20-30.3	TBR 20-14.4.3 *	
TBR 20-30.4		
TBR 20-30.5.1		
TBR 20-30.6.1 *		
TBR 20-30.6.2		
TBR 20-30.7.1		
TBR 20-32.2 *		
TBR 20-32.3 *		
TBR 20-32.4 *		
TBR 20-32.7 *		

* These test cases will become available at a later stage. Until these tests are validated, manufacturers or their authorized representatives within the Member States shall submit to the chosen notified body, a declaration of conformity to the essential requirements reflected in these tests including the measures taken to comply with the corresponding essential requirements.

COMMISSION DECISION

of 23 October 1996

on a common technical regulation for the general attachment requirements for public pan-European cellular digital land-based mobile communications, Phase II

(Text with EEA relevance)

(96/630/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 6 (2) thereof,

Whereas the Commission has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required, as well as the associated scope statement;

Whereas the relevant standardization body has prepared the harmonized standards implementing the essential requirements applicable;

Whereas the corresponding harmonized standards or parts thereof implementing the essential requirements which are to be transformed into common technical regulations should be adopted;

Whereas the applicable parts of the harmonized standard regarding test cases require a prior validation process; whereas the status of validated test cases should be published in the *Official Journal of the European Communities*;

Whereas it should be possible for notified bodies to continue to approve terminal equipment according to the requirements of Commission Decision 94/11/EC⁽³⁾ for a transitional period of two years, and for such equipment to continue to be placed on the market and put into service after that period;

Whereas Decision 94/11/EC should be repealed at the end of the transitional period;

Whereas this Decision should be reviewed in order to ensure coherence between the notified bodies in the assessment of conformity with the harmonized standards applicable;

Whereas the common technical regulation provided for in this Decision is in accordance with the opinion of ACTE,

1. This Decision shall apply to terminal equipment, including an active accessory if it modifies the terminal equipment performance in any manner affecting conformance to essential requirements, intended to be connected to the public pan-European cellular digital land-based mobile telecommunications network in accordance with the provisions of Article 2 (2).

2. This Decision establishes a common technical regulation covering the general attachment requirements for terminal equipment for the pan-European cellular digital land-based mobile telecommunications network comprising constant envelope modulation and operating in the 900 MHz band with a channel separation of 200 kHz and carrying traffic channels according to the TDMA principle.

Article 2

1. The common technical regulation shall include the applicable parts of the harmonized standard having been prepared by the relevant standardization body implementing the essential requirements referred to in Article 4 (c) to (f) of Directive 91/263/EEC. The reference to this standard and the applicable parts thereof are set out in Annexes I and II.

2. Terminal equipment falling within this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in Article 4 (a) and (b) of Council Directive 91/263/EEC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽⁴⁾ and 89/336/EEC⁽⁵⁾.

Article 3

Notified bodies designated for carrying out the procedures referred to in Article 9 of Council Directive 91/263/EEC shall, as regards terminal equipment for Phase II covered by Article 1 (1) of this Decision, use or ensure the use of the harmonized standard referred to in Annexes I and II by 24 October 1996.

⁽¹⁾ OJ No L 128, 23. 5. 1991, p. 1.

⁽²⁾ OJ No L 220, 31. 8. 1993, p. 1.

⁽³⁾ OJ No L 8, 12. 1. 1994, p. 20.

⁽⁴⁾ OJ No L 77, 26. 3. 1973, p. 29.

⁽⁵⁾ OJ No L 139, 23. 5. 1989, p. 19.

Article 4

Terminal equipment may continue to be approved by notified bodies according to the requirements of Decision 94/11/EC for two years from 24 October 1996, and to be placed on the market and put into service after that period.

Article 5

This Decision shall be reviewed at the latest six months after its adoption.

Article 6

Decision 94/11/EC is repealed with effect from 24 October 1998.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 23 October 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

*ANNEX I***Reference to the harmonized standard applicable**

The harmonized standard referred to in Article 2 of the Decision is:

European digital cellular telecommunications system (Phase II);
Attachment requirements for Global System for Mobile Communications (GSM) mobile stations;
Access

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 19 — October 1996

(excluding the foreword and all requirements except those referred to in Annex II)

Additional information

The European Telecommunications Standards Institute is recognized according to Council Directive 83/189/EEC⁽¹⁾.

The harmonized standard referred to above has been produced according to a mandate issued in accordance with relevant procedures of Directive 83/189/EEC.

The full text of the harmonized standard referenced above can be obtained from:

European Telecommunications Standards Institute
F-06921 Sophia Antipolis Cedex.

⁽¹⁾ OJ No L 109, 26. 4. 1983, p. 8.

ANNEX II

Applicable parts of TBR 19

TBR reference	TBR reference	TBR reference
TBR 19-11.1.1	TBR 19-14.1.2.2 *	TBR 19-14.7.1
TBR 19-11.1.2	TBR 19-14.2.1	TBR 19-14.8.1 *
TBR 19-11.2	TBR 19-14.2.2 *	TBR 19-14.8.2 *
TBR 19-11.3	TBR 19-14.2.3	TBR 19-15
TBR 19-11.4	TBR 19-14.2.4 *	TBR 19-16 *
TBR 19-11.5	TBR 19-14.3	TBR 19-17.1
TBR 19-12.1.1	TBR 19-14.4.1	TBR 19-17.2
TBR 19-12.1.2	TBR 19-14.4.2 *	TBR 19-18
TBR 19-12.2.1		TBR 19-19.1
TBR 19-12.2.2	TBR 19-14.4.4	TBR 19-19.2
TBR 19-13.1	TBR 19-14.4.5 *	TBR 19-19.3
TBR 19-13.2	TBR 19-14.5.1	TBR 19-20.1
TBR 19-13.3-1	TBR 19-14.5.2	TBR 19-20.2
TBR 19-13.4	TBR 19-14.6.1	TBR 19-20.3
TBR 19-14.1.1.2 *	TBR 19-14.6.2	TBR 19-20.4 *
TBR 19-20.5	TBR 19-25.2.1.1.1	TBR 19-25.2.6.2
TBR 19-20.6	TBR 19-25.2.1.1.2.1	TBR 19-25.2.7
TBR 19-20.7	TBR 19-25.2.1.1.2.2	TBR 19-26.2.1.1
TBR 19-20.8	TBR 19-25.2.1.1.2.3	TBR 19-26.2.1.2
TBR 19-20.9	TBR 19-25.2.1.1.3	TBR 19-26.2.1.3
TBR 19-20.10	TBR 19-25.2.1.1.4	TBR 19-26.2.2
TBR 19-20.11	TBR 19-25.2.1.2.1	TBR 19-26.2.3
TBR 19-20.12	TBR 19-25.2.1.2.2	TBR 19-26.2.4 pr1
TBR 19-20.13	TBR 19-25.2.1.2.3	TBR 19-26.2.4 pr3
TBR 19-20.15 *	TBR 19-25.2.1.2.4	TBR 19-26.2.4 pr4
TBR 19-20.16	TBR 19-25.2.2.1	TBR 19-26.2.4 pr5
TBR 19-20.17	TBR 19-25.2.2.2	TBR 19-26.2.4 pr6
TBR 19-20.19	TBR 19-25.2.2.3	TBR 19-26.2.4 pr7
TBR 19-21.1 *	TBR 19-25.2.3	TBR 19-26.2.4 pr8
TBR 19-21.2 *	TBR 19-25.2.4.3	TBR 19-26.5.1
TBR 19-21.3 *	TBR 19-25.2.5.1	TBR 19-26.5.2.1.1
TBR 19-21.4 *	TBR 19-25.2.5.2	TBR 19-26.5.2.1.2
TBR 19-22 *	TBR 19-25.2.6.1	TBR 19-26.5.2.2
TBR 19-26.5.2.3	TBR 19-26.5.7.1.1	TBR 19-26.6.3.2 *
TBR 19-26.5.3.1	TBR 19-26.5.7.1.3	TBR 19-26.6.3.3 *
TBR 19-26.5.3.2	TBR 19-26.5.7.1.4	TBR 19-26.6.3.4 *
TBR 19-26.5.3.3	TBR 19-26.5.7.2	TBR 19-26.6.4.1 *
TBR 19-26.5.3.4	TBR 19-26.5.7.3	TBR 19-26.6.4.2.2
TBR 19-26.5.4.1	TBR 19-26.6.1.1	TBR 19-26.6.5.1-1

TBR reference	TBR reference	TBR reference
TBR 19-26.5.5.1.1.1	TBR 19-26.6.1.2	TBR 19-26.6.5.1-2 *
TBR 19-26.5.5.1.1.2	TBR 19-26.6.1.3	TBR 19-26.6.5.1-3 *
TBR 19-26.5.5.1.2	TBR 19-26.6.1.4	TBR 19-26.6.5.1-4 *
TBR 19-26.5.5.2.1	TBR 19-26.6.2.1.1	TBR 19-26.6.5.1-5 *
TBR 19-26.5.5.2.3	TBR 19-26.6.2.1.2	TBR 19-26.6.5.1-6 *
TBR 19-26.5.5.3.1.1	TBR 19-26.6.2.1.3	TBR 19-26.6.5.1-7 *
TBR 19-26.5.5.3.2	TBR 19-26.6.2.2	TBR 19-26.6.5.1-8 *
TBR 19-26.5.6.1.1	TBR 19-26.6.2.3.1	TBR 19-26.6.5.2-1
TBR 19-26.5.6.1.2	TBR 19-26.6.2.3.2	TBR 19-26.6.5.2-2 *
TBR 19-26.5.6.2.1	TBR 19-26.6.2.4	TBR 19-26.6.5.2-3
TBR 19-26.5.6.2.4	TBR 19-26.6.2.5	TBR 19-26.6.5.2-4
TBR 19-26.5.6.3	TBR 19-26.6.3.1 *	TBR 19-26.6.5.2-5 *
TBR 19-26.6.5.2-6 *	TBR 19-26.6.7.1	TBR 19-26.7.4.1
TBR 19-26.6.5.2-7 *	TBR 19-26.6.8.4	TBR 19-26.7.4.2.1
TBR 19-26.6.5.2-8 *	TBR 19-26.6.8.5	TBR 19-26.7.4.2.2-1
TBR 19-26.6.5.2-9	TBR 19-26.6.12.1	TBR 19-26.7.4.2.2-2
TBR 19-26.6.5.2-10 *	TBR 19-26.6.12.2	TBR 19-26.7.4.2.3
TBR 19-26.6.5.3-1	TBR 19-26.6.12.3	TBR 19-26.7.4.2.4 pr1
TBR 19-26.6.5.3-2 *	TBR 19-26.6.12.4 *	TBR 19-26.7.4.3.1
TBR 19-26.6.5.4-1	TBR 19-26.6.13.3 *	TBR 19-26.7.4.3.2
TBR 19-26.6.5.4-2	TBR 19-26.6.13.5 *	TBR 19-26.7.4.3.3
TBR 19-26.6.5.4-3 *	TBR 19-26.6.13.6 *	TBR 19-26.7.4.3.4
TBR 19-26.6.5.4-4	TBR 19-26.6.13.8 *	TBR 19-26.7.4.5.1
TBR 19-26.6.5.5.1	TBR 19-26.6.13.9 *	TBR 19-26.7.4.5.2
TBR 19-26.6.5.5.2	TBR 19-26.6.13.10 *	TBR 19-26.7.4.6
TBR 19-26.6.5.6 *	TBR 19-26.7.1	TBR 19-26.7.5.3
TBR 19-26.6.5.7	TBR 19-26.7.2.1	TBR 19-26.7.5.5
TBR 19-26.6.5.8	TBR 19-26.7.2.2	TBR 19-26.7.5.7.1
TBR 19-26.6.5.9	TBR 19-26.7.3.1	TBR 19-26.8.1.2.2.1
TBR 19-26.6.6.1 *	TBR 19-26.7.3.2	TBR 19-26.8.1.2.2.2
TBR 19-26.8.1.2.3.2	TBR 19-26.8.1.2.7.3	TBR 19-26.8.1.4.3.2
TBR 19-26.8.1.2.3.5	TBR 19-26.8.1.2.8.1	TBR 19-26.8.1.4.5.1 *
TBR 19-26.8.1.2.3.6	TBR 19-26.8.1.2.9.1	TBR 19-26.8.2.1 *
TBR 19-26.8.1.2.4.2	TBR 19-26.8.1.2.9.2	TBR 19-26.8.2.2
TBR 19-26.8.1.2.4.3	TBR 19-26.8.1.2.9.4	TBR 19-26.8.2.3
TBR 19-26.8.1.2.4.4	TBR 19-26.8.1.3.1.1	TBR 19-26.8.3
TBR 19-26.8.1.2.4.5	TBR 19-26.8.1.3.3.1	TBR 19-26.9.2
TBR 19-26.8.1.2.4.6	TBR 19-26.8.1.3.3.3	TBR 19-26.9.3
TBR 19-26.8.1.2.4.7	TBR 19-26.8.1.3.3.4	TBR 19-26.9.4
TBR 19-26.8.1.2.4.8	TBR 19-26.8.1.3.4.2	TBR 19-26.9.5
TBR 19-26.8.1.2.4.13	TBR 19-26.8.1.3.4.3	TBR 19-26.9.6.1.1
TBR 19-26.8.1.2.5.2	TBR 19-26.8.1.3.4.8	TBR 19-26.9.6.1.2 *

TBR reference	TBR reference	TBR reference
TBR 19-26.8.1.2.5.3	TBR 19-26.8.1.3.5.2	TBR 19-26.9.6.2.1
TBR 19-26.8.1.2.6.2	TBR 19-26.8.1.3.5.3	TBR 19-26.9.6.2.2
TBR 19-26.8.1.2.6.3	TBR 19-26.8.1.3.5.4	TBR 19-26.10.2.1 *
TBR 19-26.8.1.2.6.5	TBR 19-26.8.1.3.5.5	TBR 19-26.10.2.2 *
TBR 19-26.8.1.2.6.6	TBR 19-26.8.1.4.2.1	TBR 19-26.10.2.3 *
TBR 19-26.8.1.2.7.1	TBR 19-26.8.1.4.3.1	TBR 19-26.10.2.4.1 *
TBR 19-26.10.2.4.2 *	TBR 19-27.11.1.2	TBR 19-27.17.1.5.1
TBR 19-26.10.2.5 *	TBR 19-27.11.1.3	TBR 19-27.17.1.5.2
TBR 19-26.10.3.1 *	TBR 19-27.11.1.4	TBR 19-27.17.1.5.3
TBR 19-27.3	TBR 19-27.11.1.5	TBR 19-27.17.1.5.4
TBR 19-27.4	TBR 19-27.11.2.1	TBR 19-27.17.2.1.1
TBR 19-27.5	TBR 19-27.11.2.2	TBR 19-27.17.2.1.2
TBR 19-27.6	TBR 19-27.11.2.3	TBR 19-27.17.2.2
TBR 19-27.7	TBR 19-27.11.2.4	TBR 19-27.17.2.3
TBR 19-27.10a	TBR 19-27.11.3	
TBR 19-27.10b	TBR 19-27.12.1	TBR 19-27.17.2.5
TBR 19-27.10c	TBR 19-27.12.2	TBR 19-27.18.1
TBR 19-27.10d	TBR 19-27.14.3	TBR 19-27.18.2
TBR 19-27.10e	TBR 19-27.14.4	TBR 19-27.19
TBR 19-27.10f	TBR 19-27.17.1.1	TBR 19-27.20 *
TBR 19-27.10g *	TBR 19-27.17.1.2	TBR 19-27.21.1
TBR 19-27.10h *	TBR 19-27.17.1.3	TBR 19-27.21.3
TBR 19-27.11.1.1	TBR 19-27.17.1.4	TBR 19-27.21.4
TBR 19-29.3.2.6.7 *	TBR 19-31.8.1.1	
TBR 19-29.3.2.6.9 *	TBR 19-31.8.3.1	
TBR 19-29.3.3.2 *	TBR 19-31.10	
TBR 19-29.3.3.3 *	TBR 19-32.11 *	
TBR 19-29.3.3.5 *	TBR 19-32.12 *	
TBR 19-29.4.2.5 *	TBR 19-33.6	
TBR 19-31.6.1.1	TBR 19-34.2.1	
TBR 19-31.6.1.2	TBR 19-34.2.2	
TBR 19-31.6.1.5	TBR 19-34.2.3 *	
TBR 19-31.6.1.6	TBR 19-34.2.5.3 *	
TBR 19-31.6.1.7	TBR 19-34.3	
TBR 19-31.6.1.8	TBR 19-31.6.2.5	TBR 19-26.2.4 pr2 *
TBR 19-31.6.2.1		TBR 19-26.6.3.6 *
TBR 19-31.6.2.2		
TBR 19-31.6.2.3		
TBR 19-31.6.2.4		

* These test cases will become available at a later stage. Until these tests are validated, manufacturers or their authorized representatives within the Member States shall submit to the chosen notified body a declaration of conformity to the essential requirements reflected in these tests including the measures taken to comply with the corresponding essential requirements.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 2070/96 of 29 October 1996 fixing the maximum export refunds for olive oil for the 22nd partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95

(Official Journal of the European Communities No L 277 of 30 October 1996)

In the Annex on page 16:

— in the title:

for: '... 21st partial invitation...',

read: '... 22nd partial invitation ...'.

— in the second column 'Amount of refund' (for CN code 1509 90 00 100):

for: '7,70',

read: '37,70'.
