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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2357/96**of 11 December 1996****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either

directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 December 1996.

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

Done at Brussels, 11 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	7,50	0,00	—
1703 90 00 ⁽¹⁾	11,42	—	0,00

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

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

COMMISSION REGULATION (EC) No 2358/96

of 11 December 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 2321/96 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2321/96 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96 ⁽⁴⁾, the figure 9 after the first

eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997,

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 Regulation (EC) No 2321/96 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 December 1996.

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

Done at Brussels, 11 December 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 316, 5. 12. 1996, p. 5.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 62.

ANNEX

to the Commission Regulation of 11 December 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	40,19 ⁽¹⁾
1701 11 90 910	38,86 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	40,19 ⁽¹⁾
1701 12 90 910	38,86 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4369
	— ECU/100 kg —
1701 99 10 100	43,69
1701 99 10 910	43,84
1701 99 10 950	43,84
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4369

⁽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 2359/96

of 11 December 1996

fixing the maximum export refund for white sugar for the 19th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular the second subparagraph of Article 17 (5) (b) thereof,

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

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

Whereas, following an examination of the tenders submitted in response to the 19th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 19th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 46,854 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 12 December 1996.

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

Done at Brussels, 11 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 187, 26. 7. 1996, p. 42.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

COMMISSION REGULATION (EC) No 2360/96
of 11 December 1996
establishing unit values for the determination of the customs value of certain
perishable goods

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as amended by Regulation (EEC) No 2454/93 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, as last amended by Regulation (EC) No 2153/96 ⁽³⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 December 1996.

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

Done at Brussels, 11 December 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 289, 12. 11. 1996, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	61,03 352,61 519,75	829,99 398,67 2 431,78	117,97 46,60 46,82	451,77 117 007,94	18 623,18 132,32	9 937,39 11 921,48
1.30	Onions (other than seed) 0703 10 19	a) b) c)	2,01 11,62 17,13	27,35 13,14 80,13	3,89 1,54 1,54	14,89 3 855,72	613,68 4,36	327,46 392,84
1.40	Garlic 0703 20 00	a) b) c)	90,99 525,73 774,93	1 237,49 594,40 3 625,72	175,90 69,48 69,81	673,58 174 455,71	27 766,67 197,29	14 816,39 17 774,61
1.50	Leeks ex 0703 90 00	a) b) c)	36,82 212,70 313,53	500,68 240,49 1 466,93	71,17 28,11 28,24	272,52 70 583,03	11 234,12 79,82	5 994,56 7 191,43
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 438,17 645,87	1 031,40 495,41 3 021,90	146,60 57,91 58,18	561,40 145 401,96	23 142,42 164,43	12 348,88 14 814,43
1.70	Brussels sprouts 0704 20 00	a) b) c)	53,71 310,32 457,41	730,44 350,85 2 140,11	103,82 41,01 41,21	397,59 102 973,89	16 389,50 116,45	8 745,49 10 491,60
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	30,88 178,40 262,97	419,94 201,71 1 230,38	59,69 23,58 23,69	228,58 59 200,88	9 422,51 66,95	5 027,88 6 031,74
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 612,14 902,29	1 440,89 692,10 4 221,65	204,81 80,90 81,28	784,29 203 129,46	32 330,43 229,72	17 251,63 20 696,06
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	78,85 455,56 671,50	1 072,34 515,07 3 141,83	152,42 60,20 60,49	583,69 151 172,80	24 060,92 170,96	12 838,99 15 402,40
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	56,79 328,11 483,64	772,33 370,97 2 262,84	109,78 43,36 43,57	420,39 108 878,92	17 329,35 123,13	9 247,00 11 093,25
1.120	Endives ex 0705 29 00	a) b) c)	21,82 126,07 185,82	296,75 142,53 869,43	42,18 16,66 16,74	161,52 41 833,74	6 658,33 47,31	3 552,91 4 262,28
1.130	Carrots ex 0706 10 00	a) b) c)	30,34 175,29 258,38	412,61 198,19 1 208,92	58,65 23,17 23,28	224,59 58 168,45	9 258,19 65,78	4 940,20 5 926,55
1.140	Radishes ex 0706 90 90	a) b) c)	105,31 608,43 896,82	1 432,15 687,90 4 196,05	203,57 80,41 80,79	779,54 201 897,45	32 134,34 228,33	17 146,99 20 570,54
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	406,21 2 346,90 3 459,35	5 524,29 2 653,46 16 185,58	785,22 310,15 311,64	3 006,94 778 787,23	123 953,10 880,73	66 141,79 79 347,57

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	103,91 600,34 884,90	1 413,11 678,76 4 140,28	200,86 79,34 79,72	769,18 199 214,11	31 707,26 225,29	16 919,10 20 297,14
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	96,51 557,60 821,90	1 312,51 630,43 3 845,51	186,56 73,69 74,04	714,41 185 030,90	29 449,83 209,25	15 714,53 18 852,07
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 536,34 790,56	1 262,46 606,39 3 698,88	179,45 70,88 71,22	687,17 177 975,53	28 326,89 201,27	15 115,32 18 133,23
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	369,07 2 132,35 3 143,10	5 019,26 2 410,88 14 705,90	713,44 281,80 283,15	2 732,04 707 590,88	112 621,37 800,21	60 095,14 72 093,65
1.200.2	— other ex 0709 20 00	a) b) c)	287,28 1 659,81 2 446,57	3 906,97 1 876,62 11 447,01	555,34 219,35 220,40	2 126,61 550 785,67	87 663,99 622,88	46 777,80 56 117,38
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	120,47 696,03 1 025,95	1 638,35 786,94 4 800,20	232,88 91,98 92,42	891,77 230 966,92	36 761,09 261,20	19 615,84 23 532,31
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	84,57 488,61 720,22	1 150,13 552,44 3 369,75	163,48 64,57 64,88	626,03 162 139,30	25 806,37 183,36	13 770,36 16 519,73
1.230	Chantarelles 0709 51 30	a) b) c)	1 213,16 7 009,19 10 331,59	16 498,67 7 924,76 48 339,39	2 345,12 926,29 930,74	8 980,43 2 325 903,43	370 194,75 2 630,36	197 537,17 236 977,15
1.240	Sweet peppers 0709 60 10	a) b) c)	102,72 593,50 874,82	1 397,01 671,02 4 093,11	198,57 78,43 78,81	760,41 196 944,32	31 345,99 222,72	16 726,33 20 065,88
1.250	Fennel 0709 90 50	a) b) c)	73,55 424,94 626,37	1 000,26 480,45 2 930,65	142,18 56,16 56,43	544,45 141 011,53	22 443,64 159,47	11 976,00 14 367,11
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	47,70 275,57 406,20	648,66 311,57 1 900,51	92,20 36,42 36,59	353,07 91 445,26	14 554,58 103,42	7 766,37 9 317,00
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	157,14 907,92 1 338,28	2 137,11 1 026,51 6 261,52	303,77 119,98 120,56	1 163,26 301 280,00	47 952,24 340,72	25 587,48 30 696,23
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	48,33 279,25 411,62	657,32 315,73 1 925,87	93,43 36,90 37,08	357,79 92 665,57	14 748,81 104,80	7 870,01 9 441,33

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	85,14 491,88 725,04	1 157,82 556,13 3 392,30	164,57 65,00 65,32	630,22 163 224,06	25 979,02 184,59	13 862,49 16 630,26
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	85,71 495,21 729,94	1 165,65 559,89 3 415,24	165,69 65,44 65,76	634,48 164 327,99	26 154,72 185,84	13 956,25 16 742,73
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	87,98 508,30 749,24	1 196,48 574,70 3 505,55	170,07 67,17 67,50	651,26 168 673,56	26 846,37 190,75	14 325,31 17 185,49

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.90	Grapefruit, fresh:							
2.90.1	— white	a)	40,01	544,06	77,33	296,14	12 207,60	6 514,02
	ex 0805 40 90	b)	231,14	261,33	30,55	76 699,34	86,74	7 814,59
	ex 0805 40 20	c)	340,70	1 594,05	30,69			
	ex 0805 40 95							
2.90.2	— pink	a)	37,48	509,72	72,45	277,45	11 437,10	6 102,87
	ex 0805 40 90	b)	216,55	244,83	28,62	71 858,36	81,26	7 321,37
	ex 0805 40 20	c)	319,19	1 493,44	28,75			
	ex 0805 40 95							
2.100	Table grapes	a)	199,25	2 709,72	385,16	1 474,93	60 800,22	32 443,20
	0806 10 21	b)	1 151,18	1 301,55	152,13	382 002,83	432,01	38 920,76
	0806 10 29	c)	1 696,84	7 939,19	152,86			
	0806 10 61							
	0806 10 30							
	0806 10 69							
2.110	Water melons	a)	25,47	346,43	49,24	188,56	7 773,04	4 147,72
	0807 11 00	b)	147,17	166,40	19,45	48 837,35	55,23	4 975,84
		c)	216,93	1 014,99	19,54			
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), ontente, piel de sapo (including verde liso), rochet, tendral, futuro	a)	53,23	723,98	102,91	394,07	16 244,52	8 668,13
	ex 0807 19 00	b)	307,57	347,75	40,65	102 063,01	115,42	10 398,80
		c)	453,36	2 121,18	40,84			
2.120.2	— other	a)	106,09	1 442,79	205,08	785,33	32 373,12	17 274,41
	ex 0807 19 00	b)	612,95	693,01	81,00	203 397,68	230,02	20 723,39
		c)	903,49	4 227,23	81,39			
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>)	a)	—	—	—	—	—	—
	ex 0808 20 41	b)	—	—	—	—	—	—
		c)	—	—	—	—	—	—
2.140.2	Other	a)	—	—	—	—	—	—
	ex 0808 20 41	b)	—	—	—	—	—	—
		c)	—	—	—	—	—	—
2.150	Apricots	a)	341,26	4 640,99	659,67	2 526,15	104 133,86	55 566,18
	0809 10 10	b)	1 971,65	2 229,19	260,56	654 264,55	739,91	66 660,44
	0809 10 50	c)	2 906,22	13 597,62	261,81			
2.160	Cherries	a)	222,81	3 030,14	430,70	1 649,34	67 989,87	36 279,63
	0809 20 11	b)	1 287,31	1 455,46	170,12	427 174,83	483,09	43 523,16
	0809 20 19	c)	1 897,50	8 878,00	170,94			
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	152,56	2 074,70	294,90	1 129,29	46 551,85	24 840,23
	0809 30 19	b)	881,40	996,54	116,48	292 481,50	330,77	29 799,79
	0809 30 59	c)	1 299,19	6 078,66	117,04			
2.180	Nectarines	a)	200,16	2 722,07	386,91	1 481,65	61 077,29	32 591,05
	ex 0809 30 11	b)	1 156,43	1 307,48	152,83	383 743,66	433,97	39 098,13
	ex 0809 30 51	c)	1 704,58	7 975,37	153,56			

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.190	Plums	a)	105,36	1 432,93	203,68	779,96	32 151,86	17 156,34
	0809 40 10	b)	608,76	688,27	80,45	202 007,50	228,45	20 581,75
	0809 40 40	c)	897,31	4 198,33	80,84			
2.200	Strawberries	a)	303,20	4 123,37	586,10	2 244,40	92 519,50	49 368,72
	0810 10 10	b)	1 751,75	1 980,56	231,50	581 292,48	657,38	59 225,60
	0810 10 05	c)	2 582,08	12 081,04	232,61			
2.205	Raspberries	a)	1 053,81	14 331,50	2 037,08	7 800,81	321 568,01	171 589,77
	0810 20 10	b)	6 088,50	6 883,80	804,61	2 020 385,61	2 284,85	205 849,14
		c)	8 974,49	41 989,80	808,48			
2.210	Fruit of the species <i>Vaccinium myrtillus</i>	a)	1 064,91	14 482,47	2 058,54	7 882,98	324 955,46	173 397,33
	0810 40 30	b)	6 152,64	6 956,32	813,09	2 041 668,67	2 308,92	208 017,58
		c)	9 069,03	42 432,12	817,00			
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	a)	92,66	1 260,16	179,12	685,92	28 275,29	15 087,79
	0810 50 00	b)	535,36	605,29	70,75	177 651,33	200,91	18 100,19
		c)	789,12	3 692,14	71,09			
2.230	Pomegranates	a)	109,32	1 486,78	211,33	809,27	33 360,21	17 801,12
	ex 0810 90 85	b)	631,64	714,14	83,47	209 599,50	237,04	21 355,27
		c)	931,03	4 356,12	83,87			
2.240	Khakis (including sharon fruit)	a)	74,44	1 012,30	143,89	551,01	22 713,90	12 120,22
	ex 0810 90 85	b)	430,06	486,24	56,83	142 709,61	161,39	14 540,12
		c)	633,91	2 965,94	57,11			
2.250	Lychees	a)	345,21	4 694,78	667,32	2 555,43	105 340,81	56 210,21
	ex 0810 90 30	b)	1 994,50	2 255,03	263,58	661 847,73	748,48	67 433,06
		c)	2 939,91	13 755,22	264,85			

COMMISSION REGULATION (EC) No 2361/96

of 10 December 1996

concerning the stopping of fishing for horse mackerel by vessels flying the flag of a Member State except Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Council Regulation (EC) No 3074/95 of 22 December 1995 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EC) No 1952/96⁽⁴⁾, provides for horse mackerel quotas for 1996;

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

Whereas, according to the information communicated to the Commission, catches of horse mackerel in the waters of ICES divisions V b (EC zone), VI, VII, VIII, a, b, d, e, XII and XIV by vessels flying the flag of a Member State except Spain and Portugal or registered in a Member State except Spain and Portugal have reached the quota allocated to the Member States except Spain and Portugal for 1996;

Whereas catches of horse mackerel in the waters of ICES divisions V b (EC zone), VI, VII, VIII a, b, d, e, XII and

XIV by vessels flying the flag of Spain or Portugal or registered in Spain or Portugal have not reached the flat-rate quantity allocated to Spain or the quantity allocated to Portugal,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of horse mackerel in the waters of ICES divisions V b (EC zone), VI, VII, VIII a, b, d, e, XII and XIV by vessels flying the flag of a Member State except Spain or Portugal or registered in a Member State except Spain or Portugal are deemed to have exhausted the quota allocated to the Community except Spain and Portugal for 1996.

Fishing for horse mackerel in the waters of ICES divisions V b (EC zone), VI, VII, VIII a, b, d, e, XII and XIV by vessels flying the flag of a Member State except Spain or Portugal or registered in a Member State except Spain and Portugal is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the above mentioned vessels after the date of entry into force of this Regulation.

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, 10 December 1996.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ No L 301, 14. 12. 1995, p. 1.

⁽³⁾ OJ No L 330, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 1.

COMMISSION REGULATION (EC) No 2362/96
of 11 December 1996

**correcting Regulation (EC) No 2144/96 establishing the allocation of export
licences for cheeses to be exported in 1997 to the United States of America under
the additional quota resulting from the GATT Agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

rect; whereas the Annex to that Regulation should therefore be corrected,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1875/96⁽²⁾, and in particular Article 9 (a) (3) thereof,

In column 5 of the Annex to Regulation (EC) No 2144/96, the allocation coefficient '0,16666' is hereby replaced by '0,15625'.

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 8 November 1996.

Whereas the Annex to Commission Regulation (EC) No 2144/96⁽³⁾ sets certain allocation coefficients; whereas a check has revealed that one of the coefficients was incor-

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

Done at Brussels, 11 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽²⁾ OJ No L 247, 28. 9. 1996, p. 36.

⁽³⁾ OJ No L 286, 8. 11. 1996, p. 12.

COMMISSION REGULATION (EC) No 2363/96

of 11 December 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 12 December 1996.

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

Done at Brussels, 11 December 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 11 December 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	78,2
	624	213,2
	999	145,7
0707 00 40	624	83,7
	999	83,7
0709 10 40	220	179,7
	999	179,7
0709 90 79	052	71,0
	999	71,0
0805 10 61, 0805 10 65, 0805 10 69	052	56,0
	204	55,4
	388	33,0
	624	37,4
	999	45,5
0805 20 31	052	81,6
	204	81,5
	999	81,5
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	62,7
	464	166,0
	999	114,4
0805 30 40	052	70,2
	528	50,0
	600	76,2
	999	65,5
0808 10 92, 0808 10 94, 0808 10 98	052	61,5
	060	43,8
	064	48,0
	400	81,3
	404	78,5
	999	62,6
	064	76,8
0808 20 67	400	107,1
	624	67,7
	999	83,9

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

COMMISSION REGULATION (EC) No 2364/96
of 11 December 1996
on issuing A2 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2196/92⁽²⁾ sets the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid;

Whereas, for apples, in view of the economic situation in the various destination groups indicated in the Annex to Regulation (EC) No 2196/96 and taking account of information received by operators via their applications for A2 licences, the definitive refund rates should be set at a different rate from the indicative rates; whereas the percentages for the issuing of licences for the quantities applied for should also be set; whereas the definitive rates may not be more than double the indicative rates;

Whereas, pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications for rates in excess of the corresponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 2196/96, the actual date of application referred to in the second subparagraph of Article 3 (1) of Regulation (EC) No 2190/96 is hereby set at 12 December 1996.

2. The licences referred to in the first paragraph shall be issued at the definitive refund rates and at the percentages for the quantities applied for as indicated in the Annex to this Regulation.

3. Pursuant to Article 3 (5) of Regulation (EC) No 2190/96, applications referred to in the first paragraph for rates in excess of the corresponding definitive rates set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 12 December 1996.

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

Done at Brussels, 11 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ No L 293, 16. 11. 1996, p. 7.

ANNEX

Product	Destination or group of destinations	Definitive refund rates (ECU/tonne net)	Percentages for the issuing of licences
Apples	A	12	95 %
	BD	80	42 %

COMMISSION REGULATION (EC) No 2365/96

of 11 December 1996

determining the world market price for unginned 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 unginned 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 unginned 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 unginned 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 unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 34,354 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 60,253 per 100 kilograms in Spain,
 - ECU 29,745 per 100 kilograms in Greece,
 - ECU 71,946 per 100 kilograms in other Member States.

Article 2

This Regulation shall enter into force on 12 December 1996.

⁽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.

⁽⁶⁾ OJ No L 217, 28. 8. 1996, p. 1.

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

Done at Brussels, 11 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DIRECTIVE 96/78/EC

of 6 December 1996

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 96/14/EC⁽²⁾, and in particular Article 13, second subparagraph, fourth indent thereof,

Whereas measures should be taken to protect the Community against *Tilletia indica* Mitra, which hitherto has not been known to occur in the Community;

Whereas these measures should include provisions in respect of seeds and grain of the genera *Triticum*, *Secale* and *X Triticosecale* originating in third countries where *Tilletia indica* Mitra is known to occur;

Whereas therefore the relevant Annexes to Directive 77/93/EEC should be amended accordingly;

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/93/EEC is hereby amended as indicated in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 1 January 1997. 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 procedure for such a reference shall be adopted by the Member States.

2. The Member States shall immediately communicate to the Commission the essential provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 6 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.

ANNEX

1. In Annex I, part A, section I, (c), a new point 15.1 is inserted after point 15:

'15.1. *Tilletia indica* Mitra'.

2. In Annex IV, part A, section I, new points 53 and 54 are inserted after point 52:

'53. Seeds of the genera *Triticum Secale* and *X Triticosecale* from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA where *Tilletia indica* Mitra is known to occur.

Official statement that the seeds originate in an area where *Tilletia indica* Mitra is known not to occur. The name of the area shall be mentioned on the phytosanitary certificate provided for in Article 7.

54. Grain of the genera *Triticum, Secale* and *X Triticosecale* from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA where *Tilletia indica* Mitra is known to occur.

Official statement that either,

(i) the grain originates in an area where *Tilletia indica* Mitra is known not to occur. The name of the area or areas shall be mentioned on the phytosanitary certificate provided for in Article 7, under the rubric "place of origin" or

(ii) no symptoms of *Tilletia indica* Mitra have been observed on the plants at the place of production during their last complete cycle of vegetation and, representative samples of the grain have been taken both at the time of harvest and before shipment and have been tested and found free from *Tilletia indica* Mitra in these tests, the latter shall be mentioned on the phytosanitary certificate provided for in Article 7, in the rubric "name of produce", as "tested and found free from *Tilletia indica* Mitra"

3. In Annex V, part B, section I, point 1, a new phrase 'genera *Triticum, Secale* and *X Triticosecale* from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA' is inserted after 'and Uruguay'.

4. In Annex V, part B, section I a new point is added after point 7.

'8. Grain of the genera *Triticum, Secale* and *X Triticosecale* originating in Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA'.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 5 December 1996

appointing a member of the Economic and Social Committee

(96/696/Euratom, EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 195 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to Council Decision 94/660/EC, Euratom of 26 September 1994 appointing members of the Economic and Social Committee for the period from 21 September 1994 to 20 September 1998 ⁽¹⁾,

Whereas a seat has become vacant on the Economic and Social Committee following notification to the Council on 16 July 1996 that Mr Johann Farnleitner's remit was incompatible with his new office;

Having regard to the nominations submitted by the Austrian Government on 8 October 1996,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Leopold Maurer is hereby appointed a member of the Economic and Social Committee in place of Mr Johann Farnleitner for the remainder of the latter's term of office, which expires on 20 September 1998.

Done at Brussels, 5 December 1996.

For the Council

The President

P. RABBITTE

⁽¹⁾ OJ No L 257, 5. 10. 1994, p. 20.