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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2407/96
of 12 December 1996**

on the conclusion of the Protocol defining, for the period from 18 January 1996 to 17 January 1999, the fishing opportunities and financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43, in conjunction with the first sentence of Article 228 (2) and the first subparagraph of Article 228 (3) thereof,

Having regard to the proposal from the Commission,

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

Whereas, in accordance with the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles, signed in Brussels on 28 October 1987, the Contracting Parties held negotiations with a view to determining amendments to be made to that Agreement at the end of the period of application of the Protocol attached thereto;

Whereas, as a result of these negotiations, a new Protocol defining, for the period from 18 January 1996 to 17 January 1999, the fishing opportunities and financial contribution provided for by the abovementioned Agreement was initialled on 18 January 1996;

Whereas it is in the Community's interest to approve that Protocol;

Whereas the allocation of fishing possibilities among the Member States should be determined on the basis of the traditional allocation of fishing possibilities under the fisheries Agreement,

financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation⁽²⁾.

Article 2

The fishing possibilities provided for in the Protocol are allocated among the Member States as follows:

— freezer tuna seiners:

France: 20 vessels

Spain: 22 vessels

— surface longliners:

France: 5 vessels

Spain: 10 vessels

If licence applications from these Member States do not exhaust the fishing possibilities provided for in the Protocol, the Commission may entertain licence applications from any other Member State.

Article 3

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

Article 4

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

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol defining, for the period from 18 January 1996 to 17 January 1999, the fishing opportunities and

⁽¹⁾ OJ No C 347, 18. 11. 1996.

⁽²⁾ OJ No L 157, 29. 6. 1996, p. 17.

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

Done at Brussels, 12 December 1996.

For the Council

The President

A. DUKES

COMMISSION REGULATION (EC) No 2408/96**of 18 December 1996****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 1 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

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

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

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

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

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

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾, as amended by Regulation (EC) No 1380/95⁽⁷⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁸⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾, as last amended by Regulation (EC) No 150/95⁽¹⁰⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹¹⁾, as last amended by Regulation (EC) No 1482/96⁽¹²⁾;

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

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

Whereas, in the light of the amendment introduced by Commission Regulation (EC) No 1222/96⁽¹³⁾, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997;

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

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁸⁾ OJ No L 65, 15. 3. 1996, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹²⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽¹³⁾ OJ No L 161, 29. 6. 1996, p. 62.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 89, 10. 4. 1968, p. 3.

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

⁽⁵⁾ OJ No L 214, 8. 9. 1995, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 December 1996.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 18 December 1996 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	40,19 ⁽¹⁾
1701 11 90 910	38,19 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	40,19 ⁽¹⁾
1701 12 90 910	38,19 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4369
	— ECU/100 kg —
1701 99 10 100	43,69
1701 99 10 910	43,29
1701 99 10 950	43,29
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4369

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

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

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

COMMISSION REGULATION (EC) No 2409/96

of 18 December 1996

fixing the maximum export refund for white sugar for the 20th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, following an examination of the tenders submitted in response to the 20th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 20th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 46,316 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 19 December 1996.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 187, 26. 7. 1996, p. 42.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

COMMISSION REGULATION (EC) No 2410/96**of 18 December 1996****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 December 1996.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	7,32	0,00	—
1703 90 00 ⁽¹⁾	11,38	—	0,00

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

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

**COMMISSION REGULATION (EC) No 2411/96
of 18 December 1996**

**amending Regulation (EC) No 2763/94 opening and providing for the
administration of Community tariff quotas for certain agricultural products
originating in the African, Caribbean and Pacific States (ACP)**

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or the overseas countries and territories (OCT)⁽¹⁾, extended by Regulation (EEC) No 444/92⁽²⁾, as last amended by Commission Regulation (EC) No 619/96⁽³⁾, and in particular Article 27 thereof,

Whereas Commission Regulation (EC) No 2763/94⁽⁴⁾, as last amended by Commission Regulation (EC) No 2941/95⁽⁵⁾, opened zero or reduced-duty Community tariff quotas for 1995 in respect of certain agricultural products including fresh or chilled tomatoes;

Whereas the tariff applying to these products has been changed as a result of GATT negotiations;

Whereas both the rates of *ad valorem* duty and the rates of specific duty for products subject to the Regulation are liable to change over the years; whereas in the interests of more efficient management of the Community legislation in this field a multiannual regulation should be adopted

providing for automatic reduction of *ad valorem* duties to 40 % of the rates in the combined nomenclature with effect from 1 January 1997;

Whereas Regulation (EC) No 2763/94 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The table and Annex in Regulation (EC) No 2763/94 shall be amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 1997.

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

Done at Brussels, 18 December 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 89, 10. 4. 1996, p. 1.

⁽⁴⁾ OJ No L 294, 15. 11. 1994, p. 6.

⁽⁵⁾ OJ No L 308, 21. 12. 1995, p. 6.

ANNEX

Order No	CN code	Taric subdivision	Description	Quota volume (tonnes)	Quota duty (%)
09.1601	0702 00 15	19 29 39 49 59 69	Tomatoes other than cherry tomatoes, fresh or chilled, from 15 November of one year to 30 April of the following year	2 000	40 % of CN <i>ad valorem</i> duty (1)
	0702 00 20	13 63 17 67 23 73 27 77 33 83 37 87			
	0702 00 45	12 32 52 14 34 54 17 37 57 22 42 62 24 44 64 27 47 67			
	0702 00 50	19 29 39 49 59 69			

Order No	CN code	Taric subdivision	Description	Quota volume (tonnes)	Quota duty (%)
09.1613	0702 00 15	11	Cherry tomatoes, fresh or chilled, from 15 November of one year to 30 April of the following year	2 000	0 (')
		21			
		31			
		41			
		51			
		61			
	0702 00 20	11			
		15			
		21			
		25			
		31			
		35			
		61			
		65			
		71			
		75			
		81			
		85			
	0702 00 45	11			
		13			
		16			
		21			
		23			
		26			
		31			
		33			
		36			
		41			
		43			
		46			
		51			
		53			
		56			
		61			
		63			
		66			
	0702 00 50	11			
		21			
		31			
		41			
		51			
61					

(¹) The specific duty applies.

COMMISSION REGULATION (EC) No 2412/96

of 18 December 1996

introducing prior Community surveillance of imports of certain iron and steel products covered by the ECSC and EC Treaties originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3285/94 of 22 December 1994 on common rules for imports and repealing Regulation (EC) No 518/94⁽¹⁾, as last amended by Regulation (EC) No 2315/96⁽²⁾, and in particular Article 11 thereof,

Having regard to Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83⁽³⁾, as last amended by Regulation (EC) No 1897/96⁽⁴⁾, and in particular Article 9 (1) thereof,

Consultations having taken place within the Committees set up under the Regulations referred to above,

Whereas by Commission Regulation (EC) No 2914/95⁽⁵⁾, as last amended by Regulation (EC) No 464/96⁽⁶⁾, imports in to the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Community were subject to *a priori* Community surveillance;

Whereas in accordance with the provisions of Regulations (EC) No 3285/94 and (EC) No 519/94, products covered by the Treaty establishing the European Coal and Steel Community are subject to the common rules for imports and it is therefore necessary that the arrangements for Community surveillance measures in respect of ECSC products be adopted in accordance with the provisions of those Regulations;

Whereas the steel market in the Community has been unstable in recent years, partly due to pressure from imports and notably from regions with excessive production capacity and weak domestic consumption. The steel market was still relatively unstable in 1996 and it is diffi-

cult to forecast trends for 1997 owing to the absence of recent trade statistics. However, the economic indicators which are currently available show the following trends:

- A. Production. In 1995, production of crude steel in the Community amounted to 156 million tonnes, 2,6 % higher than in 1994. During the first nine months of 1996, Community production decreased by 7,7 % compared with the same period in 1995. For 1996 as a whole, production is expected to fall to 148 million tonnes, 5 % below 1995;
- B. Imports. Imports of ECSC steel products into the Community from all third countries amounted to 17,9 million tonnes in 1995, 60 % of which (10,8 million tonnes) were flat and long products. According to estimates based on trends during the first months of 1996, imports for 1996 as a whole should decrease by an average of 16 %. Forecasts are, however, hard to establish with certainty because of the absence of up to date trade statistics for all Member States and important changes in trade structures. The drop in imports during 1996 was preceded by sharp increases of 30 to 35 % in 1995 and in 1994. For some ECSC steel products, these import trends were combined with very low import prices compared to the Community price level. Furthermore, the average 16 % decrease in the level of imports in 1996 reflects decreases of 37 % for semi-finishes products and 38 % for long products, whereas imports of flat products are estimated to rise by an average of 9 %. Member States are unequally affected by these trends. In some Member States, imports of certain flat products have increased by more than 100 % in the first part of 1996, compared with the same period of 1995;
- C. Exports. Exports of ECSC steel products decreased by an average of 22 % in 1995 (EUR 12) compared with total exports of 23,4 million tonnes in 1994. Exports to specific markets dropped by between 13 % and 45 %. Community exports are provisionally expected to increase by around 7 % per year in 1996 and 1997;
- D. Similar trends apply to certain steel products covered by the EC Treaty. Imports of certain grain-oriented and non-grain-oriented electrical sheet products subject to the EC Treaty (CN 7226 11 90 and 7226 19 90) increased by more than 100 % in 1995 and remain sensitive for the Community market.

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 53.

⁽²⁾ OJ No L 314, 4. 12. 1996, p. 1.

⁽³⁾ OJ No L 67, 10. 3. 1994, p. 89.

⁽⁴⁾ OJ No L 250, 2. 10. 1996, p. 1.

⁽⁵⁾ OJ No L 305, 19. 12. 1995, p. 23.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 4.

Production of steel tubes and pipes is expected to fall by around 10 % in 1996 compared with 1995. Imports of steel tubes and pipes increased by an average of 60 % in 1995 compared with 1994. Prices of products from certain third countries are 30 to 50 % below those of Community producers. The steel tubes and pipes sector is expected to remain sensitive for the Community market;

Whereas, therefore, the trend in imports of certain ECSC and EC products originating in third countries covered by this Regulation threatens to cause injury to Community producers and the interests of the Community require that imports of those products should be subject to prior Community surveillance in order to provide statistical information permitting rapid analysis of import trends;

Whereas the completion of the internal market requires that the formalities to be accomplished by Community importers be identical wherever the goods may be cleared;

Whereas release for free circulation of the products covered by this Regulation should be made subject to presentation of a surveillance document meeting uniform criteria;

Whereas that document should on simple application by the importer, be endorsed by the authorities of the Member States within a certain period but without the importer thereby acquiring any right to import; the document should therefore be valid only during such period as the import rules remain unchanged;

Whereas the surveillance documents issued for the purposes of Community surveillance must be valid throughout the Community, regardless of the Member State of issue;

Whereas the Member States and the Commission should exchange the information resulting from Community surveillance as fully as possible;

Whereas the issue of surveillance documents, while subject to standard conditions at Community level, is to be the responsibility of the national authorities;

Whereas it should be recalled that the import of certain iron and steel products from certain third countries is subject not only to the presentation of a surveillance document but also of an export document to be granted in accordance with arrangements established within the framework of an agreement with those third countries and the application of this Regulation is without prejudice to those arrangements,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1997, the release for free circulation in the Community of iron and steel products covered by the ECSC and EC Treaties listed in Annex I, originating

in non-member countries other than the countries of the European Free Trade Association (EFTA) or the countries which are parties to the Agreement on the European Economic Area (EEA), shall be subject to prior Community surveillance in accordance with Articles 11 and 12 of Regulation (EC) No 3285/94 and Articles 9 and 10 of Regulation (EC) No 519/94.

2. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'combined nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. The release for free circulation of the products referred to in Article 1 in the Community shall be subject to presentation of a surveillance document issued by the relevant authorities of a Member State.

2. The surveillance document referred to in paragraph 1 shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

3. A surveillance document issued by one of the authorities listed in Annex II shall be valid throughout the Community.

4. The surveillance document shall be made out on a form corresponding to the model at Annex III. The importer's application shall include the following elements:

- (a) the name and full address of the applicant (including telephone and telefax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;
- (b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and telefax numbers);
- (c) the full name and address of the exporter;
- (d) the exact description of the goods, including:
 - their trade name,
 - the combined nomenclature (CN) code(s),
 - the country of origin,
 - the country of consignment;

- (e) the net weight, expressed in kilograms and also quantity in the unit prescribed where other than net weight, by combined nomenclature heading;
- (f) the cif value of the goods in ecus at the Community frontier by combined nomenclature heading;
- (g) whether the products concerned are seconds or of substandard quality⁽¹⁾;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;
- (j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also submit a copy of the contract of sale or purchase, the pro forma invoice and/or, in cases where the goods are not directly purchased in the country of production, a certificate of production issued by the producing steel mill.

5. Surveillance documents may be used only for such time as arrangements for liberalization of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

- the period of validity of the surveillance document is hereby fixed at four months,
- unused or partly used surveillance documents may be renewed for an equal period.

6. The importer shall return surveillance documents to the issuing authority at the end of their period of validity.

Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the surveil-

lance document by less than 5 % or that the total value or quantity of the products presented for import exceeds the value or quantity given in the surveillance document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for surveillance documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. Within the first 10 days of each month, the Member States shall communicate to the Commission:

- (a) details of the quantities and values (calculated in ecus) for which surveillance documents were issued during the preceding month;
- (b) details of imports during the month preceding the month referred to in subparagraph (a).

The information provided by Member States shall be broken down by product, CN code and by country.

2. The Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

Article 5

Any notices to be given hereunder shall be given to the Commission of the European Communities and shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

Article 6

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

This Regulation shall apply from 1 January to 31 December 1997.

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

Done at Brussels, 18 December 1996.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ Under the criteria given in OJ No C 180, 11. 7. 1991, p. 4.

ANNEX I

List of products subject to prior surveillance (1997)

7208 10 00	7210 61 10	7215 90 10	7222 19 10
7208 25 00	7210 69 10		7222 19 90
7208 26 00	7210 70 31	7216 10 00	7222 30 10
7208 27 00	7210 70 39	7216 21 00	7222 40 10
7208 36 00	7210 90 31	7216 22 00	7222 40 30
7208 37 10	7210 90 33	7216 31 11	
7208 37 90	7210 90 38	7216 31 19	7225 11 00
7208 38 10		7216 31 91	7225 19 10
7208 38 90	7211 13 00	7216 31 99	7225 19 90
7208 39 10	7211 14 10	7216 32 11	7225 20 20
7208 39 90	7211 14 90	7216 32 19	7225 30 00
7208 40 10	7211 19 20	7216 32 91	7225 40 80
7208 40 90	7211 19 90	7216 32 99	
7208 51 10	7211 23 10	7216 33 10	7226 11 10
7208 51 30	7211 23 51	7216 33 90	7226 11 90
7208 51 50	7211 23 91	7216 40 10	7226 19 10
7208 51 91	7211 29 20	7216 40 90	7226 19 30
7208 51 99	7211 90 11	7216 50 10	7226 19 90
7208 52 10		7216 50 91	
7208 52 91	7212 10 10	7216 50 99	7227 10 00
7208 52 99	7212 10 91	7216 99 10	7227 20 00
7208 53 10	7212 20 11		7227 90 10
7208 53 90	7212 30 11	7219 11 00	7227 90 50
7208 54 10	7212 40 10	7219 12 10	
7208 54 90	7212 40 91	7219 12 90	7228 10 10
7208 90 10	7212 50 31	7219 13 10	7228 10 30
	7212 50 51	7219 13 90	7228 20 11
	7212 60 11	7219 14 10	7228 20 19
7209 15 00	7212 60 91	7219 14 90	7228 20 30
7209 16 10		7219 21 10	7228 30 20
7209 16 90	7213 10 00	7219 21 90	7228 30 41
7209 17 10	7213 20 00	7219 22 10	7228 30 49
7209 17 90	7213 91 10	7219 22 90	7228 30 61
7209 18 10	7213 91 20	7219 23 00	7228 30 69
7209 18 91	7213 91 41	7219 24 00	7228 30 70
7209 18 99	7213 91 49	7219 31 00	7228 30 89
7209 25 00	7213 91 70	7219 32 10	7228 60 10
7209 26 10	7213 91 90	7219 32 90	7228 70 10
7209 26 90	7213 99 10	7219 33 10	7228 70 31
7209 27 10	7213 99 90	7219 33 90	7228 80 10
7209 27 90		7219 34 10	7228 80 90
7209 28 10	7214 20 00	7219 34 90	
7209 28 90	7214 30 00	7219 35 10	7301 10 00
7209 90 10	7214 91 10	7219 35 90	
	7214 91 90		Complete CN heading 7304
7210 11 10	7214 99 10	7221 00 10	
7210 12 11	7214 99 31	7221 00 90	Complete CN heading 7306
7210 12 19	7214 99 39		
7210 20 10	7214 99 50	7222 11 11	
7210 30 10	7214 99 61	7222 11 19	7307 93 11
7210 41 10	7214 99 69	7222 11 29	7307 93 19
7210 49 10	7214 99 80	7222 11 91	7307 99 30
7210 50 10	7214 99 90	7222 11 99	7307 99 90

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II
— ANEXO II — LIITE II — BILAGA II

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
ΛΙΣΤΗ ΑΥΤΟΡΙΤΗΤΩΝ ΕΘΝΙΚΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LIST OF THE COMPETENT NATIONAL AUTHORITIES
LISTE DES AUTORITÉS NATIONALES COMPÉTENTES
ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI
LIJST VAN BEVOEGDE NATIONALE INSTANTIES
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
LISTA ÖVER KOMPETENTA NATIONELLA MYNDIGHETER

BELGIQUE/BELGIË

Ministère des affaires économiques
Administration des relations économiques
Quatrième division: Mise en œuvre des politiques commerciales
internationales — Services des licences
Rue Général Leman 60
B-1040 Bruxelles
Télécopieur: (32 2) 230 83 22

Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Vierde Afdeling: Toepassing van het Internationaal Handels-
beleid — Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax: (32 2) 230 83 22

DANMARK

Erhvervsfremme Styrelsen
Søndergade 25
DK-8600 Silkeborg
Fax: (45) 87 20 40 77

DEUTSCHLAND

Bundesamt für Wirtschaft, Dienst 01
Postfach 5171
D-65762 Eschborn 1
Fax: 49 (61 96) 40 42 12

ΕΛΛΑΔΑ

Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία Δ.Ο.Σ.
Διεύθυνση Διαδικασιών Εξωτερικού
Εμπορίου
Κορνάρου 1
GR-105 63 Αθήνα
Τέλεφαξ: (301)328 60 29/328 60 59/328 60 39

ESPAÑA

Ministerio de Comercio y Turismo
Dirección General de Comercio Exterior
Paseo de la Castellana 162
E-28046 Madrid
Fax: (341) 563 18 23/349 38 31

FRANCE

SERIBE
3-5, rue Barbet-de-Jouy
F-75357 Paris 07 SP
Télécopieur: (33 1) 43 19 43 69

IRELAND

Licensing Unit
Department of Tourism and Trade
Kildare Street
IRL-Dublin 2
Fax: (353 1) 676 61 54

ITALIA

Ministero per il Commercio estero
D.G. Import-export, Divisione V
Viale Boston
I-00144 Roma
Telefax: 39 6-59 93 26 36 / 59 93 26 37

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Télécopieur: (352) 46 61 38

NEDERLAND

Centrale Dienst voor In- en Uitvoer
Postbus 30003, Engelse Kamp 2
NL-9700 RD Groningen
Fax (31-50) 526 06 98

ÖSTERREICH

Bundesministerium für wirtschaftliche
Angelegenheiten
Außenwirtschaftsadministration
Landstraßer Hauptstraße 55-57
A-1030 Wien
Fax: 43-1-715 83 47

PORTUGAL

Direcção-Geral do Comércio
Avenida da República, 79
P-1000 Lisboa
Telefax: (351-1) 793 22 10

SUOMI

Tullihallitus
PL 512
FIN-00101 Helsinki
Telekopio: + 358 9 614 2852

SVERIGE

Kommerskollegium
Box 1209
S-111 82 Stockholm
Fax: + 46-8-20 03 24

UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House - West Precinct
Billingham, Cleveland
UK-TS23 2NF
Fax: (44 1642) 533 557

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Original & Copy	1	1. Consignee (name, full address, country, VAT number)	2. Issue number
			3. Proposed place and date of import
			4. Authority responsible for issue (name, address and telephone No)
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)
			7. Country of consignment (and geonomenclature code)
	1		8. Last day of validity
9. Description of goods		10. CN code and category	
		11. Quantity in kilograms (net mass) or in additional units	
		12. Value in ecus, cif at Community frontier	
13. Additional remarks			
14. Competent authority's endorsement			
Date:			
Signature: Stamp			

15. ATTRIBUTIONS Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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2	1. Consignee (name, full address, country, VAT number)	2. Issue number	
		3. Proposed place and date of import	
		4. Authority responsible for issue (name, address and telephone No)	
	5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)	
		7. Country of consignment (and geonomenclature code)	
		8. Last day of validity	
2	9. Description of goods	10. CN code and category	
		11. Quantity in kilograms (net mass) or in additional units	
		12. Value in ecus, cif at Community frontier	
13. Additional remarks			
14. Competent authority's endorsement			
Date:			
Signature: Stamp			

15. ATTRIBUTIONS

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof

16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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Extension pages to be attached herein

COMMISSION REGULATION (EC) No 2413/96

of 18 December 1996

on the issuing of import licences for bananas under the tariff quota for the first quarter of 1997 and on the submission of new applications

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas⁽¹⁾, as last amended by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 1442/93⁽³⁾, as last amended by Regulation (EC) No 1409/96⁽⁴⁾, lays down detailed rules for the application of the arrangements for importing bananas into the Community; whereas Commission Regulation (EC) No 478/95⁽⁵⁾, as amended by Regulation (EC) No 702/95⁽⁶⁾, lays down additional rules for the application of the tariff quota arrangements laid down in Articles 18 and 19 of Regulation (EEC) No 404/93;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that, where, in the case of a given quarter and a given origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators appreciably exceed the indicative quantity fixed, a reduction percentage to be applied to applications shall be set; whereas, however, that provision does not apply to category C licence applications nor to category A and B applications relating to a quantity of 150 tonnes or less, provided that the total quantity covered by the category A and B applications does not exceed, for a given origin, 15 % of the total of the quantities applied for;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1442/93, the indicative quantities for import under the

tariff quota are laid down for the first quarter of 1997 in Commission Regulation (EC) No 2227/96⁽⁷⁾;

Whereas in the case of the quantities covered by licence applications that are either less than or not significantly more than the indicative quantities fixed for the quarter in question, licences are issued for the quantities applied for; whereas, however, for certain origins, the quantities applied for considerably exceed the indicative quantities or the percentages set out in the Annex to Regulation (EC) No 478/95; whereas, therefore, a reduction percentage should be set to be applied under the aforementioned conditions to licence applications for the origin or origins involved and category of licence in question;

Whereas, the maximum quantity for which licence applications may still be submitted should be set taking account of the indicative quantities fixed by Regulation (EC) No 2227/96 and the applications accepted at the end of the application period running from 1 to 7 December 1996;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible;

Whereas the Management Committee for Bananas has not issued an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas, provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, for the first quarter of 1997:

1. for the quantity indicated in the licence application:

- (a) multiplied, in the case of the origin 'Costa Rica', by the reduction coefficient of 0,6656 for category B licence applications, excluding applications relating to a quantity of 150 tonnes or less;

(¹) OJ No L 47, 25. 2. 1993, p. 1.
 (²) OJ No L 349, 31. 12. 1994, p. 105.
 (³) OJ No L 142, 12. 6. 1993, p. 6.
 (⁴) OJ No L 181, 20. 7. 1996, p. 13.
 (⁵) OJ No L 49, 4. 3. 1995, p. 13.
 (⁶) OJ No L 71, 31. 3. 1995, p. 84.

(⁷) OJ No L 298, 22. 11. 1996, p. 6.

- (b) multiplied, in the case of the origin 'Others', by the reduction coefficient of 0,5122 for category A and B licence applications, excluding applications relating to a quantity of 150 tonnes or less;
2. for the quantity indicated in the licence application, in the case of an origin other than those referred to in point 1 above;
3. for the quantity indicated in the application, in the case of category C licences.

Article 2

The quantities for which licence applications may still be lodged in respect of the first quarter of 1997 are laid down in the Annex hereto.

Article 3

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

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

	(in tonnes)
	Quantities available for new requests
COLOMBIA	
— Categories A and C	83 804,831
— Category B	16 130,800
COSTA RICA	
— Categories A and C	93 199,628
NICARAGUA	
— Categories A and C	10 801,700
— Category B	6 528,223
VENEZUELA	13 012,200
DOMINICAN REPUBLIC	8 642,136
BELIZE	4 862,589
CAMEROON	2 475,000
CÔTE D'IVOIRE	1 736,000
Other ACP	496,916

COMMISSION REGULATION (EC) No 2414/96

of 18 December 1996

amending Regulation (EEC) No 388/92 laying down detailed rules for implementation of the specific arrangements for the supply of cereal products to the French overseas departments (FOD) and establishing a forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, pursuant to Article 2 of Regulation (EEC) No 3763/91, the forecast supply balance of cereal products to the FOD for 1996 was established by Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EC) No 1234/96⁽⁴⁾; whereas this forecast supply balance for 1997 should be drawn up; whereas, subsequently, Regulation (EEC) No 388/92 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 388/92 is hereby replaced by the Annex to the present Regulation.

Article 2

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

This Regulation shall be applicable as from 1 January 1997.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 16.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 101.

ANNEX

CEREALS SUPPLY BALANCE FOR THE FOD

1997

(in tonnes)

Cereals originating in third countries (ACP/developing countries) or EC	Common wheat	Durum wheat	Barley	Maize	Durum wheat meal and groats	Malt
Guadeloupe	70 000	0	—	16 000	—	200
Martinique	2 000	0	—	20 000	2 000	800
French Guiana	200	0	200	2 000	—	—
Réunion	30 000	0	30 000	120 000	—	3 000
Total	102 200	0	30 200	158 000	2 000	4 000

296 400

COMMISSION REGULATION (EC) No 2415/96
of 18 December 1996

establishing the forecast supply balance and Community aid for the supply to French Guiana of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs for 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 3 (5) thereof,

Whereas Article 3 (1) of Regulation (EEC) No 3763/91 introduces an exemption scheme for duties on imports into French Guiana and aid for the supply by the rest of the Community of certain cereal products used in feedingstuffs;

Whereas the supply balance for these products for the department of Guiana should be drawn up on the basis of feedingstuffs requirements based on the notifications sent by the competent authorities and for the year 1997;

Whereas Commission Regulation (EEC) No 388/92⁽³⁾, as last amended by Regulation (EC) No 2414/96⁽⁴⁾, lays down detailed rules for the implementation of the specific arrangements for the supply of cereal products to the French overseas departments; whereas those provisions, which supplement Commission Regulation (EEC) No 131/92⁽⁵⁾ for the cereals sector, as last amended by Regulation (EC) No 1736/96⁽⁶⁾, apply to cereals used in feedingstuffs as referred to in this Regulation;

Whereas, in accordance with Regulation (EEC) No 3763/91, the amount of the aid for the supply of Community products must be determined in such a way that users are supplied on terms equivalent to exemption from levies on imports from the world market; whereas fixing the aid at an amount equal to the export refund plus a

fixed component to take account of conditions for deliveries of small quantities will satisfy this aim;

Whereas this Regulation should apply from 1 January 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 (1) and (2) of Regulation (EEC) No 3763/91, the forecast supply balance quantities of products falling within CN codes 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 used in feedingstuffs eligible for exemption from import duties or for Community aid shall be as specified in the Annex.

Article 2

The amount of the aid for the supply of feedingstuffs referred to in Article 1 and manufactured from cereals processed in the rest of the Community shall be equal to the export refunds for those products, plus ECU 20 per tonne.

Article 3

Article 1 (2) and Articles 2 to 7 of Regulation (EEC) No 388/92 shall apply to the supply to French Guiana of the products referred to in Article 1 of this Regulation.

Article 4

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

It shall apply from 1 January 1997.

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 16.

⁽⁴⁾ See page 23 of this Official Journal.

⁽⁵⁾ OJ No L 15, 22. 1. 1992, p. 13.

⁽⁶⁾ OJ No L 225, 6. 9. 1996, p. 3.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Supply balance for French Guiana of certain products used in feedingstuffs

(in tonnes)

CN code	Quantity for 1997
2309 90 31 2309 90 41 2309 90 51	6 225
2309 90 33 2309 90 43 2309 90 53	300
Total	6 525

**COMMISSION REGULATION (EC) No 2416/96
of 18 December 1996**

**amending Regulation (EC) No 3175/94 laying down detailed rules of application
for the specific arrangements for the supply of cereal products to the smaller
Aegean islands and establishing the forecast supply balance**

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

Having regard to Council Regulation (EEC) No 2019/93 of 19 July 1993 introducing specific measures for the smaller Aegean islands concerning certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EC) No 2417/95 ⁽²⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 2958/93 ⁽³⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁴⁾, lays down common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the smaller Aegean islands;

Whereas, pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance of cereal products was established for 1996 by Commission Regulation (EC) No 3175/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2949/95 ⁽⁶⁾; whereas this forecast supply balance for 1997 should be drawn up; whereas, subsequently, Regulation (EC) No 3175/94 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 3175/94 is hereby replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on the 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, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 184, 27. 7. 1993, p. 1.

⁽²⁾ OJ No L 248, 14. 10. 1995, p. 39.

⁽³⁾ OJ No L 267, 28. 10. 1993, p. 4.

⁽⁴⁾ OJ No L 174, 26. 7. 1995, p. 27.

⁽⁵⁾ OJ No L 335, 23. 12. 1994, p. 54.

⁽⁶⁾ OJ No L 308, 21. 12. 1995, p. 37.

ANNEX

Supply balance for cereals for the smaller Aegean islands for 1997

(in tonnes)

Quantity		1997	
Cereal products originating in the European Communities	CN code	Islands belonging to group A	Islands belonging to group B
Grain cereals	1001, 1002, 1003, 1004 and 1005	7 000	38 750
Barley originating in Limnos	1003	5 000	
Wheat flour	1101 and 1102	11 000	40 000
Food industry residues and waste	2302 to 2308	3 000	23 500
Preparations of a kind used in animal feeding	2309 90	2 000	10 500
Total		23 000	112 750
Grand Total		140 750	

These groups are defined in Annexes I and II of Regulation (EEC) No 2958/93.

COMMISSION REGULATION (EC) No 2417/96
of 18 December 1996
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽²⁾, as amended by Regulation (EC) No 2131/96 ⁽³⁾, and in particular Article 4 (1) thereof,

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 December 1996.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 189, 30. 7. 1996, p. 71.

⁽³⁾ OJ No L 285, 7. 11. 1996, p. 6.

ANNEX I

to the Commission Regulation of 18 December 1996 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾		
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽³⁾ ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾
1006 10 21	(7)	140,81	
1006 10 23	(7)	140,81	
1006 10 25	(7)	140,81	
1006 10 27	(7)	140,81	
1006 10 92	(7)	140,81	
1006 10 94	(7)	140,81	
1006 10 96	(7)	140,81	
1006 10 98	(7)	140,81	
1006 20 11	356,46	173,89	
1006 20 13	356,46	173,89	
1006 20 15	356,46	173,89	
1006 20 17	307,24	149,28	57,24
1006 20 92	356,46	173,89	
1006 20 94	356,46	173,89	
1006 20 96	356,46	173,89	
1006 20 98	307,24	149,28	57,24
1006 30 21	(7)	271,09	
1006 30 23	(7)	271,09	
1006 30 25	(7)	271,09	
1006 30 27	(7)	271,09	
1006 30 42	(7)	271,09	
1006 30 44	(7)	271,09	
1006 30 46	(7)	271,09	
1006 30 48	(7)	271,09	
1006 30 61	(7)	271,09	
1006 30 63	(7)	271,09	
1006 30 65	(7)	271,09	
1006 30 67	(7)	271,09	
1006 30 92	(7)	271,09	
1006 30 94	(7)	271,09	
1006 30 96	(7)	271,09	
1006 30 98	(7)	271,09	
1006 40 00	(7)	84,38	

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	307,24	572,00	356,46	572,00	(¹)

2. Elements of calculation:

(a) Arag cif price (\$/tonne)	—	406,47	360,18	380,00	430,00	—
(b) fob price (\$/tonne)	—	—	—	350,00	400,00	—
(c) Sea freight (\$/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 2418/96

of 18 December 1996

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72⁽³⁾, as last amended by Regulation (EEC) No 2962/77⁽⁴⁾;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

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

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96⁽¹²⁾, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997;

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

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁴⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

⁽¹²⁾ OJ No L 161, 29. 6. 1996, p. 62.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 December 1996.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 18 December 1996 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	29,00
1509 10 90 900	0,00
1509 90 00 100	32,50
1509 90 00 900	0,00
1510 00 90 100	2,50
1510 00 90 900	0,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

**COMMISSION REGULATION (EC) No 2419/96
of 18 December 1996**

**fixing the maximum export refunds for olive oil for the third partial invitation
to tender under the standing invitation to tender issued by Regulation (EC) No
2081/96**

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2081/96⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

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

Whereas Article 6 of Regulation (EC) No 2081/96 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96⁽⁷⁾, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96 are hereby fixed in the Annex, on the basis of the tenders submitted by 18 December 1996.

Article 2

This Regulation shall enter into force on 19 December 1996.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 279, 31. 10. 1996, p. 17.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

⁽⁷⁾ OJ No L 161, 29. 6. 1996, p. 62.

ANNEX

to the Commission Regulation of 18 December 1996 fixing the maximum export refunds for olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

<i>(ECU/100 kg)</i>	
Product code	Amount of refund (1)
1509 10 90 100	31,00
1509 10 90 900	—
1509 90 00 100	34,50
1509 90 00 900	—
1510 00 90 100	3,50
1510 00 90 900	—

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 2420/96

of 18 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 2375/96⁽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 19 December 1996.

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

Done at Brussels, 18 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 325, 14. 12. 1996, p. 5.

⁽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 18 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	99,9
	624	224,2
	999	162,0
0707 00 40	624	112,3
	999	112,3
0709 10 40	220	204,7
	999	204,7
0709 90 79	052	81,9
	999	81,9
0805 10 61, 0805 10 65, 0805 10 69	052	59,1
	204	54,7
	388	20,1
	448	30,8
	624	47,1
	999	42,4
	052	85,4
0805 20 31	204	69,3
	999	77,4
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	64,3
	464	139,2
	624	72,5
	999	92,0
0805 30 40	052	74,4
	400	60,6
	528	44,9
	600	85,8
	999	66,4
0808 10 92, 0808 10 94, 0808 10 98	052	62,7
	060	46,7
	064	47,5
	400	79,9
	404	63,6
	728	121,0
	999	70,2
0808 20 67	052	75,0
	064	79,2
	091	49,8
	400	109,2
	624	67,4
	999	76,1

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

COMMISSION REGULATION (EC) No 2421/96
of 18 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⁾, as amended by Regulation (EC) No 2391/96⁽⁵⁾;

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 amended 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 19 December 1996.

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

Done at Brussels, 18 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.

⁽⁵⁾ OJ No L 326, 17. 12. 1996, p. 26.

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	59,54	49,54
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

(period from 13 December to 17 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	115,29	83,49	166,85 (¹)	108,06 (¹)
Gulf premium (ECU/tonne)	32,76	24,03	11,15	12,07	—	—
Great Lakes premium (ECU/tonne)	—	—	—	—	—	—

(¹) Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,18 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 2422/96

of 18 December 1996

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 2373/96 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2373/96 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾, as last amended by Regulation (EC) No 150/95 ⁽⁵⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of

these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁶⁾, as last amended by Regulation (EC) No 1482/96 ⁽⁷⁾;

Whereas, in the light of the amendment introduced by Commission Regulation (EC) No 1222/96 ⁽⁸⁾, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to Regulation (EC) No 2373/96 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 19 December 1996.

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

Done at Brussels, 18 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 323, 13. 12. 1996, p. 24.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁸⁾ OJ No L 161, 29. 6. 1996, p. 62.

ANNEX

**to the Commission Regulation of 18 December 1996 altering the export refunds on cereals and on
wheat or rye flour, groats and meal**

<i>(ECU / tonne)</i>			<i>(ECU / tonne)</i>		
Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
0709 90 60 000	—	—	1008 20 00 000	—	—
0712 90 19 000	—	—	1101 00 11 000	—	—
1001 10 00 200	—	—	1101 00 15 100	01	15,00
1001 10 00 400	01	0	1101 00 15 130	01	14,00
1001 90 91 000	—	—	1101 00 15 150	01	13,00
1001 90 99 000	03	7,50	1101 00 15 170	01	12,00
	02	0	1101 00 15 180	01	11,00
1002 00 00 000	03	22,00	1101 00 15 190	—	—
	02	0	1101 00 90 000	—	—
1003 00 10 000	—	—	1102 10 00 500	01	41,00
1003 00 90 000	03	20,50	1102 10 00 700	—	—
	02	0	1102 10 00 900	—	—
1004 00 00 200	—	—	1103 11 10 200	01	10,00 ⁽³⁾
1004 00 00 400	—	—	1103 11 10 400	—	— ⁽³⁾
1005 10 90 000	—	—	1103 11 10 900	—	—
1005 90 00 000	—	—	1103 11 90 200	01	10,00 ⁽³⁾
1007 00 90 000	—	—	1103 11 90 800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries,

02 Other third countries,

03 Switzerland, Liechtenstein, Ceuta and Melilla.

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

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

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

COMMISSION REGULATION (EC) No 2423/96
of 18 December 1996
amending Regulation (EEC) No 716/96 adopting exceptional support measures
for the beef market in the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2222/96 ⁽²⁾, and in particular Article 23 thereof,

Whereas Commission Regulation (EC) No 716/96 ⁽³⁾, as last amended by Regulation (EC) No 2149/96 ⁽⁴⁾, adopts exceptional support measures for the beef market in the United Kingdom; whereas the Regulation authorizes the United Kingdom authorities to purchase bovine animals over 30 months old for slaughter and destruction in accordance with the conditions laid down therein; whereas these animals are slaughtered in particular on the basis of slaughter capacity and the age of the animal and not on the basis of a decision by the producer; whereas to encourage the slaughter of castrated male animals outside the annual 'off grass' period, Article 4c of Regulation (EEC) No 805/68 has introduced a deseasonalization premium for this type of animal with a view to preventing market disturbances and recourse to intervention in the Member States concerned; whereas the animals slaughtered under Regulation (EC) No 716/96 do not qualify for intervention nor present a risk to market equilibrium; whereas a mechanism should therefore be introduced to make animals purchased in accordance with Regulation (EC) No 716/96 ineligible for the deseasonalization premium; whereas, to this end, the full payment of the purchase price should be made subject to an undertaking by the producer or his agent not to seek the deseasonalization premium, an obligation should be introduced whereby an amount equal to the deseasonalization premium is refunded where an application has been made and provision should be made for a reduction in the purchase price equal to the amount of the premium if the above undertaking is not given; whereas in cases where this reduction or refund mechanism is applied, the amount of the Community contribution should be adjusted as a result;

Whereas this Regulation should enter into force immediately to ensure its application to animals slaughtered from 1 January 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 716/96 is amended as follows:

1. The following paragraph is added after paragraph 2:

'3. Should the purchase referred to in Article 1 (1) involve a castrated male bovine animal, payment of the full price referred to in paragraph 1 shall be conditional on no application for a deseasonalization premium as referred to in Article 4c of Regulation (EEC) No 805/68 having been made for the animal that was sold.

The producer or his agent shall undertake to ensure that this premium is not sought for the animal in question.

Should this undertaking not be given, the amount of the price to be paid in accordance with paragraph 1 for the animal in question shall be reduced by an amount equal to the applicable amount of the deseasonalization premium. Should an application for this premium be presented for this animal, the producer concerned shall be obliged to refund out of the price received for the animal an amount equal to the applicable deseasonalization premium. In these two cases, the rate of the Community contribution provided for in the second subparagraph of paragraph 1 shall be reduced by an amount equal to the applicable deseasonalization premium.'

2. Paragraph 3 becomes paragraph 4.

Article 2

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

It shall apply to animals slaughtered from 1 January 1997.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 99, 20. 4. 1996, p. 14.

⁽⁴⁾ OJ No L 288, 9. 11. 1996, p. 14.

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

Done at Brussels, 18 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 December 1996

granting a Community guarantee to the European Investment Bank against losses under loans for projects of mutual interest in Latin American and Asian countries with which the Community has concluded cooperation agreements (Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, El Salvador, Uruguay and Venezuela; Bangladesh, Brunei, China, India, Indonesia, Macao, Malaysia, Pakistan, Philippines, Singapore, Sri Lanka, Thailand and Vietnam)

(96/723/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

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

Whereas in its meeting on 13 and 14 May 1991 the Council decided, on the basis of a communication from the Commission, on a limited extension of European Investment Bank operations in those third countries with which the Community has concluded cooperation agreements;

Whereas on 8 July 1991 the Council confirmed these guidelines;

Whereas on 19 May 1992 the Council decided on the guidelines to be applied for loans from the Bank granted in the third countries in question;

Whereas the Bank is completing an initial three-year loan programme for these countries pursuant to Decision

93/115/EEC⁽²⁾, with encouraging results according to the Bank's report on this first phase;

Whereas, pursuant to Decision 93/115/EEC, this programme should be renewed;

Whereas the European Council, meeting at Corfu in June 1994 and at Essen in December 1994, confirmed its intention of strengthening cooperation with countries in Asia and the wish to establish a new and extended partnership between the European Community and the Latin American countries;

Whereas the Council and the Commission signed a Solemn Joint Declaration with the Mercosur Member States⁽³⁾ on 22 December 1994 and with Mexico on 2 May 1995 in which the parties expressed their wish to strengthen their relations, committed themselves to initiate negotiations for new agreements and stressed their interest in continuing and strengthening Bank activities in the region; whereas the Council entrusted the Commission on 12 June 1995 with a mandate to negotiate an interregional framework agreement covering economic and trade cooperation with Mercosur;

Whereas the European Community and Vietnam signed a cooperation agreement on 17 July 1995⁽⁴⁾;

⁽²⁾ OJ No L 45, 23. 2. 1993, p. 27.

⁽³⁾ OJ No C 377, 31. 12. 1994, p. 1.

⁽⁴⁾ OJ No L 136, 7. 6. 1996, p. 29.

⁽¹⁾ OJ No C 261, 9. 9. 1996, p. 147.

Whereas the Council has invited the Bank to continue its operations in support of investment projects of mutual interest carried out in those third countries by offering it the guarantee provided for in this Decision;

Whereas this guarantee is subject to the conditions set out in the Council Regulation (EC, Euratom) No 2728/94 of 31 October 1994 establishing a Guarantee Fund for external actions⁽¹⁾;

Whereas the Bank and the Commission will adopt the procedures for granting the guarantee;

Whereas the Treaty does not provide, for the adoption of this Decision, powers other than those of Article 235,

HAS DECIDED AS FOLLOWS:

Article 1

The Community shall grant the European Investment Bank a guarantee of 100 % in accordance with Article 4 in cases where the Bank does not receive the payments due under loans granted in accordance with its usual criteria for projects of mutual interest in those third countries with which the Community has concluded cooperation agreements.

This guarantee shall be restricted to an overall loan ceiling of ECU 275 million to be granted in 1996. If, on 31 December 1996, the loans granted by the Bank have not attained the overall amount referred to above, the period during which this Decision shall remain applicable shall be automatically extended by six months.

The countries concerned by this Decision are: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, El Salvador, Uruguay and Venezuela; Bangla-

desh, Brunei, China, India, Indonesia, Macao, Malaysia, Pakistan, Philippines, Singapore, Sri Lanka, Thailand and Vietnam.

Article 2

The Commission shall inform the European Parliament and the Council every six months of the situation regarding loans signed. To that end, the Bank shall regularly transmit to the Commission the appropriate information.

Article 3

At the end of the loan period, the Commission shall inform the European Parliament and the Council of the loan operations and shall, at the same time, submit an assessment of the operation of the scheme and of coordination between the financial institutions operating in that area.

Article 4

Detailed rules for the application of this Decision shall be laid down in an agreement to be concluded between the Commission and the Bank.

Article 5

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

Done at Brussels, 12 December 1996.

For the Council

The President

A. DUKES

⁽¹⁾ OJ No L 293, 12. 11. 1994, p. 1.

COMMISSION

COMMISSION DECISION

of 29 November 1996

amending Decision 93/467/EEC authorizing Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of oak (*Quercus* L.) logs with bark attached, originating in Canada or the United States of America

(96/724/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 Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, Portugal and the Netherlands,

Whereas, pursuant to the provisions of Directive 77/93/EEC, oak (*Quercus* L.) logs with bark attached, originating in North American countries, may, in principle, not be introduced into the Community because of the risk of introducing *Ceratocystis fagacearum* (Bretz) Hunt., the cause of oak wilt;

Whereas Commission Decision 93/467/EEC⁽³⁾, as last amended by Decision 94/812/EC⁽⁴⁾ permits derogations for oak (*Quercus* L.) logs with bark attached originating in Canada and the United States of America provided that special conditions are satisfied;

Whereas Decision 93/467/EEC as amended stipulated that the authorization shall expire on 31 December 1996;

Whereas, on the basis of the information available at present, the conditions for the derogation in the aforementioned Decision should be maintained;

Whereas the circumstances justifying the authorization still obtain;

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

Whereas the Commission will ensure that Canada and the United States of America make all technical information available which is necessary to continue to monitor the functioning of the protective measures required under the aforementioned technical conditions;

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 93/467/EEC is hereby amended as follows:

1. in Article 1 (2) (b), '— Zeebrugge ' is added after '— Wismar'.
2. in Article 2 (b), the words '[...] reach the ports of unloading not later than 30 April' are replaced by the words 'reach the places of final storage not later than 30 April'.
3. in Article 3, '31 December 1996' is replaced by '31 December 1998'.
4. in Annex I, part 7, '94/812/EC' is replaced by '96/724/EC'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 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 217, 27. 8. 1993, p. 49.

⁽⁴⁾ OJ No L 332, 22. 12. 1994, p. 71.

COMMISSION DECISION

of 29 November 1996

amending Decisions 93/24/EEC and 93/244/EEC and concerning additional guarantees relating to Aujeszky's disease for pigs destined to Sweden

(Text with EEA relevance)

(96/725/EC)

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

Having regard to Council Directive 64/432/EEC⁽¹⁾ of 26 June 1964, on animal health problems affecting intra-Community trade in bovine animals and swine, as last amended by Directive 95/25/EC⁽²⁾, and in particular Article 9 (3) and Article 10 (2) thereof,

Whereas Sweden considers that its territory is free from Aujeszky's disease and has submitted supporting documentation to the Commission as provided for in Article 10 of Directive 64/432/EEC;

Whereas an eradication programme was undertaken in these regions for Aujeszky's disease;

Whereas Commission Decision 93/244/EEC⁽³⁾ as last amended by Decision 96/590/EC⁽⁴⁾ lays down additional guarantees relating to Aujeszky's disease for pigs destined to certain parts of the territory of the Community where an eradication programme has been approved and lists those regions in Annex I;

Whereas the programme is regarded to have been successful in eradicating this disease from Sweden; whereas it is therefore appropriate to remove these regions from the list of regions in Annex I of Decision 93/244/EEC;

Whereas the authorities of Sweden apply for national movement of pigs rules at least equivalent to those provided by the present decision;

Whereas these additional guarantees must not be requested from Member States or regions of Member States which are themselves regarded as free from Aujeszky's disease;

Whereas Commission Decision 93/24/EEC⁽⁵⁾, as last amended by Decision 96/590/EC, lays down additional

guarantees relating to Aujeszky's disease for pigs destined to Member States or regions free of the disease and lists those regions in Annex I;

Whereas these parts of Sweden which are free of the disease should be added to Annex I of Decision 93/24/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

1. In Annex I of Decision 93/244/EEC, the words 'Sweden: all regions' are deleted.

2. The following is added to Annex I of Decision 93/24/EEC:

'Sweden: all regions'.

Article 2

This Decision shall apply from 1 December 1996.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 243, 11. 10. 1995, p. 16.

⁽³⁾ OJ No L 111, 5. 5. 1993, p. 21.

⁽⁴⁾ OJ No L 258, 11. 10. 1996, p. 32.

⁽⁵⁾ OJ No L 16, 25. 1. 1993, p. 18.

COMMISSION DECISION

of 29 November 1996

amending Decision 92/452/EEC establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community

(Text with EEA relevance)

(96/726/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species⁽¹⁾, as last amended by Council Directive 94/113/EC⁽²⁾ and in particular Article 8 (1) thereof,

Whereas Commission Decision 92/452/EEC⁽³⁾ as last amended by Decision 96/596/EC⁽⁴⁾ establishes lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community;

Whereas the competent authorities of the United States of America have forwarded amendments to their list of embryo collection teams; whereas guarantees regarding compliance with the requirements specified in Article 8 of Directive 89/556/EEC have been received by the Commission;

Whereas it is now necessary to amend the list of approved teams as regards the United States of America;

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

HAS ADOPTED THIS DECISION:

Article 1

In part 3 of the Annex to Decision 92/452/EEC, in respect of the United States of America, the following teams are added:

Team approval number		Address	Team veterinarian
Embryo collection	Embryo production		
'96NY089 E1062		Toole Veterinary Clinic 388 Erieville Road Erieville, NY	Dr Robert Toole

⁽¹⁾ OJ No L 302, 10. 10. 1989, p. 1.

⁽²⁾ OJ No L 53, 24. 2. 1994, p. 23.

⁽³⁾ OJ No L 250, 29. 8. 1992, p. 40.

⁽⁴⁾ OJ No L 262, 16. 10. 1996, p. 15.

Team approval number		Address	Team veterinarian
Embryo collection	Embryo production		
96OH090 E7		Select Embryos, Inc. 11555 US 42 Plain City, OH	Dr Anthony E. Good
96VA091 E530		Blue Ridge Embryos PO Box 913 Blacksburg, VA	Dr Anne B. McGrath'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 29 November 1996

amending Decision 80/804/EEC concerning animal health conditions and veterinary certification for the importation of fresh meat from Canada

(Text with EEA relevance)

(96/727/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 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 16 thereof,

Whereas Commission Decision 80/804/EEC ⁽²⁾, as last amended by Decision 81/662/EEC ⁽³⁾, lays down the animal health conditions and veterinary certification for the importation of fresh meat from Canada;

Whereas it is possible, without the risk of spread of disease, to accept meat of bovine animals where such animals have originated in Canada or the United States of America and have spent part of the residency period in either country;

Whereas both Canada and the United States have given undertakings to the Commission which will ensure notification to the Commission and the Member States, within 24 hours at the latest, of the confirmation of the occurrence of serious epizootic disease;

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

Article 1

The Annex to Decision 80/804/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision shall apply from the 15th day after notification to the Member States.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 236, 9. 9. 1980, p. 25.

⁽³⁾ OJ No L 237, 22. 8. 1981, p. 33.

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat⁽¹⁾ of bovine animals, swine, sheep, goats and domestic solipeds intended for consignment to the European Community

Country of destination:

Reference to public health certificate⁽²⁾:

Exporting country: CANADA

Ministry:

Department:

References:

(optional)

I. Identification of meat

Meat of:
(animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s)⁽²⁾ of approved slaughterhouse(s):

.....

Address(es) and veterinary approval number(s)⁽²⁾ of approved cutting plant(s):

.....

III. Destination of meat

The meat will be sent from:
(place of loading)

to:
(country and place of destination)

by the following means of transport⁽³⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

⁽¹⁾ Fresh meat means all parts of domestic animals of the bovine, porcine, ovine and caprine species and of domestic solipeds which are fit for human consumption and which have not undergone any preserving process, chilled and frozen meat being considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC and Chapter 10 of Annex I to Council Directive 92/118/EEC.

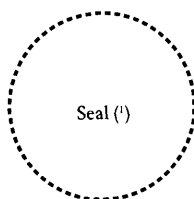
⁽³⁾ For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above has been obtained from:

- in the case of fresh meat from bovine animals, animals which have remained in the territory of Canada or in the United States of America for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- in the case of fresh meat from swine, sheep, and goats, animals which have remained in the territory of Canada for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- in the case of fresh meat from domestic solipeds, animals which have remained in the territory of Canada or in the United States of America, for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- in the case of fresh meat from swine, animals which have not come from holdings which for health reasons are subject to prohibition as a result of an outbreak of porcine brucellosis during the previous six weeks,
- in the case of fresh meat from sheep and goats, animals which have not come from holdings which for health reasons are subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks.

Done at, on
(place) (date)



.....
(signature of official veterinarian) (1)

.....
(name in capital letters, title and qualification of signatory)

(1) The signature and the seal must be in a colour different to that of the printing.

COMMISSION DECISION

of 29 November 1996

on financial assistance from the Community for storage in France of antigen for
production of foot-and-mouth disease vaccine

(Only the French text is authentic)

(96/728/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Commission Decision 94/370/EC⁽²⁾, and in particular Article 14 thereof,

Whereas by virtue of Council Decision 91/666/EEC of 11 December 1991 establishing Community reserves of foot-and-mouth disease vaccines⁽³⁾, establishment of antigen banks is part of the Community's action to create Community reserves of foot-and-mouth vaccine;

Whereas Article 3 of that Decision designates the Laboratoire de pathologie bovine du Centre national d'études vétérinaires et alimentaires at Lyon in France as an antigen bank holding Community reserves;

Whereas the functions and duties of these antigen banks are specified in Article 4 of that Decision; whereas Community assistance must be conditional on accomplishment of these;

Whereas Community financial assistance should be granted to these banks to enable them to carry out the said functions and duties;

Whereas for budgetary reasons the Community assistance should be granted for a period of one year;

Whereas for supervisory purposes Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2048/88⁽⁵⁾, should apply;

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

HAS ADOPTED THIS DECISION:

Article 1

The Community shall grant France financial assistance for the stocking of antigen for production of foot-and-mouth disease vaccine.

Article 2

The Laboratoire de pathologie bovine du Centre national d'études vétérinaires et alimentaires (Lyon, France) shall hold the stock of antigen to which Article 1 relates. The provisions of Article 4 of Council Decision 91/666/EEC shall apply.

Article 3

The Community's financial assistance shall be a maximum of ECU 70 000 for the period 1 January to 31 December 1997.

Article 4

The Community's financial assistance shall be paid as follows:

- 70 % by way of an advance at France's request,
- the balance following presentation by France of supporting documents, which demonstrate the effective completion of the tasks. These documents must be presented before 1 March 1998.

Article 5

Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 6

This Decision is addressed to France.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 368, 31. 12. 1991, p. 21.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 185, 15. 7. 1988, p. 1.

COMMISSION DECISION

of 29 November 1996

on the list of programmes to improve the system of veterinary checks at the Community's external frontiers that qualify for Community funding in 1997

(96/729/EC)

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

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 94/370/EC ⁽²⁾ and in particular Article 38 thereof,

Whereas the stepping-up of veterinary checks at the external frontiers is one of the priorities for Community action by virtue of the completion of the single market;

Whereas the Swedish authorities have submitted a national programme to the Commission to improve the system of checks at the external frontier on animals and animal products; whereas this programme covers in particular the construction and renovation of the necessary infrastructure and the purchase of equipment for the checks;

Whereas Sweden has provided the Commission with all the information it needs to assess the Community interest in providing funding for the 1997 programme;

Whereas the programme included on the list laid down in this Decision must be the subject of subsequent individual approval; whereas the detailed costs for each frontier inspection post will be specified at that time;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme listed in the Annex hereto shall qualify for Community funding in 1997.
2. The proposed rate and amount of Community funding for the programme referred to in paragraph 1 is laid down in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 November 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

System of veterinary checks at external frontiers	Member State	Rate	Amount proposed (in ecus)
	Sweden	50 %	1 446 200

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.