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⁽¹⁾ Text with EEA relevance

Price: ECU 19,50

(Continued overleaf)

EN

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2383/96
of 13 December 1996
concerning the classification of certain goods in the combined nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 1734/96⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87⁽³⁾, took account, with effect from 1

January 1996, of the changes in the Harmonized System nomenclature pursuant to the recommendation of 6 July 1993 of the Customs Cooperation Council;

Whereas it is necessary to amend those classification regulations which are still of practical significance and to adapt them to the changes appearing in Regulation (EC) No 3009/95; whereas item 2 of the Annex to Commission Regulation (EEC) No 442/91⁽⁴⁾ is thereby affected; whereas this item 2 ceased to be applicable on 31 December 1995;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Item 2 of the Annex to Commission Regulation (EEC) No 442/91 of 25 February 1991 is hereby replaced by the item in the Annex to the present Regulation.

Article 3

This Regulation shall enter into force on the 21st 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, 13 December 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

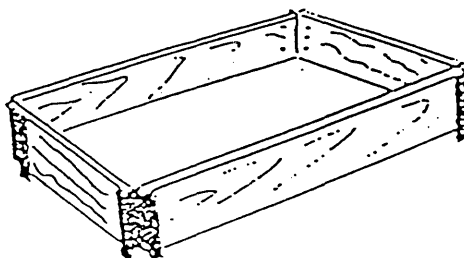
⁽²⁾ OJ No L 238, 19. 9. 1996, p. 1.

⁽³⁾ OJ No L 319, 30. 12. 1995, p. 1.

⁽⁴⁾ OJ No L 52, 27. 2. 1991, p. 11.

ANNEX

Description of goods	Classification (CN) code	Reason
(1)	(2)	(3)
Collapsible pallet collars consisting of four pieces of wood (2 × 2 pieces of the same length) with hinges on the ends to form a frame that is placed over the pallet itself (see sketch) ⁽¹⁾ .	4415 20 20	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and the wording of CN codes 4415, 4415 20 and 4415 20 20.



⁽¹⁾ The sketch is purely for information.

COMMISSION REGULATION (EC) No 2384/96

of 16 December 1996

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

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 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

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

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

Whereas a specific security should be provided for to ensure that the alcohol is physically exported from the customs territory of the Community and non-compliance with the date laid down for export should be progressively penalized; whereas this security must be independent of the performance guarantee ensuring that the alcohol is removed from storage and the awarded alcohol is used for the purposes laid down;

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

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

Article 1

Three sales by individual invitation to tender Nos 214/96 EC, 215/96 EC and 216/96 EC shall be held for a total quantity of 150 000 hectolitres of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish and French intervention agencies.

Each of the individual invitations to tender Nos 214/96 EC, 215/96 EC and 216/96 EC shall cover a quantity of 50 000 hectolitres of alcohol at 100 % volume.

Article 2

The alcohol offered for sale:

- shall be for export outside the European Community,
- must be imported into and dehydrated:
 - in the case of individual invitations to tender No 214/96 EC one of the following third countries:
 - Costa Rica,
 - Guatemala,
 - Honduras, including the Swan Islands,
 - El Salvador,
 - Nicaragua,
 - in the case of individual invitations to tender Nos 215/96 EC and 216/96 EC one of the following third countries:
 - Saint Christopher and Nevis,
 - Bahamas,
 - Dominican Republic,
 - Antigua and Barbuda,
 - Dominica,
 - British Virgin Islands and Montserrat,
 - Jamaica,
 - Saint Lucia,
 - Saint Vincent, including the Northern Grenadines,
 - Barbados,
 - Trinidad and Tobago,
 - Belize,

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽⁵⁾ OJ No L 332, 22. 12. 1994, p. 34.

⁽⁶⁾ OJ No L 196, 5. 8. 1993, p. 19.

- Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles (Curaçao, Bonaire, Saint Eustace, Saba and the southern part of Saint Martin),
 - Guyana,
 - United States Virgin Islands,
 - Haiti,
- must be used only as motor fuel.

Article 3

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

Article 4

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

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

Article 5

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

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

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

2. The guarantee to ensure export shall amount to ECU 5 per hectolitre of alcohol at 100 % volume and shall be lodged for each quantity of alcohol for which

there is a removal order under each of the invitations to tender referred to in Article 1 of this Regulation.

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

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

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

3. The performance guarantee shall be ECU 30 per hectolitre of alcohol at 100 % volume.

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

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

5. The agricultural conversion rate to be applied for the conversion into national currency shall be that in force on the final day for the submission of tenders for the invitation in question in the case of the guarantee to ensure export, as expressed in ecus per hl at 100 % volume.

Article 6

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

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

Article 7

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

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

Article 8

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

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

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

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

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

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

3. If physical removal of the alcohol is delayed by more than five working days in relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons attributable to the intervention

agency, the Member State shall be responsible for the payment of compensation.

Article 9

1. Successful tenderers for the individual invitations to tender Nos 215/96 EC and 216/96 EC may, by common agreement, exchange an equal quantity of alcohol stored in the designated vats in the same Member State for the purposes provided for in those invitations to tender.

2. Such exchange shall not affect the obligations of the tenderers concerned, particularly as regards the price to be paid and the time limit for removal and use of the alcohol awarded to them indicated in the invitation to tender concerned.

3. Successful tenderers who wish to make such an exchange must give prior notice to the intervention agencies concerned.

4. If such exchange affects the planned timetable for physical removal of the alcohol, that timetable shall immediately be amended and that amendment notified to the Commission.

Article 10

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

Article 11

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

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

Done at Brussels, 16 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

INDIVIDUAL INVITATION TO TENDER No 214/96 EC

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

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
FRANCE	Port-la-Nouvelle Avenue Adolphe-Turrel Boîte postale 62 F-11210 Port-la-Nouvelle	1	40 606	35 + 36	Raw alcohol
	Soterm 39, Avenue Georges-Brassens F-13210 Port-Saint-Louis-du-Rhône	92	9 394	35 + 36	Raw alcohol
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.
Any tender relating to a smaller quantity will not be considered.
- Tenders must:
 - be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi/Wetstraat, B-1049 Brussels, or
 - be submitted at the reception of the Loi 130 building of the Commission of the European Communities, 130 rue de la Loi/Wetstraat, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.
- Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 214/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon (Brussels time) on 8. 1. 1997.
- Tenders must state the name and address of the tenderer and must:
 - include a reference to individual sale by tender No 214/96 EC;
 - specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
 - include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.
- Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
 - SAV par délégation de l'Onivins, zone industrielle, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (05) 57 55 20 00; telex 572 025; fax (05) 57 55 20 59).

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

INDIVIDUAL INVITATION TO TENDER No 215/96 EC

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

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Villarrobledo	18	23 341	35 + 36	Raw alcohol
	Villarrobledo	17	26 659	39	Raw alcohol
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

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

2. Tenders must:

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

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 215/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 8. 1. 1997.

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

- (a) include a reference to individual sale by tender No 215/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

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

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

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

INDIVIDUAL INVITATION TO TENDER No 216/96 EC

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

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Villarrobledo	14	26 780	35 + 36	Raw alcohol
	Villarrobledo	18	697	35 + 36	Raw alcohol
	Villarrobledo	21	22 523	35 + 36	Raw alcohol
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

1. Tenders should be submitted for a quantity of 50 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

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

2. Tenders must:

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

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 216/96 EC (alcohol), DG VI (E-2), to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 8. 1. 1997.

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

- (a) include a reference to individual sale by tender No 216/96 EC;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93, specify the final destination of the alcohol awarded and include proof of a commitment with an operator for dehydration and use solely as motor fuel.

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

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

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

ANNEX II

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

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

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

ANNEX III

Communication of refusal or acceptance of lots under the individual invitation to tender for the export of vinous alcohol opened by Regulation (EC) No 2384/96

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

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

COMMISSION REGULATION (EC) No 2385/96

of 16 December 1996

amending Regulation (EEC) No 3046/92 laying down provisions implementing Council Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States and amending it by simplifying the concept of net mass

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

Having regard to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States⁽¹⁾, amended by Commission Regulation (EEC) No 3046/92⁽²⁾, and in particular Article 23 (3) and Article 30 thereof,

Whereas the quantity of goods is a reliable and stable item of information which is necessary for comparisons of international trade;

Whereas the quantity units are used for checking the reliability of the data collected and for calculating indices;

Whereas, pursuant to Regulation (EEC) No 3046/92, of the quantity units, net mass, in kilograms, is the main indicator and should in principle be mentioned for every type of goods but is not the most appropriate unit of measurement for certain products; whereas the party responsible for providing information should therefore be exempted from indicating net mass in such cases;

Whereas this simplification might cause practical difficulties for certain national administrations; whereas three Member States are consequently authorised to postpone the application of this Regulation until 1 July 1997;

Whereas the measures provided for in this Regulation are consonant with the opinion of the Committee on statistics relating to the trading of goods between Member States,

istics relating to the trading of goods between Member States,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3046/92 is modified as follows:

(a) Article 11 (a) shall be replaced by:

‘(a) “net mass” shall mean the actual mass of the goods excluding all packaging and shall be given in kilograms. However, the specification of net mass for the subheadings of the combined nomenclature set out in Annex IV shall be optional for the parties responsible for providing information.’

(b) The annex to this Regulation shall be included as Annex IV.

Article 2

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

It shall apply from 1 January 1997, except in the United Kingdom, Denmark and Sweden, where it shall apply from 1 July 1997 at the latest.

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

Done at Brussels, 16 December 1996.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

⁽¹⁾ OJ No L 316, 16. 11. 1991, p. 1.

⁽²⁾ OJ No L 307, 23. 10. 1992, p. 27.

ANNEX

ANNEX IV

List of combined nomenclature subheadings referred to in Article 11 (a)

0105 11 11	5703 20 99	6104 32 00	6109 90 10
0105 11 19	5703 30 11	6104 33 00	6109 90 30
0105 11 91	5703 30 19	6104 39 00	6109 90 90
0105 11 99	5703 30 51	6104 41 00	6110 10 10
0105 12 00	5703 30 59	6104 42 00	6110 10 31
0105 19 20	5703 30 91	6104 43 00	6110 10 35
0105 19 90	5703 30 99	6104 44 00	6110 10 38
0105 92 00	5703 90 10	6104 49 00	6110 10 91
0105 93 00	5703 90 90	6104 51 00	6110 10 95
0105 99 10	5704 10 00	6104 52 00	6110 10 98
0105 99 20	5704 90 00	6104 53 00	6110 20 10
0105 99 30	5705 00 10	6104 59 00	6110 20 91
0105 99 50	5705 00 31	6104 61 10	6110 20 99
	5705 00 39	6104 61 90	6110 30 10
0407 00 11	5705 00 90	6104 62 10	6110 30 91
0407 00 19		6104 62 90	6110 30 99
	6101 10 10	6104 63 10	6110 90 10
2202 10 00	6101 10 90	6104 63 90	6110 90 90
2202 90 10	6101 20 10	6104 69 10	6112 11 00
2202 90 91	6101 20 90	6104 69 91	6112 12 00
2202 90 95	6101 30 10	6104 69 99	6112 19 00
2202 90 99	6101 30 90	6105 10 00	6112 31 10
	6101 90 10	6105 20 10	6112 31 90
2716 00 00	6101 90 90	6105 20 90	6112 39 10
	6102 10 10	6105 90 10	6112 39 90
3702 51 00	6102 10 90	6105 90 90	6112 41 10
3702 53 00	6102 20 10	6106 10 00	6112 41 90
3702 54 00	6102 20 90	6106 20 00	6112 49 10
	6102 30 10	6106 90 10	6112 49 90
5701 10 10	6102 30 90	6106 90 30	6115 11 00
5701 10 91	6102 90 10	6106 90 50	6115 12 00
5701 10 93	6102 90 90	6106 90 90	6115 19 10
5701 10 99	6103 11 00	6107 11 00	6115 19 90
5701 90 10	6103 12 00	6107 12 00	
5701 90 90	6103 19 00	6107 19 00	6210 20 00
5702 20 00	6103 21 00	6107 21 00	6210 30 00
5702 31 10	6103 22 00	6107 22 00	6211 11 00
5702 31 30	6103 23 00	6107 29 00	6211 12 00
5702 31 90	6103 29 00	6107 91 10	6211 20 00
5702 32 10	6103 31 00	6107 91 90	6211 32 31
5702 32 90	6103 32 00	6107 92 00	6211 32 41
5702 39 10	6103 33 00	6107 99 00	6211 32 42
5702 39 90	6103 39 00	6108 11 10	6211 33 31
5702 41 10	6103 41 10	6108 11 90	6211 33 41
5702 41 90	6103 41 90	6108 19 10	6211 33 42
5702 42 10	6103 42 10	6108 19 90	6211 42 31
5702 42 90	6103 42 90	6108 21 00	6211 42 41
5702 49 10	6103 43 10	6108 22 00	6211 42 42
5702 49 90	6103 43 90	6108 29 00	6211 43 31
5702 51 00	6103 49 10	6108 31 10	6211 43 41
5702 52 00	6103 49 91	6108 31 90	6211 43 42
5702 59 00	6103 49 99	6108 32 11	6212 10 00
5702 91 00	6104 11 00	6108 32 19	6212 20 00
5702 92 00	6104 12 00	6108 32 90	6212 30 00
5702 99 00	6104 13 00	6108 39 00	
	6104 19 00	6108 91 10	8504 10 10
5703 10 10	6104 21 00	6108 91 90	8504 10 91
5703 10 90	6104 22 00	6108 92 00	8504 10 99
5703 20 11	6104 23 00	6108 99 10	8504 21 00
5703 20 19	6104 29 00	6108 99 90	8504 22 10
5703 20 91	6104 31 00	6109 10 00	8504 22 90

8504 23 00	8539 32 50	8542 13 27	8903 92 10
8504 31 10	8539 32 90	8542 13 32	8903 92 91
8504 31 31	8539 39 00	8542 13 35	8903 92 99
8504 31 39	8539 41 00	8542 13 37	8903 99 10
8504 31 90	8539 49 10	8542 13 41	8903 99 91
8504 32 10	8539 49 30	8542 13 43	8903 99 99
8504 32 30	8540 11 11	8542 13 45	9001 30 00
8504 32 90	8540 11 13	8542 13 47	9001 40 20
8504 33 10	8540 11 15	8542 13 49	9001 40 41
8504 33 90	8540 11 19	8542 13 51	9001 40 49
8504 34 00	8540 11 91	8542 13 55	9001 40 80
8504 40 10	8540 11 99	8542 13 61	9001 50 20
8504 40 30	8540 12 00	8542 13 63	9001 50 41
8504 40 50	8540 20 10	8542 13 65	9001 50 49
8504 40 93	8540 20 30	8542 13 67	9001 50 80
8504 50 10	8540 20 90	8542 13 69	9003 11 00
8518 21 90	8540 40 00	8542 19 15	9003 19 10
8518 22 90	8540 50 00	8542 19 22	9003 19 30
8518 29 90	8540 71 00	8542 19 25	9003 19 90
8539 10 10	8540 72 00	8542 19 27	9006 53 10
8539 10 90	8540 79 00	8542 19 31	9006 53 90
8539 21 30	8540 81 00	8542 19 35	9202 10 10
8539 21 92	8540 89 11	8542 19 41	9202 10 90
8539 21 98	8540 89 19	8542 19 55	9202 90 10
8539 22 10	8540 89 90	8542 19 62	9202 90 30
8539 29 30	8542 13 11	8542 19 68	9202 90 90
8539 29 92	8542 13 13		9203 00 90
8539 29 98	8542 13 15	8903 91 10	9204 10 10
8539 31 10	8542 13 17	8903 91 91	9204 10 90
8539 31 90	8542 13 22	8903 91 93	9204 20 00
8539 32 10	8542 13 25	8903 91 99	9205 10 00
			9207 90 10'

COMMISSION REGULATION (EC) No 2386/96

of 16 December 1996

applying Council Regulation (EC) No 736/96 of 22 April 1996 on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community and in particular Article 213 thereof,

Having regard to Council Regulation (EC) No 736/96 of 22 April 1996 on notifying the Commission of investment projects of interest to the Community in petroleum, natural gas and electricity sectors⁽¹⁾, and in particular Article 2.2 thereof,

Whereas Article 2.2 of Regulation (EC) No 736/96 provides that the Commission may, within the limits laid down by that Regulation and the annexes thereto, adopt implementing provisions concerning the form, content and other details of the notifications provided for in Article 1 thereof,

Whereas to simplify, on a technical level, the information system and to gather comparable data, notifications to be made by Member States and, in certain cases under-

takings, should be standardized by the use of questionnaires which would serve as a guide for the presentation and content of such notifications,

HAS ADOPTED THIS REGULATION:

Article 1

The notifications referred to in Article 1 of Regulation (EC) No 736/96 shall be drawn up as shown in the annex hereto.

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, 16 December 1996.

For the Commission

Christos PAPOUTSIS

Member of the Commission

⁽¹⁾ OJ No L 102, 25. 4. 1996, p. 1.

*ANNEX***Questionnaires**

on information to be submitted:

- (a) by companies to the Governments of the Member States, except where the Member States have decided to use other means of gathering the information on the basis of Article 1, second paragraph, last sentence of Regulation (EC) No 736/96;
- (b) by the Member States to the Commission of the European Communities.

The questionnaires forming part of this annex shall serve as a guide to enable the form and content of the Communications to be standardized. The Communications shall refer to the following:

- existing installations or parts of installations,
- installations or parts of installations under construction or at the planning stage,
- proposed withdrawals from service of installations or parts of installations.

Under 'existing installations or parts of installations' shall be included as separately specified the total capacity in service at the reporting date.

The following shall be considered as 'installations or parts of installations at the planning stage': investment projects within the meaning of Regulation (EC) No 736/96 for which the decision in principle to construct or enlarge an installation or part of an installation has been taken and on which work is scheduled to start within three years from the reference date, in the case of investment projects in the petroleum and natural gas sectors, or within five years in the case of investment projects in the electricity sector. This shall include those investment projects of which the major features may, in whole or in part, be subject to future review or to final authorization by a competent authority.

The following shall be considered as 'proposed withdrawals from service of installations or parts of installations': installations or parts of installations with respect to which the decision has been taken in principle to withdraw them from service, this decision normally being expected to be put into effect within three years from the reference date, in the case of investment projects in the electricity and natural gas sector, or within one year in the case of investment projects in the petroleum sector.

The 'supplementary information' relating to investment projects shall include significant changes in the major features and decisional status of projects since the previous communication, and such other specific comments indicated by footnotes on the relevant questionnaire sheet. In addition Member States shall add any comments they may have relating to the projects.

All information collected shall be treated confidentially.

G1 — INVESTMENT IN GAS PIPELINES

Member State:			Position at 1 January	
	Capacity ^(a)	Additions ^(b)	Additions ^(c)	Withdrawals ^(d)
Route (city & country) — from ^(e) — to ^(f)	1. 2. 3. 4. 5.			
Classification MP: main pipeline E: extension				
Length (km)				
Internal diameter (inches)				
Pressure (bar)				
Capacity — max annual (bcm) — foreseen annual (bcm)				
TEN project (Yes/No) If yes, project ref. No Other remarks:				

^(a) Position at 1 January of current *calendar* year of total capacity in service
^(b) Pipelines under planning or construction (in service within three calendar years)
^(c) Pipelines under planning or construction (in service after three calendar years)
^(d) Pipelines expected to come offstream within three calendar years
^(e) main junction closest to border

G2 — INVESTMENT IN LNG PLANTS

Member State:				Position at 1 January	
	Capacity ^(A)	Additions ^(B)	Additions ^(C)	Withdrawals ^(D)	
Geographical location (city-region)	1. 2. 3. 4. 5.				
Max storage capacity (m ³ of LNG)					
Max regasification capacity (m ³ of LNG/h)					
Foreseen annual volume (bcm/year)					
TEN project (Yes/No) If yes, project ref. No Other remarks:					

^(A) Position at 1 January of current *calendar* year of total capacity in service
^(B) Plants under planning or construction (in service within three calendar years)
^(C) Plants under planning or construction (in service after three calendar years)
^(D) Plants expected to come offstream within three calendar years

G3 — INVESTMENTS IN STORAGE CAPACITY

Member State:			Position at 1 January	
	Capacity ^(A)	Additions ^(B)	Additions ^(C)	Withdrawals ^(D)
Geographical location (city-region)	1. 2. 3. 4. 5.			
Total capacity (bcm)				
Useful capacity (bcm)				
Max daily extraction (bcm)				
TEN project (Yes/No) If yes, project ref. No Other remarks:				

^(A) Position at 1 January of current *calendar* year of total capacity in service
^(B) Capacity under planning or construction (in service within three calendar years)
^(C) Capacity under planning or construction (in service after three calendar years)
^(D) Capacity expected to come offstream within three calendar years

REFINERY INSTALLATION CAPACITIES

(in thousand tonnes per year)

Member State:	Capacity ^(a)	Additions ^(b1)	Additions ^(b2)	Withdrawals ^(c)	Position at 1 January
Atmospheric Distillation					Remarks
Vacuum Distillation					
Cracking (Thermal)					
— Visbreaking and/or Thermal Cracking					
— Coking					
— Other					
Cracking (Catalytic)					
— Fluid Catalytic Cracking					
— Hydrocracking					
— Other					
Reforming					
Naphtha Isomerisation					
Desulphurisation					
— Gasoil					
— HFO					
— Other					
Alkylation					
Polymersisation					
Isomerisation (C4)					
Etherification					
— MTBE, TAME					
— ETBE					
— Other					

^(a) Position at 1 January of current *calendar* year of total capacity in service: the aggregate capacity of individual plants which are in regular operation including plants shut down for maintenance or repairs. It is thus equal to 'total (installed) capacity' less capacity which has been withdrawn from service indefinitely, or for an extended period.

^(b1) Capacity expected to come 'on stream' in the course of the *current* calendar year.

^(b2) Capacity expected to come 'on stream' in the course of the two *following* calendar years.

New or re-commissioned capacity: the capacity of plant which is:

(a) newly commissioned;

(b) converted from other uses;

(c) brought back into service after being withdrawn due to surplus requirements.

^(c) Capacity expected to come 'off stream' in the course of the *current* calendar year.

(a) 'Finally': the capacity of plant which is scheduled to be withdrawn from service either to be scrapped or to be converted permanently to other uses;

(b) 'Temporarily': the capacity of plant which is scheduled to be withdrawn due to surplus to current requirements but which is firmly expected to be eventually put back into service.

INVESTMENTS IN ELECTRICITY SECTOR PRODUCTION											E1
MEMBER STATE:		Situation on 1 January									
Type of installation	Number of installations and nominal power (MW)										Supplementary information
	Capacity ^(A1)		Capacity ^(A2)		Additional capacity ^(B1)		Additional capacity ^(B2)		Withdrawal ^(C)		
	Number	Power	Number	Power	Number	Power	Number	Power	Number	Power	
Conventional Thermal Power Stations (≥ 200 MW) capable of burning:											
Coal											
Petrol											
Gas											
Lignite											
Mixed											
...../.....											
Mixed											
...../..... ⁽¹⁾											
Others											
Nuclear Power Stations (≥ 200 MW) of type:											
PWR											
BWR											
GGR											
FBR											
Others											
Hydro-electric power stations (≥ 50 MW) of the category:											
Seasonal stockage (S)											
Short-term stockage (ST)											
Run-of River (R)											
Pumped storage only (P)											
Mixed pumped and others											

^(A1) Total capacity in service on 1 January of the year of the Communication (installations or parts of existing installations).

^(A2) Total capacity in service since the previous Communication (installations or part installations).

^(B1) Capacity expected to be used in the course of the year of the Communication (for each installation or part installation being built or planned).

^(B2) Capacity expected to be used in the course of the following four years (for each installation or part installation being built or planned).

^(C) Capacity expected to be withdrawn from service in the course of the year of the Communication or the following two years (for each installation or part installations).

⁽¹⁾ For installations capable of burning more than one fuel, please indicate the power at total level and for each fuel separately.

(B) Capacity expected to be used in the course of the following four years (for each installation of part installation being built or foreseen).

(C) Capacity expected to be withdrawn from service in the course of the year of the Communication or the following two years (for each installation or part installations).

COMMISSION REGULATION (EC) No 2387/96
of 16 December 1996

amending Regulation (EC) No 666/96 laying down detailed rules for the application of Regulation (EC) No 447/96 laying down special measures for the import of olive oil from Tunisia and amending Regulation (EC) No 1477/95 laying down certain transitional measures for the implementation of the Uruguay Round Agreement on agriculture as regards olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 447/96 of 11 March 1996 laying down special measures for the import of olive oil from Tunisia⁽¹⁾, and in particular Article 3 thereof,

Whereas the special measures provided for in Regulation (EC) No 447/96 are applicable until the date of entry into force of the Euro-Mediterranean Association Agreement signed with Tunisia on 17 July 1995; whereas that Agreement has not yet been ratified by all Member States and, as a result, cannot enter into force in the near future; whereas, under those circumstances, it is necessary to guarantee application during the 1996/97 marketing year of the interim arrangements by amending certain provisions of Commission Regulation (EC) No 666/96⁽²⁾, as amended by Regulation (EC) No 1480/96⁽³⁾; whereas the current and forecast olive oil supply situation on the Community market allows the disposal of the quantity

provided for without the risk of disturbance of the market at the same rate and under the same conditions as those applicable to the previous marketing year;

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

In Article 3 of Regulation (EC) No 666/96 the date '31 October 1996' is hereby replaced by '31 October 1997'.

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 January 1997.

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

Done at Brussels, 16 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 62, 13. 3. 1996, p. 1.

⁽²⁾ OJ No L 92, 13. 4. 1996, p. 9.

⁽³⁾ OJ No L 188, 27. 7. 1996, p. 20.

COMMISSION REGULATION (EC) No 2388/96
of 16 December 1996

amending Regulation (EC) No 2146/95 on the transitional adjustment of the special arrangements for imports of olive oil originating in Algeria, Lebanon, Morocco, Tunisia and Turkey with a view to implementing the Agreement on agriculture concluded during the Uruguay Round of multilateral trade negotiations and derogating from Council Regulations (EEC) No 1514/76, (EEC) No 1620/77, (EEC) No 1521/76, (EEC) No 1508/76 and (EEC) No 1180/77 and providing for the reimbursement of import duties collected on certain imports from Morocco and Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽¹⁾, as last amended by Regulation (EC) No 2062/96⁽²⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽³⁾, as last amended by Regulation (EC) No 2063/96⁽⁴⁾, and in particular Article 14 thereof,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽⁵⁾, as amended by Regulation (EC) No 1193/96⁽⁶⁾, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EC) No 2146/95 of 8 September 1995⁽⁷⁾, as amended by Regulation (EC) No 1235/96⁽⁸⁾, transitionally adjusts the special arrangements for imports of olive oil originating in Algeria, Lebanon, Morocco, Tunisia and Turkey with a view to implementing the Agreement on agriculture concluded during the Uruguay Round of multilateral trade negotiations by derogating from the Council Regulations on imports of olive oil originating in those countries;

Whereas, pursuant to the abovementioned Regulation (EC) No 2146/95, the reductions in levies on unrefined oil applying before 1 July 1995 pursuant to the Council

Regulations in force have become reductions in the rate of duty applicable under the same conditions;

Whereas Regulation (EEC) No 1521/76 was amended by Regulation (EC) No 2062/96 to take account of an agreement in the form of an exchange of letters between the Community and Morocco; whereas the aim of that amendment is to ensure that the amount to be deducted from the levy includes an amount equal to the special export charge levied by Morocco in the period 1 January 1994 to 31 January 1995 but not exceeding ECU 12,09 per 100 kilograms; whereas, from 1 February 1995, those amounts are replaced by ECU 14,60 per 100 kilograms in accordance with that amendment;

Whereas Regulation (EEC) No 1180/77 was amended by Regulation (EC) No 2063/96 to take account of an agreement in the form of an exchange of letters between the Community and Turkey; whereas the aim of that amendment is to ensure that the amount to be deducted from the levy includes an amount equal to the special export charge levied by Turkey in the period 1 January 1994 to 31 January 1995 but not exceeding ECU 10,88 per 100 kilograms; whereas, from 1 February 1995, those amounts are replaced by ECU 13,14 per 100 kilograms in accordance with that amendment;

Whereas Article 2 of Regulation (EC) No 2146/95 should accordingly be amended with effect from the entry in force of the transitional arrangements, in order to take account of the additional ECU 14,60 and ECU 13,14 per 100 kilograms in reductions in the rates of duty on imports of unrefined olive oil originating in Morocco and Turkey respectively;

Whereas, with a view to full compliance with the Community's international undertakings, provision must be made for a procedure to reimburse traders for the difference between the duty actually paid and the duty payable in accordance with Article 2 of Regulation (EC) No 2146/95, as amended by this Regulation, on imports between 1 July 1995 and the entry into force of this Regulation and the difference between the levy actually paid and the levy payable for the period 1 January 1994 to 30 June 1995;

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽²⁾ OJ No L 277, 30. 10. 1996, p. 3.

⁽³⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁴⁾ OJ No L 277, 30. 10. 1996, p. 4.

⁽⁵⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁶⁾ OJ No L 161, 29. 6. 1996, p. 1.

⁽⁷⁾ OJ No L 215, 9. 9. 1995, p. 1.

⁽⁸⁾ OJ No L 161, 29. 6. 1996, p. 105.

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

Article 2 (3) and (4) of Regulation (EC) No 2146/95 are hereby replaced by the following:

'3. Where Algeria or Tunisia applies a special export charge to olive oil covered by the CN codes mentioned in paragraph 1, wholly obtained in Algeria or Tunisia and transported direct from those countries to the Community, the applicable rate of customs duty shall be further reduced by an amount equal to the special charge but not exceeding ECU 14,60 per 100 kilograms.

4. Where Turkey applies a special export charge to olive oil covered by the CN codes mentioned in paragraph 1, wholly obtained in Turkey and transported direct from that country to the Community, the applicable rate of customs duty shall be further reduced by an amount equal to the special charge but not exceeding ECU 26,28 per 100 kilograms.

5. Where Morocco applies a special export charge to olive oil covered by the CN codes mentioned in paragraph 1, wholly obtained in Morocco and transported direct from that country to the Community, the applicable rate of customs duty shall be further reduced by an amount equal to the special charge but not exceeding ECU 29,20 per 100 kilograms.'

Article 2

1. The difference between the import duty, reduced pursuant to Article 2 (3) and (4) of Regulation (EC) No 2146/95, as amended by this Regulation, and actually

paid, and the duty payable pursuant to Article 2 (4) and (5) of that Regulation shall be reimbursed in respect of imports into the Community between 1 July 1995 and the date of entry into force of this Regulation of olive oil covered by the CN codes mentioned in Article 2 (1) of that Regulation and wholly obtained in Morocco or Turkey.

2. The difference between the levy, reduced pursuant to Article 1 of Regulation (EEC) No 1521/76 and Article 9 (1) of Regulation (EEC) 1180/77, and actually paid, and the levy payable shall be reimbursed in respect of imports into the Community between 1 January 1994 and 30 June 1995 of olive oil meeting the conditions laid down in those Articles and wholly obtained in Morocco or Turkey.

3. Operators effecting imports as referred to in paragraphs 1 and 2 may apply for reimbursement of the amounts specified therein in accordance with Article 236 of Council Regulation (EEC) No 2913/92⁽¹⁾ and Articles 877 to 881 of Commission Regulation (EEC) No 2454/93⁽²⁾. Such applications must be accompanied by the certification from the authorities responsible for issuing import licences in accordance with Article 880 of Regulation (EEC) No 2454/93 and copies of the declarations of release for free circulation covering the imports concerned. In addition, applications covering imports as referred to in paragraph 1 must be accompanied by the proofs referred to in Article 4 (3) of Regulation (EC) No 2146/95 and those covering imports as referred to in paragraph 2 must be accompanied by the proofs referred to in Article 1 (3) of Commission Regulation (EEC) No 1588/76⁽³⁾ and Article 1 (3) of Commission Regulation (EEC) No 1401/77⁽⁴⁾ respectively.

Article 3

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

Article 1 shall apply from 1 July 1995.

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

Done at Brussels, 16 December 1996.

For the Commission

Franz FISCHLER

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 174, 1. 7. 1976, p. 18.

⁽⁴⁾ OJ No L 158, 29. 6. 1977, p. 36.

COMMISSION REGULATION (EC) No 2389/96
of 16 December 1996

amending Regulation (EC) No 1713/95 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Agreements on free trade between the Community and the Baltic States

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

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 granting certain concessions in the form of Community tariff quotas for certain agricultural products and adjusting on a unilateral and temporary basis certain agricultural concessions provided for in the Agreements on free trade with Estonia, Latvia and Lithuania in line with the Agreement on agriculture concluded in the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 5 thereof,

Whereas the second paragraph of Article 5 of Commission Regulation (EC) No 1713/95 of 13 July 1995 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Agreements on free trade between the Community and the Baltic States⁽²⁾, as last amended by Regulation (EC) No 1929/96⁽³⁾, provides that licences are not valid after 31 December of the year in which they are issued;

Whereas the adjustment of the agricultural concessions provided for by the Agreements on free trade and the introduction of accompanying measures by Regulation (EC) No 1929/96 is applicable from 1 July 1996; whereas the annual quantities referred to in that Regulation are

fixed for a period of 12 months from 1 July to 30 June instead of from 1 January to 31 December; whereas, therefore, the final date for the validity of the licences should be changed from 31 December to 30 June;

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

In Article 5 of Regulation (EC) No 1713/95, the second paragraph is replaced by the following:

‘However, licences shall not be valid after 30 June following the date of their issue.’

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 to import licences delivered as from 1 November 1996.

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

Done at Brussels, 16 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 254, 8. 10. 1996, p. 1.

⁽²⁾ OJ No L 163, 14. 7. 1995, p. 5.

⁽³⁾ OJ No L 254, 8. 10. 1996, p. 29.

COMMISSION DECISION No 2390/96/ECSC
of 16 December 1996
repealing Decision No 612/91/ECSC

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 47 thereof,

Whereas it is necessary to harmonize the collection of data with international organizations;

Whereas it is necessary to rationalize and reorganize the questionnaires, so as to reduce and simplify the workload on the data suppliers;

Whereas it is necessary to adapt the system to the economic realities of the coal market;

Whereas, since the publication of Commission Decision No 612/91/ECSC of 31 January 1991 concerning coal statistics⁽¹⁾, certain amendments to the questionnaires on production, stocks and the structure of employment in the coal-mining industry have appeared necessary (questionnaires M10C, M20, A20, A20a, M21, A21, M22, A22, T60, A60);

Whereas, since the publication of Commission Recommendation 91/141/ECSC of 31 January 1991 concerning coal statistics⁽²⁾, certain amendments to the questionnaires on production, stocks, foreign trade and deliveries have appeared necessary (questionnaires M10L, M11, M30, M30a, A30, A30a, A30b, M40, A40, A40a, M50, A50, A50a, T61, A61, A62, M70, A70);

Whereas the need to improve the structure of the questionnaires involves transferring the information collected pursuant to Decision No 612/91/ECSC to the field of application of the Recommendation,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 612/91/ECSC is repealed with effect from 1 January 1997.

Article 2

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 16 December 1996.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

⁽¹⁾ OJ No L 74, 20. 3. 1991, p. 1.

⁽²⁾ OJ No L 74, 20. 3. 1991, p. 35.

COMMISSION REGULATION (EC) No 2391/96
of 16 December 1996
amending the import duties in the cereals sector

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

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

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

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 2381/96⁽⁴⁾;

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

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2381/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2381/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 17 December 1996.

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

Done at Brussels, 16 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 325, 14. 12. 1996, p. 16.

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⁾	19,18	9,18
1001 90 91	Common wheat seed	40,24	30,24
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	40,24	30,24
	medium quality	44,80	34,80
	low quality	64,88	54,88
1002 00 00	Rye	74,11	64,11
1003 00 10	Barley, seed	74,11	64,11
1003 00 90	Barley, other ⁽³⁾	74,11	64,11
1005 10 90	Maize seed other than hybrid	91,00	81,00
1005 90 00	Maize other than seed ⁽³⁾	91,00	81,00
1007 00 90	Grain sorghum other than hybrids for sowing	74,11	64,11

⁽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

(for 13 December 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)	112,45	117,73	111,44	83,49	166,85 ⁽¹⁾	108,06 ⁽¹⁾
Gulf premium (ECU/tonne)	32,76	24,03	10,23	12,07	—	—
Great lake premium (ECU/tonne)	—	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,12 per tonne; Great Lakes — Rotterdam: ECU 22,18 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 2392/96
of 16 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 17 December 1996.

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

Done at Brussels, 16 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 16 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	81,0
	624	200,4
	999	140,7
0707 00 40	624	113,5
	999	113,5
0709 10 40	220	118,7
	999	118,7
0709 90 79	052	87,6
	999	87,6
0805 10 61, 0805 10 65, 0805 10 69	052	53,5
	204	54,8
	388	39,4
	448	29,4
	624	47,1
	999	44,8
0805 20 31	052	79,2
	204	74,4
	999	76,8
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	68,0
	464	166,0
	624	77,8
	999	103,9
0805 30 40	052	73,6
	400	60,6
	528	50,0
	600	84,0
	999	67,0
0808 10 92, 0808 10 94, 0808 10 98	060	42,2
	064	48,7
	400	79,7
	404	64,4
	999	58,8
0808 20 67	064	74,8
	091	49,8
	400	112,1
	624	67,4
	999	76,0

⁽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 RECOMMENDATION No 88/96/ECSC
of 16 December 1996
amending Recommendation 91/141/ECSC concerning the questionnaires
contained in the Annex

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 47 thereof,

Whereas it is necessary to harmonize the collection of data with international organizations;

Whereas it is necessary to rationalize and reorganize the questionnaires, so as to reduce and simplify the workload on the data suppliers;

Whereas it is necessary to adapt the system to the economic realities of the coal market;

Whereas, since the publication of Commission Decision No 612/91/ECSC of 31 January 1991, concerning coal statistics ⁽¹⁾, certain amendments to the questionnaires on production, stocks and the structure of employment in the coal-mining industry have appeared necessary (questionnaires M.10C, M.20, A.20, A.20a, M.21, A.21, M.22, A.22, T.60, A.60);

Whereas, since the publication of Commission Recommendation 91/141/ECSC of 31 January 1991, concerning coal statistics ⁽²⁾, certain amendments to the questionnaires on production, stocks, foreign trade and deliveries have appeared necessary (questionnaires M.10L, M.11, M.30, M.30a, A.30, A.30a, A.30b, M.40, A.40, A.40a, M.50, A.50, A.50a, T.61, A.61, A.62, M.70, A.70);

Whereas the need to improve the structure of the questionnaires involves transferring the information collected pursuant to Decision No 612/91/ECSC to the field of application of the Recommendation,

HAS ADOPTED THIS RECOMMENDATION:

Article 1

The questionnaires annexed to Commission Recommendation 91/141/ECSC are replaced by the statistical questionnaires annexed to this recommendation.

Article 2

Member States shall, as from 1 January 1997, communicate to the Commission the statistical data required in the questionnaires annexed to this recommendation under the conditions laid down therein.

Article 3

This recommendation shall take effect on the day of its publication in the *Official Journal of the European Communities*.

This recommendation is addressed to the Member States

Done at Brussels, 16 December 1996.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

⁽¹⁾ OJ No L 74, 20. 3. 1991, p. 1.

⁽²⁾ OJ No L 74, 20. 3. 1991, p. 35.

ANNEX

ANNUAL QUESTIONNAIRE

SOLID FUELS

1. *Deadline*

The deadline is **nine months** after the year concerned for Tables 1, 2, 3, 4 and 5.

The deadline is **three months** after the year concerned for Tables A E1, A E2, A E3 and A E4.

If there are revisions to periods other than the year in question, they must be shown on separate questionnaire(s).

2. *Transmission*

The questionnaire is to be teletransmitted.

Administrations which do not have teletransmission should send it by post.

3. *Address*

E-mail address: Pierluigi.CANEGALLO@eurostat.cec.be

Postal address:

European Commission
Statistical Office of the European Communities
for the attention of
Head of Unit 'Energy and Raw Materials'
Bâtiment Jean MONNET
rue Alcide de Gasperi
L-2920 LUXEMBOURG.

4. *Questionnaires' content*

First part: Tables 1, 2, 3, 4 and 5

Second part: Tables A E1, A E2, A E3, and A E4.

ANNUAL QUESTIONNAIRE

SOLID FUELS

1. *Units*

All figures are given in 1 000 metric tonnes, unless specified otherwise.

2. *Product definitions***Hard coal**

Black, combustible, solid, organic, fossil sediment with a gross calorific value greater than 24 MJ/kg in ash-free condition with the moisture content obtained at a temperature of 30 °C and a relative air humidity of 96 %.

'Lignito negro', produced in Spain, is also regarded as hard coal.

The following three hard coal subdivisions will be used for hard coal quality based on grade and not on actual use.

2.1. *Anthracite and LV dry steam*

Hard coal with low volatility and moisture content.

2.2. *Coking coal*

Hard coal suitable for production of coke capable of supporting the weight of a blast furnace charge.

2.3. *Steam coal*

Hard coal of quality suitable for heat and/or steam production in industrial boilers (power plants, heating plants, industrial boilers).

Lignite

Combustible, brown to black, organic fossil sediment with a gross calorific value lower than 24 MJ/kg in ash-free condition with the moisture content obtained at a temperature of 30 °C and a relative air humidity of 96 %.

Distinction is made between the following types:

— *Black lignite*

with a moisture content of 20 to 25 % and an ash content of 9 to 13 %.

Black lignite was formed in the secondary era. Within the European Union, it is now produced only by France from deep-mining in Provence.

— *Brown coal*

with a moisture content of 40 to 70 % and an ash content normally between 2 and 6 %; the latter, however, may be as high as 12 % depending on the deposit. Brown coal was mainly formed in the tertiary era. This fuel is mostly mined in opencast workings.

Peat

Soft, loose to compressed, natural, combustible fossil sediment of vegetable origin with a high moisture content (up to 90 %), light to dark brown in colour.

Patent fuel

Patent fuels of hard coal are artefacts of specified shape produced by hot milling under pressure, with the addition of binding material (pitch).

Lignite briquettes (briquettes, dried lignite)

Lignite briquettes are artefacts of even shape produced after crushing and drying of lignite, moulded under high pressure without the addition of binders. This includes dried lignite and lignite breeze.

Peat briquettes

Peat briquettes are artefacts of even shape produced after crushing and drying of peat, moulded under high pressure without the addition of binders.

Coke derived from hard coal

Coke derived from hard coal is an artificial solid fuel obtained by dry distillation of the coal in the total or partial absence of air. Distinction is made, according to the method of manufacture, between:

- *Hard coke*: obtained by carbonization at high temperatures
- *Semi-coke*: obtained by carbonization at low temperatures
- *Gasworks coke*: produced in gasworks.

Lignite coke

Lignite coke is the solid residue obtained by dry distillation of lignite in the absence of air.

Coke breeze:

This comprises coke fines resulting from degradation.

Petroleum coke:

Petroleum coke is defined as a black solid residue, obtained mainly by cracking and coking of heavy gasoil, residual fuel oil, pitches and tar. Petroleum coke consists mainly of carbon (90 to 95 %) and is burnt without ash remains.

3. Geographical coverage

- Belgium
- Denmark (excludes Faeroes and Greenland)
- Germany
- Greece
- Spain (includes the Canary Islands)
- France (Monaco and overseas departments and territories excluded)
- Ireland
- Italy (excludes San Marino)
- Luxembourg
- Netherlands (excludes Netherlands Antilles)
- Austria
- Portugal (includes the Azores and Madeira)
- Finland
- Sweden
- United Kingdom (excludes the Channel Islands and the Isle of Man).

4. Instructions for completing the tables:

First part (Tables 1, 2, 3, 4 and 5)

TABLE 1: SUPPLY AND TRANSFORMATION SECTOR

1. Production**— Primary Products (*hard coal, lignite*)**

Production (including production of small or opencast mines) is defined as net pithead production, i.e. after removal of waste from the gross output (coal brought to the surface) by means of screening and washing. As a general rule, it includes the production of low-grade products (dust, middlings), but not recovered products.

— Derived products (*hard coal coke, patent fuel, lignite coke, lignite briquettes*)

Reports the quantities of manufactured fuels. In general, production includes the quantities consumed by the producer during the production cycle.

2. Of which underground

Reports the quantity of underground production.

3. Recovered products

Comprise slurries and waste-heap shale recovered by mines.

4./5. Imports and exports

Imports and exports represent all fuels entering and leaving the national territory excluding transit quantities.

Direct imports by mines are included in the total imports.

Re-exported fuels are included in the exports.

6. Bunkers

Reports the quantities of fuels delivered to seagoing ships of all flags.

7. Stock changes

Stock change is the difference between the quantities stocked at the end and beginning of the period in question, taking stock adjustments into account. Stocks are the quantities held by producers, and importers and also the consumers.

8. Gross inland consumption (calculated)

Defined as: production + recovered products + imports – exports – (international marine) bunkers + stock changes.

9. Transformation sector consumption

Reports the quantities consumed for transformation of primary products into derived energy products.

TABLE 2: ENERGY SECTOR AND FINAL CONSUMPTION

1. Energy sector consumption

Reports fuels consumed by the energy industry to support extraction or transformation activity.

2. Total final consumption

Total of non-energy use and final energy consumption.

3. Non-energy use

Reports energy products used as raw materials in the different sectors, that is, not consumed as a fuel or transformed into another fuel.

4. Final energy consumption

Total consumption of industry, transport, services, households, etc.

5. Industry

Reports fuels consumed by industrial undertakings in support of their primary activities.

1. *Iron and steel*: NACE Rev. 1 divisions 27.1, 27.2, 27.3, 27.51, and 27.52

2. *Chemical and petro-chemical industry*: NACE Rev. 1 division 24

3. *Non-ferrous metal industries*: NACE Rev. 1 divisions 27.4, 27.53 and 27.54

4. *Non-metallic mineral products*: NACE Rev. 1 division 26

5. *Machinery*: NACE Rev. 1 divisions 28, 29, 30, 31, 32, 34 and 35

6. *Mining (excluding energy production industries) and quarrying*: NACE Rev. 1 divisions 13 and 14

7. *Food processing, beverages and tobacco*: NACE Rev. 1 divisions 15 and 16

8. *Pulp, paper and printing*: NACE Rev. 1 divisions 21 and 22

9. *Textile and leather*: NACE Rev. 1 divisions 17, 18 and 19

10. *Not elsewhere specified*

6. Transport

Reports fuels used in all transport activities irrespective of the economic sector in which the activity occurs. (NACE Rev. 1 divisions 60, 61 and 62)

— *Rail*: Reports all consumption for use in rail traffic, including industrial railways.

7. **Commercial and public services, households, etc.**

1. *Commercial and public services*: Reports fuels consumed by commercial business and offices in the public and private sectors.
2. *Households*: Reports fuels consumed by all households.
3. *Agriculture*: Reports fuels consumed by users classified as 'agriculture, hunting and forestry' (NACE Rev. 1 divisions 01, 02, and 05).
4. *Not elsewhere specified*: Reports consumption not included elsewhere (please specify). This category includes military use.

TABLE 3 AND TABLE 4: IMPORTS AND EXPORTS

Amounts are considered as imported or exported when they have crossed the political boundaries of the country.

TABLE 5: NET AVERAGE CALORIFIC VALUE

Please report net calorific value (NCV).

Second part (Tables A E1, A E2, A E3, and A E4)

TABLE A E1: SUPPLY OF HARD COAL, LIGNITE AND COKE, MINING ACTIVITY

1. **Production**

The production (including production of small or open-cast mines) is defined as net pithead production, i.e. after removal of the waste from the gross output (coal brought to the surface) by means of screening and washing. As a general rule, it includes the production of low-grade products (dust, middlings), but not recovered products.

2. **Recovered products**

Comprise slurries and waste-heap shale recovered by mines.

3./4. **Total imports and total exports**

Imports and exports represent all fuels entering and leaving the national territory excluding transit quantities.

Direct imports by mines are included in total imports. Re-exported fuels are included in the exports.

5. **Stock changes**

Stock change is the difference between the quantities stocked at the end and beginning of the period in question, taking stock adjustments into account.

Stocks are the quantities held by producers and importers. Consumer stocks should not be reported under this rubric, except stocks held by consumers who import directly.

6. **Inland deliveries (calculated)**

Production + recovered products + imports - exports + stock changes.

Inland deliveries correspond to calculated deliveries to the market.

7. **Internal market deliveries (observed)**

Covers deliveries to the internal market and is equal to the total deliveries to the different types of consumers. A difference may occur between the calculated and observed deliveries.

8. **Producers' own consumption**

Covers producer's internal use, (consumption of pithead power stations, pithead coking plants, pithead patent fuel/briquette plants and colliery coal supplied to workers are excluded).

9. **Deliveries to public power stations**

Covers the deliveries of fuel to public power stations. Public power stations generate electricity for sale to third parties, as their primary activity. They may be privately or publicly owned.

Public power station includes only electricity production plants and combined heat and power plants.

10. Deliveries to pithead power stations

Covers deliveries of fuel to pithead power stations.

11. Deliveries to coking plants

Covers deliveries for transformation to coking plants (pithead, iron and steel industry and independent).

12. Deliveries to patent fuel/briquette plants

Covers deliveries for transformation to patent fuel/briquette plants (pithead and independent).

13. Deliveries to industry (without iron and steel industry)

Covers deliveries to all industry, except the iron and steel industry.

14. Deliveries to iron and steel industry

Covers deliveries of fuel to the iron and steel industry (NACE Rev. 1 divisions 27.1, 27.2, 27.3, 27.51, 27.52).

15. Deliveries to others

Covers deliveries of fuel to households (including colliery coal supplied to workers in mines and associated plants) and services (administrations, shops, etc.) and sectors not elsewhere specified (district heating, transport, etc.).

16. Stocks end period

Stocks are the quantities held by producers and importers.

*Mining activity***1. Personnel employed underground (in thousands)**

This refers to workers (including those sub-contracted) directly engaged in mining activity. Where a worker spends time both underground and on the surface, account is taken of where he spends most time.

2. 'Net output' for underground output calculation (in thousand metric tonnes)

'Net output' is gross output minus hand-picked dirt and washery refuse. It includes the output of dust, middlings and slurry. For the purposes of the productivity calculation, the quantities of hard coal mined in small (licensed) mines and opencast workings, recovered from tips and produced during capital working are excluded.

3. Underground output per man-hour (in kg per man-hour)

'Underground output per man and hour' i.e. productivity will be calculated as follows:

$$\frac{\text{net output}}{\text{number of hours worked}}$$

Underground productivity covers only coal mining in the strict sense; output and shifts coming under the following headings are therefore excluded: small mines, opencast mining, coal recovered from tips, capital working (harmonized concept).

TABLE A E2: SUPPLIES OF COKE AND PATENT FUELS

— Production

Reports the quantities of manufactured fuels. In general, production includes the quantities consumed by the producer during the production cycle.

— Imports and exports

Imports and exports represent all fuels entering and leaving the national territory excluding transit quantities. Re-exported fuels are included in the exports.

— **Stock changes**

This is the difference between stocks held at the end and the beginning of the period in question, taking stock adjustments into account.

Stocks are quantities held in coking plants (coke) and patent fuel plants (patent fuels) as well as the importers; consumers' stocks should not be reported under this rubric, except stocks held by consumers who import directly.

— **Inland deliveries (calculated)**

Production + imports - exports + stock changes.

— **Deliveries to the internal market (observed)**

Covers deliveries to the internal market and is equal to the sum of deliveries to all kinds of consumers. A difference may exist between calculated and observed deliveries.

— **Deliveries to industry (without iron and steel industry)**

Covers deliveries of fuel to all industries except the iron and steel industry.

— **Deliveries to industry**

Covers deliveries of fuel to the iron and steel industry (NACE Rev. 1 Divisions 27.1, 27.2, 27.3, 27.51, 27.52).

— **Stocks end period**

Stocks are the quantities held by coking plants, patent fuel plants and importers.

TABLE A E3: SUPPLIES TO COKING PLANTS

The questionnaire must be completed for all the coking plants (operated by mines, steelworks or run independently).

— **Total supplies:**

Covers supplies from producers (indigenous origin) or importers but also those obtained through trading. Country of origin is taken as meaning the country where the fuels were actually produced.

TABLE A E4: SUPPLIES TO PUBLIC POWER STATIONS

Covers supplies from producers (indigenous origin) or importers but also those obtained through trading. Country of origin is taken as meaning the country where the fuels were actually produced.

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table 1

Supply and transformation sector

Page =
 Table =
 Year =
 Country =

		Hard coal	Black lignite	Brown coal	Peat	Patent fuel	Hard coal coke	Lignite coke	Lignite/peat briquettes
1	Production								
2	of which underground								
3	Recovered products								
4	Imports								
5	Exports								
6	Bunkers								
7	Stock changes								
= 8	Gross inland consumption (calculated)								
= 9	Transformation sector consumption, of which:								
	Patent fuel plants								
	Coking plants								
	Gas works								
	Blast furnaces								
	Lignite briquettes plants								
	Public power stations								
	of which: CHP								
	Autoproducer power stations								
	of which: CHP								
	Heating plants								

(1 000 tonnes)

**ANNUAL QUESTIONNAIRE
SOLID FUELS**

Table 2

Energy sector and final consumption

Page =
Table =
Year =
Country =

		Hard coal	Black lignite	Brown coal	Peat	Patent fuel	Hard coal coke	Lignite coke	Lignite/peat briquettes
		(1 000 tonnes)							
= 1	Total energy sector consumption, of which:								
	Coal mines and patent fuel plants								
	Coking plants and gasworks								
	Non-specified								
= 2	Total final consumption								
= 3	Non-energy use								
= 4	Final energy consumption								
= 5	Industry, of which:								
5.1	Iron and steel								
5.2	Chemical and petrochemical								
5.3	Non-ferrous metal industries								
5.4	Non-metallic mineral products								
5.5	Machinery								
5.6	Mining (excluding energy production industries) and quarrying								
5.7	Food processing, beverages and tobacco								
5.8	Pulp, paper and printing								
5.9	Textile and leather								
5.10	Other non-classified industries								
= 6	Transport, among which:								
	Rail								
= 7	Commercial and public services, households, of which:								
7.1	Commercial and public services								
7.2	Households								
7.3	Agriculture								
7.4	Non-specified								

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table 3

Imports by origin

Page =

Table =

Year =

Country =

(1 000 tonnes)

Country of origin	Hard coal	Brown coal/ black lignite	Hard coal coke
EU (EUR 15) of which:			
— Belgium			
— Denmark			
— Germany			
— Greece			
— Spain			
— France			
— Ireland			
— Italy			
— Luxembourg			
— The Netherlands			
— Austria			
— Portugal			
— Finland			
— Sweden			
— United Kingdom			
Other countries (1)			
Total			

(1) Please specify.

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table 4

Exports by destination

Page =

Table =

Year =

Country =

(1 000 tonnes)

Country of destination	Hard coal	Brown coal/ black lignite	Hard coal coke
EU (EUR 15) of which:			
— Belgium			
— Denmark			
— Germany			
— Greece			
— Spain			
— France			
— Ireland			
— Italy			
— Luxembourg			
— The Netherlands			
— Austria			
— Portugal			
— Finland			
— Sweden			
— United Kingdom			
Other countries ⁽¹⁾			
Total			

⁽¹⁾ Please specify.

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table 5

Average net calorific value (NCV)

Page =

Table =

Year =

Country =

	(Kilojoule/kg)			
	Hard coal	Black lignite	Brown coal	Peat
Production				
Imports				
Exports				
Consumed in coke ovens				
Consumed in blast furnaces				
Consumed in public power stations				
Consumed in industry				

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table A E1

Supply of hard coal, lignite and peat

Page =

Table =

Year =

Country =

(1 000 tonnes)

		Hard coal	Lignite			Peat
			Total	Black lignite	Brown coal	
1	Production					
+ 2	Recovered products					
+ 3	Total imports					
3a	— Intra-EU imports					
- 4	Total exports					
4a	— Intra-EU exports					
+ 5	Stock changes					
= 6	Inland deliveries (calculated)					
= 7	Internal market deliveries (observed)					
8	Producers' own use					
9	Public power stations					
10	Pithead power stations					
11	Coking plants					
12	Patent fuel and briquette plants					
13	Total industry (without iron and steel industry)					
14	Iron and steel industry					
15	Others (Services, households, etc.)					
16	Stocks end of period (total)					
16a	Of which: — Mines					
16b	— Importers					
17	Number of mines producing hard coal (end of year)					
17a	Personnel employed underground (1 000)					
17b	Net output for underground output calculation					
17c	Underground output per man/hour (kg)					

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table A E2

Supply of coke and patent fuels

Page =

Table =

Year =

Country =

(1 000 tonnes)

		Coke of		Patent fuels of	
		Coal	Lignite	Coal	Lignite
1	Production				
+ 2	Total imports				
- 3	Total exports				
3a	— of which intra-EU exports				
+ 4	Stock changes				
= 5	Inland deliveries (calculated)				
= 6	Internal market deliveries (observed)				
7	Of which: — Industry (without iron and steel industry)				
8	— Iron and steel industry				
9	— Others (services, households, etc.)				
10	Stocks end of period (total)				
11	Of which: Coking plants				
12	Of which: Patent fuel plants				

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table A E3

Supplies to coking plants

Page =

Table =

Year =

Country =

(1 000 tonnes)

		Hard coal	Breeze and semi-coke	Petroleum coke	Others ⁽¹⁾
1	Origin: indigenous				
+ 2	Germany				
+ 3	United Kingdom				
+ 4	Other EU ⁽¹⁾				
= 5	Total EU				
6	Origin: USA				
7	Australia				
8	South Africa				
9	Poland				
10	CIS of which:				
10a	Russia				
10b	Ukraine				
11	Canada				
12	Colombia				
13	China				
14	Venezuela				
15	Indonesia				
16	Other extra-EU ⁽¹⁾				
= 17	Total extra-EU				
18	TOTAL SUPPLIES (5 + 17)				
19	Stock changes				
20	Consumption for transformation into coke				
21	Own consumption				
	Stocks end of period				

⁽¹⁾ Please specify.

ANNUAL QUESTIONNAIRE

SOLID FUELS

Table A E4

Supplies to public power stations

Page =

Table =

Year =

Country =

		(1 000 tonnes)	
		Hard coal	
1	Origin: indigenous		
+ 2	Germany		
+ 3	United Kingdom		
+ 4	Other intra-EU (¹)		
= 5	Total EU		
6	Origin: USA		
7	Australia		
8	South Africa		
9	Poland		
10	CIS of which:		
10a	Russia		
10b	Ukraine		
11	Canada		
12	Colombia		
13	China		
14	Venezuela		
15	Indonesia		
16	Other extra-EU (¹)		
= 17	Total extra-EU		
18	TOTAL SUPPLIES (5 + 17)		
19	Stock changes		
20	Consumption for transformation		
	Stocks end of period		

(¹) Please specify.

MONTHLY QUESTIONNAIRE

SOLID FUELS

1. *Deadline*

The deadline is **three months after** the month concerned.

If there are revisions to periods other than the month concerned, they must be shown on separate questionnaire(s).

2. *Transmission*

The questionnaire is to be teletransmitted.

Administrations which do not have teletransmission should send it by post.

3. *Address*

E-mail address : Pierluigi.CANEGALLO@eurostat.cec.be

Postal address:

European Commission
Statistical Office of the European Communities
for the attention of Head of Unit
'Energy and Raw Materials'
Bâtiment Jean Monnet
rue Alcide de Gasperi
L-2920 Luxembourg

4. *Questionnaire's content*

Tables M E1, M E2, M E3

MONTHLY QUESTIONNAIRE

SOLID FUELS

1. *Units*

All figures are given in 1 000 metric tonnes, unless specified otherwise.

2. *Product definitions***Hard coal**

Black, combustible, solid, organic, fossil sediment with a gross calorific value greater than 24 MJ/kg in ash-free condition with the moisture content obtained at a temperature of 30° C and a relative air humidity of 96 %.

'Lignito negro', produced in Spain, is also regarded as hard coal.

Lignite

Combustible, brown to black, organic fossil sediment with a gross calorific value lower than 24 MJ/kg in ash-free condition with the moisture content obtained at a temperature of 30° C and a relative air humidity of 96 %.

Distinction is made between the following types:

— *Black lignite*

which has a moisture content of 20 to 25 % and an ash content of 9 to 13 %. Black lignite was formed in the secondary era. Within the Union, it is now produced only by France from deep mining in Provence.

— *Brown coal*

which has a moisture content of 40 to 70 % and an ash content normally between 2 and 6 %; the latter, however, may be as high as 12 % depending on the deposit. Brown coal was mainly formed in the tertiary era. This fuel is mostly mined in opencast workings.

Peat

Soft, loose to compressed, natural, combustible fossil sediment of vegetable origin with a high moisture content (up to 90 %), light to dark brown in colour.

Patent fuel

Patent fuels of hard coal are artefacts of specified shape produced by hot milling under pressure, with the addition of binding material (pitch).

Lignite briquettes (briquettes, dried lignite)

Lignite briquettes are artefacts of even shape produced after crushing and drying of lignite, moulded under high pressure without the addition of binders. This includes dried lignite and lignite breeze.

Coke derived from hard coal

Coke derived from hard coal is an artificial solid fuel obtained by dry distillation of the coal in the total or partial absence of air. Distinction is made, according to the method of manufacture, between:

- *Hard coke*: obtained by carbonization at high temperatures
- *Semi-coke*: obtained by carbonization at low temperatures
- *Gasworks coke*: produced in gasworks.

Lignite coke

Lignite coke is the solid residue obtained by dry distillation of lignite in the absence of air.

3. *Geographical coverage*

- Belgium
- Denmark (excludes Faeroes and Greenland)
- Germany
- Greece
- Spain (includes the Canary Islands)
- France (Monaco and overseas departments and territories excluded)
- Ireland
- Italy (excludes San Marino)
- Luxembourg
- Netherlands (excludes Netherlands Antilles)
- Austria
- Portugal (includes the Azores and Madeira)
- Finland
- Sweden
- United Kingdom (excludes the Channel Islands and the Isle of Man)

4. *Reporting instructions*

TABLE M E1: SUPPLY OF HARD COAL AND LIGNITE AND PEAT

— **Production:**

Production (including production of small or opencast mines) is defined as net pithead production, i.e. after removal of waste from the gross output (coal brought to the surface) by means of screening and washing. As a general rule, it includes the production of low-grade products (dust, middlings), but not recovered products.

— **Recovered products**

Comprise slurries and waste-heap shale recovered by mines.

— **Total imports and total exports**

Imports and exports represent all fuels entering and leaving the national territory excluding transit quantities.

Direct imports by mines are included in the total imports. Re-exported fuels are included in the exports.

— **Stock changes**

Stock change is the difference between the quantities stocked at the end and beginning of the period in question, taking stock adjustments into account.

Stocks are the quantities held by mines and importers. Consumer stocks (e.g. those held in power stations and coking plants) should not be reported under this rubric, except stocks held by consumers who import directly.

— **Inland deliveries (calculated)**

Production + recovered products + imports — exports + stock changes

Inland deliveries correspond to calculated deliveries on the market.

— **Internal market deliveries (observed)**

Covers deliveries to the internal market and is equal to the total of the deliveries to the different types of consumers. A difference may occur between the calculated and observed deliveries.

— **Producer's own use**

Covers internal use in production units (except consumption in pit-head power stations, pit-head patent fuel plants, pit-head coke oven plants and deliveries to colliery staff).

— **Deliveries to public power stations**

Covers the deliveries of fuel to public power stations. Public power stations generate electricity for sale to third parties, as their primary activity. They may be privately or publicly owned.

Public power stations includes only electricity production plants and combined heat and power plants.

— **Deliveries to pithead power stations**

Covers deliveries of fuel to pithead power stations.

— **Deliveries to coking plants**

Covers deliveries for transformation to coke-oven plants (pithead, iron and steel industry and independent).

— **Deliveries to patent fuels plants**

Covers deliveries for transformation to patent fuels plants (pithead and independent).

— **Deliveries to industry (without iron and steel industry)**

Covers deliveries to all industry, except the iron and steel industry. Deliveries to industry for electricity production for own use are covered under this heading.

— **Deliveries to iron and steel industry**

Covers deliveries of fuel to the iron & steel industry (NACE Rev. 1 divisions 27.1, 27.2, 27.3, 27.51, 27.52).

— **Deliveries to others**

Covers deliveries of fuel to households (including colliery coal supplied to workers in mines and associated plants) and services (administrations, shops, etc.) and also to sectors not elsewhere specified (district heating, transport, etc.).

— **Stocks end period**

Stocks are the quantities held by mines and importers and coke-oven plants.

TABLE M E2: SUPPLY OF COKE AND PATENT FUELS

— **Production**

Reports the quantities of manufactured fuels. In general, production includes the quantities consumed by the production cycle.

— **Imports and exports**

Imports and exports represent all fuels entering and leaving the national territory excluding transit quantities.

Re-exported fuels are included in the exports.

— **Stock changes**

This is the difference between stocks held at the end and the beginning of the period in question, taking stock adjustments into account.

Stocks are quantities held in coking plants (coke) and patent fuel plants (patent fuels) as well as at the importers; consumers' stocks should not be reported under this rubric, excepted stocks held by consumers which directly import.

— **Inland deliveries (calculated)**

Production + imports — exports + stock changes

— **Deliveries to the internal market (observed)**

Covers deliveries to the internal market and is equal to the sum of deliveries to all kinds of consumers.
A difference may exist between calculated and observed deliveries.

— **Deliveries to industry (without iron and steel industry)**

Covers deliveries to all industry, except the iron and steel industry.

— **Deliveries to iron and steel industry**

Covers deliveries of fuel to the iron and steel industry (NACE Rev. 1 divisions 27.1, 27.2, 27.3, 27.51, 27.52).

— **Deliveries to public and commercial services, households, etc.**

Covers deliveries of fuel to households (including coke and patent fuels supplied to workers in mines and associated plants) and services (administrations, shops, etc.)

— **Stocks end period**

Stocks are the quantities held by coking plants, patent fuel plants and importers.

TABLE M E3: IMPORTS

Imports represent all entries into the national territory excluding transit quantities.

Country of origin is taken as meaning the country where the fuels were actually produced.

When the origin is not in the list of countries or unknown, report under 'others'.

MONTHLY QUESTIONNAIRE

SOLID FUELS

Table M E1

Supply of hard coal, lignite and peat

Page =
 Table =
 Year = Month =
 Country =

(1 000 tonnes)

		Hard coal	Lignite			Peat
			Total	Black lignite	Brown coal	
1	Production					
+ 2	Recovered products					
+ 3	Total imports					
3a	— of which intra-EU imports					
- 4	Total exports					
4a	— of which intra-EU exports					
+ 5	Stock changes					
= 6	Inland deliveries (calculated)					
= 7	Internal market deliveries (observed)					
8	Producers' own use					
9	Public power stations					
10	Pithead power stations					
11	Coking plants					
12	Patent fuel plants					
13	Total industry (without iron & steel industry)					
14	Iron and steel industry					
15	Others (services, households, etc.)					
16	Stocks end of period (total)					
16a	Of which: — Mines					
16b	— Importers					
16c	Stocks end of period — coking plants					

MONTHLY QUESTIONNAIRE

SOLID FUELS

Table M E2

Supply of coke and patent fuels

Page =

Table =

Year = Month =

Country =

(1 000 tonnes)

		Coke of		Patent fuels	
		Coal	Lignite	Coal	Lignite
1	Production				
+ 2	Total imports				
- 3	Total exports				
3a	— of which intra-EU exports				
+ 4	Stock changes				
= 5	Inland deliveries (calculated)				
= 6	Internal market deliveries (observed)				
7	Of which: — Industry (without iron and steel industry)				
8	— Iron and steel industry				
9	— Others (services, households, etc.)				
10	Stocks end of period (total)				
11	Of which: coking plants				
12	Of which: patent fuel plants				

MONTHLY QUESTIONNAIRE

SOLID FUELS

Table M E3

Imports

Page =
 Table =
 Year = Month =
 Country =

(1 000 tonnes)

	Country of origin	Hard coal	Lignite	Hard coal and	Patent
			Black lignite/ Brown coal	lignite coke	fuels/ briquettes
1	— Germany				
+ 2	— United Kingdom				
+ 3	— Other EU (¹)				
= 4	Total EU				
5	— USA				
6	— Australia				
7	— South Africa				
8	— Poland				
9	— CIS of which:				
9a	Russia				
9b	Ukraine				
10	— Canada				
11	— Colombia				
12	— China				
13	— Other extra-EU (¹)				
= 14	Total extra-EU				
15	TOTAL IMPORTS (4 + 14)				

(¹) Please specify.

QUESTIONNAIRE

EMPLOYMENT IN THE COAL MINING INDUSTRY (ECSC)

1. *Date of dispatch*

The deadline is **45 days** following the end of the reference quarter for the quarterly questionnaires C-1 and C-2.

The deadline is **three months** following the reference year for the annual questionnaire C-3.

If the figures for any period other than the month in question are revised, the revisions should be sent on one or more separate questionnaires.

2. *Transmission*

The questionnaire is to be sent by teletransmission.

Authorities which do not have the necessary software should send the questionnaire by post.

3. *Address*

For e-mail: Pierluigi.CANAGALLO@eurostat.cec.be

Postal address:

European Commission
Statistical Office of the European Communities,
For the attention of the
Head of the 'Energy and Raw Materials' Unit,
Bâtiment Jean Monnet,
rue Alcide de Gasperi,
L-2920 Luxembourg.

4. *The questionnaire comprises*

Tables C-1, C-2 and C-3.

Questionnaire C-1

STRUCTURE OF EMPLOYMENT IN THE COAL MINING INDUSTRY (ECSC)

Member State:		Quarter:		Year:	
Completed questionnaire to be returned within 45 days following the end of the reference quarter					
Number of persons at end of quarter	Mining and ancillary services			Associated activities	Total
	Underground	Surface	Total		
	01	02	03 = 01 + 02	05 = 03 + 04	
1. Manual workers					
2. Supervisors					
3. Non-manual workers					
4. Apprentices					
5. Total					

NOTES

1. Scope

The survey covers all coal mines, but does not include mines classified as small-scale mines in the country concerned ('Kleinzechen' in the Saar area of Germany, licensed mines in the United Kingdom) and opencast mines.

The survey covers all workers in both underground and surface areas (including ancillary services) and in supporting and administrative services ('other services').

- 1.1. Underground workers include all persons directly engaged in work underground. Persons who work both above and below ground should be classified according to the place where they are principally engaged.
- 1.2. Surface workers include all those working above ground in a mining installation (including ancillary services) or in 'other services'.

2. Definition of working areas

The following definitions of the working areas apply:

A. Mining installation, including ancillary services (mine)

1. Mining installation (underground)
2. Mining installation (surface)
3. Ancillary services:

Ancillary services are defined as those undertakings providing direct services for the mining installations both underground and on the surface.

B. Other services

1. Coking plants, including coal valuables plants
2. Briquette factories
3. Brickworks
4. Power stations, provided that they produce energy mainly for consumers outside the mine
5. Workshops providing services for several undertakings (central workshops)
6. Facilities for transporting prepared coal to central depots or ports
7. Railway, port and shipping services
8. Administrative services involving mainly general office work, e.g. scientific workers (including laboratory staff), technicians, clerical staff (accounts, sales, etc.) administrative staff (e.g. personnel department), office staff (senior clerical officers, time-study staff, secretaries) and computer operators
9. Social facilities (e.g. kitchens, canteens, etc.), medical services, sport and recreation facilities
10. Housing.

3. Structure of employment

Total employment includes all employees on the company's books (employment register) as full-time or part-time workers. The term covers manual grades, non-manual grades and apprentices.

Workers from outside companies employed by the mines are not included.

Distinction between manual and non-manual workers

The distinction between manual and non-manual workers is usually made on the basis of the nature of their principal duties.

Manual workers are employees engaged principally in manual work whose wages are normally calculated on piece rates or hourly or daily rates. Employees who are paid on a monthly basis should also be included under manual workers if the work they do is of an essentially manual nature.

Non-manual workers are employees who are not in the main engaged in manual work and who are paid a monthly salary. This category also includes employees who are paid an hourly or daily rate or on a piece-work basis, but whose main duties are not of a manual nature. Non-manual workers include: management, scientific, technical and sales personnel and other administrative staff.

The characteristics of the main duties which distinguish manual workers from non-manual workers have become rather blurred as a result of technical developments. However, they still apply for the purposes of the rules on collective agreements, social insurance and other rules which distinguish the two types of workers. Certain differences do exist, however, between the various mining countries in the Community.

Apprentices and trainees

This category covers persons who are employed under a specific training programme and who are paid at a special rate for trainees (workers with a training contract).

Supervisory personnel

This category includes those responsible for ensuring that workers carry out their duties properly and professionally and that the most important orders, provisions, regulations and instructions of the mines inspectorate and the individual mine concerned are observed.

Questionnaire C-2

CHANGES IN EMPLOYMENT IN THE COAL MINING INDUSTRY (ECSC)

Member State:		Quarter:				Year:		
Completed questionnaire to be returned within 45 days of the end of the reference quarter								
Sums of the quarter		Mining and ancillary services				Associated activities		Total
		Manual workers		Non-manual workers		Manual workers	Non-manual workers	
		Underground	Surface	Underground	Surface			
		01	02	03	04	05	06	
1.	Total entrants to coal mining							
2.	Total leavers from coal mining							
2.1.	Dismissals and redundancies							
2.1.1.	Redundancies for economic reasons							
2.2.	Voluntary resignations							
2.3.	Retirements							
2.3.1.	Early retirements							
2.3.2.	Disability retirements							
2.4.	Deaths							
2.5.	Other reasons							

NOTES

1. For scope of survey and general definitions, see questionnaire C-1.

2. ***Changes in employment***

Changes in employment include only actual entries to and departures from coal mining, but not movements within the industry.

Entrants are all workers taking up employment in the coal-mining industry during the reporting period.

Leavers are all persons who leave the coal-mining industry during the reporting period.

Departures are broken down according to the most important social policy factors.

2.1. **Dismissals and redundancies**

Dismissals and redundancies are terminations of the contract of employment within the set period by the employer. This category includes only cases where the worker definitively leaves the labour market.

2.1.1. *Redundancies on economic grounds*

Economic grounds for redundancies are sales difficulties, partial closure of the works and structural reorganization.

Redundancies to enable an employee to receive an early pension should not be included here, but under 'early retirement'.

2.2. **Resignation**

This category includes departures as a result of resignation within the set period of the contract and breach of contract.

Resignations handed in expressly to facilitate substitution of a revised contract are not to be included.

2.3. **Retirement**

Retirement gives an employee leaving a firm the right to a pension or a similar State benefit. Generally speaking, retirement constitutes the final cessation of gainful employment, the person concerned having reached the normal age of retirement or the age for early retirement or retiring on grounds of invalidity.

2.3.1. *Early retirement on economic grounds*

With this form of retirement, the employee leaves the company before reaching retirement age and without becoming unfit for work, a continuation of employment being ruled out either on economic grounds or because of structural reorganization. The employee concerned thereby has a right to a pension or transitional compensation.

2.3.2. *Invalidity*

This covers departures on the grounds of being unfit for employment or other gainful activity whereby the employee has a right to a pension.

2.4. **Death**

2.5. **Other grounds**

This covers departures on the grounds of being unfit for work in mining, military or civilian services and other departures (expiry of fixed-term contracts, such as for those on practical training courses, working students; dismissal/resignation without notice; cases where the employment relationship is terminated without the prescribed period of notice by agreement between management and worker; persons going to colleges and courses, if they cease to be employed for the duration of their absence).

Questionnaire C-3

EMPLOYMENT BY AGE IN THE COAL MINING INDUSTRY (ECSC)**(End of year)**

Member State:		Year:						
Completed questionnaire to be returned within three months of the end of the reference year								
		Mining and ancillary services				Associated activities		Total
		Manual workers		Non-manual workers		Manual workers	Non-manual workers	
		Underground	Surface	Underground	Surface			
		01	02	03	04			
1.	< 19							
2.	20 - 24							
3.	25 - 39							
4.	40 - 49							
5.	50 - 54							
6.	55 - 59							
7.	60 - 64							
8.	≥ 65							
9.	TOTAL							

NOTES

1. For scope of survey and general definitions, see questionnaire C-1.

2. *Employment by age*

The units used here are completed years of life as at 31 December of the reporting year.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 November 1996

in application, at the request of Germany, of Article 5 (4) of Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods

(The German text alone is authentic)

(96/710/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods⁽¹⁾, as amended by Commission Directive 96/39/EC⁽²⁾, and in particular Article 5 (4) thereof,

Whereas, in order to limit the risks of serious accidents at sea and to reduce the resulting damage, Article 5 of Directive 93/75/EEC provides that the operators of the vessels covered by the Directive shall notify the information listed in Annex I thereto to the competent authorities of the Member State concerned; whereas Article 5 (4) authorizes the Member States to exempt regular scheduled services of less than one hour's crossing time from such notification requirement and allows the Commission to agree to a reasonable extension of this period on request from a Member State;

Whereas, the information given by Germany in its request of 12 April 1994, on the basis of which scheduled services between the mainland and East Frisia Islands were exempted by Decision of the Commission⁽³⁾ from

the application of Article 5 (4) of Directive 93/75/EEC, has been completed by a communication dated 23 February 1996 concerning regular services between the mainland and North Frisia Islands; whereas in this communication, Germany asked the Commission to agree to an exemption for the services operated between the ports of Dagebüll to Wittdün (Amrum Island) and Schlüttsiel to Hallig Langeness, which have crossing times of two hours;

Whereas the appropriate measures have been taken by the German competent authorities to ensure a high level of safety of navigation and protection of the marine environment in the area; whereas these measures include traffic surveillance and the provision of safety information to vessels, as well as the obligation to comply with local navigation rules;

Whereas the vessels in question provide local services between the islands and the mainland; whereas the risks of accident and marine pollution are limited owing to the scarce maritime traffic in the area and the small quantities of polluting goods on board the vessels;

Whereas the information required by Annex I to the Directive is available at any time from the operators or captains;

Whereas, in the circumstances, it is justifiable to accept the request from Germany to exempt the regular scheduled services referred to above from the application of Article 5 (2) and (3) of Directive 93/75/EEC,

⁽¹⁾ OJ No L 247, 5. 10. 1993, p. 19.

⁽²⁾ OJ No L 196, 7. 8. 1996, p. 7.

⁽³⁾ OJ No L 29, 7. 2. 1996, p. 8.

HAS ADOPTED THIS DECISION:

Article 1

Germany is hereby authorized to exempt the regular scheduled services between Dagebüll and Wittdün and between Schlüttsiel and Hallig Langeness from the application of Article 5 (2) and (3) of Directive 93/75/EEC, subject to the following conditions:

- the waters in which the services covered by this Decision operate are duly buoyed and are drawn to the attention of navigators in the relevant nautical documents,
- compliance with the local navigation rules is assured,
- constant contact is maintained, in particular by radio links, with the competent maritime traffic service,
- only small quantities of dangerous or polluting goods, within the meaning of Directive 93/75/EEC, are carried on board,

- the information referred to in Annex I to Directive 93/75/EEC is made available by the operators throughout the crossing and can at any time be provided to the authorities of the Member State on request.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 27 November 1996.

For the Commission

Neil KINNOCK

Member of the Commission

COMMISSION DECISION

of 27 November 1996

amending Decision 93/452/EEC authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., respectively, originating in Japan

(96/711/EC)

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 14 (1) thereof,

Having regard to the requests made by the Member States,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., other than fruit and seeds, originating in non-European countries, may in principle not be introduced into the Community;

Whereas Commission Decision 93/452/EEC⁽³⁾, as last amended by Decision 94/816/EC⁽⁴⁾ permits derogations for plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., respectively, originating in Japan for a given period, provided that certain improved technical conditions are satisfied;

Whereas Commission Decision 93/452/EEC as amended stipulated that the authorization should apply until 31 December 1996 in the case of *Pinus* and *Chamaecyparis* plants, and until 31 March 1996 in the case of *Juniperus* plants;

Whereas there is no new information giving cause for revision of the technical conditions;

Whereas the circumstances justifying the authorization still obtain;

Whereas the authorization should therefore be extended for a further limited period;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/452/EEC is hereby amended as follows:

1. in Article 1 (2) (h), fourth indent, '94/816/EC' is replaced by '96/711/EC';
2. in Article 3 '31 December 1996' is replaced by '31 December 1998';
3. in Article 3 the words 'periods between 1 December 1994 to 31 March 1995 and 1 November 1995 to 31 March 1996' are replaced by 'periods between 1 November 1996 to 31 March 1997 and 1 November 1997 to 31 March 1998'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 November 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.

⁽³⁾ OJ No L 210, 21. 8. 1993, p. 29.

⁽⁴⁾ OJ No L 337, 24. 12. 1994, p. 87.

COMMISSION DECISION

of 28 November 1996

laying down the models of the public health declaration and health marks for
the importation of fresh poultry meat from third countries

(Text with EEA relevance)

(96/712/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 92/116/EEC of 17 December 1992 amending and updating Directive 71/118/EEC on health problems affecting the production and placing on the market of fresh poultry meat⁽¹⁾, last amended by the Accession Treaty of Austria, Finland and Sweden, and in particular Article 14 (B) (1) (c) thereof,

Whereas Commission Decision 94/984/EC⁽²⁾, as last amended by Decision 96/456/EC⁽³⁾, has laid down the animal health conditions and the veterinary certificates for the importation of fresh poultry meat from certain third countries;

Whereas also the model of the public health declaration and the health mark for such imports have to be laid down;

Whereas Council Decision 95/411/EC⁽⁴⁾ has laid down the rules for the microbiological test by sampling of fresh poultrymeat intended for Finland and Sweden;

Whereas, in addition, where it is possible to recognize conditions offering equivalent guarantees, a third country may submit a proposal for such recognition to the Commission for appropriate consideration;

Whereas considering that a new regime is established, a period of time should be provided for its implementation;

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

Article 1

1. Member States shall ensure that the accompanying animal health certificate of Decision 94/984/EC for fresh poultry meat imported from third countries should be supplemented by the public health declaration, duly completed and signed, in conformity with the model in Annex I.

2. The declaration shall be drawn up in at least one of the official languages of the Member States of introduction into the Community.

Article 2

The fresh poultry meat, intended for consignment to the Community and fulfilling the requirements of this Decision and of Decision 94/984/EC, has to be marked with a health mark responding to the criteria mentioned in Annex II.

Article 3

This Decision shall apply from 1 January 1997.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 28 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 62, 15. 3. 1993, p. 1.

⁽²⁾ OJ No L 378, 31. 12. 1994, p. 1.

⁽³⁾ OJ No L 188, 27. 7. 1996, p. 52.

⁽⁴⁾ OJ No L 243, 11. 10. 1995, p. 29.

ANNEX I

PUBLIC HEALTH DECLARATION FOR FRESH POULTRY MEAT

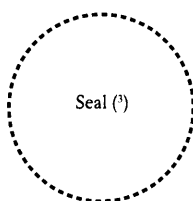
I, the undersigned official veterinarian, hereby certify, in accordance with the provisions of Council Directive 71/118/EEC:

1. that the meat described above fulfils the requirements of Chapter II and any additional conditions of Council Directive 71/118/EEC, and has been found fit for human consumption following ante- and post-mortem inspection carried out in application of this Directive;
2. that the meat described above has/has not⁽¹⁾ been subjected to an immersion chilling process;
3. that the meat described above has been marked according to Article 2 of Decision 96/712/EC;
4. that the meat described above fulfils the requirements of the Council Decision 95/411/EC⁽²⁾.

Done at, on

.....
(signature of official veterinarian)⁽³⁾

.....
(name in capital letters, qualifications and title)



⁽¹⁾ Delete the unnecessary reference.

⁽²⁾ Delete if the consignment is not intended for export to Sweden or Finland.

⁽³⁾ Stamp and signature in a colour different from that of the certificate.

ANNEX II

HEALTH MARK FOR FRESH POULTRY MEAT

The health mark referred to in Article 2 of Commission Decision 94/984/EEC must include:

(a) for meat wrapped in individual units or for small packages:

- on the upper part, the ISO code reference of the country of origin,
- in the centre, the veterinary approval number of the slaughterhouse or, where appropriate, the cutting premises or rewrapping centre,

the letters and figures must be 0,2 centimetres high;

(b) for large packagings, an oval mark at least 6,5 cm wide by 4,5 cm high, containing the name of the country, its ISO code and the veterinary approval number of the slaughterhouse or, where appropriate, the cutting premises or rewrapping centre; the letters must be at least 0,8 cm high and the figures at least 1 cm high; the health mark may, in addition, include an indication enabling the veterinarian who carried out the health inspection of the meat, to be identified.

The material used for marking must meet all hygiene requirements and the information shall appear on it in perfectly legible form.

The provisions of points 65, 67 and 68 of Chapter XII of Annex I of Council Directive 71/118/EEC apply *mutatis mutandis* for health marking procedures, as well as for the use of large packagings.

COMMISSION DECISION

of 28 November 1996

amending Decision 80/862/EEC authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of potato breeding material

(Text with EEA relevance)

(96/713/EC)

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 14 (1) thereof,

Having regard to the requests made by the Member States,

Whereas, in principle, pursuant to Directive 77/93/EEC, potato material intended for planting, other than tubers, may not be introduced into any Member State and potato tubers intended for planting may only be introduced into the Member States where they belong to officially accepted varieties or to advance selections;

Whereas, in the Member States, there is a need to import potato material, including tubers, for work on varietal selection, or for gene conservation or official scientific research purposes;

Whereas the Commission has established that, on the basis of the information currently available, there is, under such circumstances, no risk of spreading harmful organisms provided that certain special technical conditions are satisfied;

Whereas by Decision 80/862/EEC⁽³⁾, as last amended by Decision 96/7/EC⁽⁴⁾, the Commission has already granted such a derogation to the Member States for a period which expires on 31 December 1996;

Whereas no information has been received in the meantime giving cause for the derogation to be restricted to the abovementioned period;

Whereas there is, however, new information necessitating a modification of the list of harmful organisms to be tested for;

Whereas the Member States should therefore be authorized to provide for derogations in respect of potato breeding material for a further period;

Whereas the authorization will be extended unless new information gives cause for its revision;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 80/862/EEC is hereby amended as follows:

1. In Article 1 (2) (d) second sub-indent of the third indent, point '(i) *Pseudomonas solanacearum* (Smith) Smith' is added after point (h).
2. In the first sentence of Article 2, '1996' is replaced by '1997'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 November 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.

⁽³⁾ OJ No L 248, 19. 9. 1980, p. 25.

⁽⁴⁾ OJ No L 2, 4. 1. 1996, p. 29.

COMMISSION DECISION

of 5 December 1996

terminating the proceeding under Council Regulation (EC) No 3286/94 on trade barriers, concerning the imposition by Turkey of a charge known as the 'Mass Housing Fund levy' in addition to a higher level of customs duty on imports of polyester fibre originating in the European Community

(96/714/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3286/94 of 22 December 1994 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organisation⁽¹⁾, as last amended by Regulation (EC) No 365/95⁽²⁾, in particular Articles 11 and 14 thereof,

Following consultations in the Advisory Committee,

Whereas:

On 1 July 1993 the Commission received a complaint, pursuant to Council Regulation (EEC) No 2641/84 of 17 September 1984 on the strengthening of the common commercial policy with regard in particular to protection against illicit commercial practices⁽³⁾, as last amended by Regulation (EC) No 522/94⁽⁴⁾, from the International Rayon and Synthetic Fibres Committee, representing virtually all of the Community's output of polyester fibre.

The complaint alleged that, in violation of its multilateral and bilateral obligations towards the European Community, Turkey had imposed a substantial charge known as the 'Mass Housing Fund Levy' in addition to customs duty which had itself been increased on imports of Community origin polyester fibre. It also contended that such increased taxation was causing injury to the Community industry, as demonstrated, in particular, by a decrease in Community exports of polyester fibre to Turkey.

As the complaint provided sufficient evidence, within the meaning of Article 6(1) of Regulation (EEC) No 2641/84, of the existence of an illicit commercial practice attributable to Turkey and of consequent injury, the Commission announced in a notice published in the *Official*

Journal of the European Communities⁽⁵⁾ the initiation of an examination procedure concerning an illicit commercial practice consisting of the imposition by Turkey of a charge known as the 'Mass Housing Fund Levy' in addition to a higher level of customs duty on imports of polyester fibre originating in the European Community.

Following the initiation of the proceeding, the Commission conducted a factual and legal examination and presented on 8 March 1994 its examination report to the Advisory Committee established under Regulation (EEC) No 2641/84.

From this it appeared that the Mass Housing Fund levy of 16 % was a charge on imports having an effect equivalent to a customs duty and was introduced after the entry into force of the Additional Protocol to the Agreement establishing an Association between the European Economic Community and Turkey. Consequently, this new charge was in violation of Article 7 of the Additional Protocol which stated that 'the Parties shall refrain from introducing between themselves any new customs duties on imports or exports or charges having equivalent effect, and from increasing those already applied, in their trade with each other at the date of entry into force of this Protocol'. The Mass Housing Fund levy was therefore illicit.

The customs duty of 9 % introduced on 1 January 1993 was also demonstrated to be illicit since, pursuant to Articles 8 and 10 of the abovementioned Additional Protocol, all such duties were to be progressively reduced by Turkey until their complete elimination by 1 January 1995.

The Commission held consultations with the Turkish authorities who undertook to eliminate both the Mass Housing Fund Levy and customs duty on Community exports of polyester fibre. The first deadline indicated by the Turkish authorities was the end of 1994. It was then postponed until the end of 1995. The process of phasing out announced by the Turkish authorities was divided into three stages, the first two of 20 % each, the last one of 60 %.

The first 20 % reduction was brought about by Turkey by Decision No 95/6713 which was published in the *Official Gazette of the Turkish Republic* of 15 April 1995, the

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 71.

⁽²⁾ OJ No L 41, 23. 2. 1995, p. 3.

⁽³⁾ OJ No L 252, 20. 9. 1984, p. 1.

⁽⁴⁾ OJ No L 66, 10. 3. 1994, p. 10.

⁽⁵⁾ OJ No C 235, 31. 8. 1993, p. 4.

second by Decision No 95/6998 published in the *Official Gazette of the Turkish Republic* of 9 July 1995. The complete elimination of the remaining charges was brought about by the new import régime effective from 1 January 1996 (Decision No 95/7606 of 20 December 1995 published in the *Official Gazette of the Turkish Republic* of 31 December 1995).

Under this new régime, polyester fibres originating in the European Union are exempted from customs duty and/or charges with equivalent effects. The complainant confirmed the elimination in practice of all customs duty and charges with equivalent effect.

Under these circumstances, the Commission now considers that the termination of the proceeding is appropriate.

As from 1 January 1995 Regulation (EC) No 3286/94, which repealed Regulation (EEC) No 2641/84, applies to the present proceeding.

Pursuant to Article 11 (1) of Regulation (EC) No 3286/94 the decision terminating a procedure is adopted in accordance with Article 14 of the same Regulation. The latter provides that the Commission shall adopt a decision which it shall communicate to the Member States and which shall apply after a period of 10 days if during this

period no Member State has referred the matter to the Council,

HAS DECIDED AS FOLLOWS:

Article 1

The proceeding concerning an illicit commercial practice consisting of the imposition by Turkey of a charge known as the 'Mass Housing Fund Levy' in addition to a higher level of customs duty on imports of polyester fibre originating in the European Community is hereby terminated.

Article 2

This Decision shall apply as from the day of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 5 December 1996.

For the Commission

Leon BRITTAN

Vice-President
