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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 92/97
of 20 January 1997
concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 2493/96⁽²⁾, and in particular Article 9 thereof,

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

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

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

Whereas it is appropriate that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature

issued by the customs authorities of the Member States which do not conform to this Regulation may continue to be invoked in accordance with the provisions of Article 12 (6) of Council Regulation (EEC) No 2913/92 of 12 October 1992, establishing the Community Customs Code⁽³⁾, for a period of 60 days by the holder,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of 60 days.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 338, 28. 12. 1996, p. 27.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

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

Done at Brussels, 20 January 1997.

For the Commission

Mario MONTI

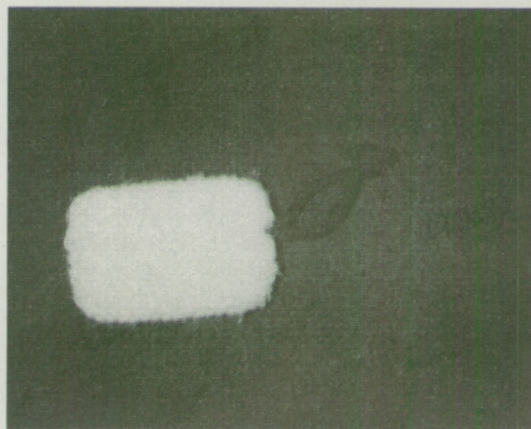
Member of the Commission

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. Garment made of a self-coloured, thick, knitted fabric (100 % polyester), with an average of less than 10 rows of stitches per linear centimetre in each direction, cut straight with a curved hemline and intended to cover the upper part of the body as far as the hips. The garment has long, cuffed sleeves, a collar, and a complete opening at the front buttoning left over right. It also has a pocket sewn on the front at chest level. (Garment similar to cardigan) (See photograph No 551)(*)	6110 30 91	Classification is based on the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, notes 4 and 9 to Chapter 61 and the wording of headings 6110, 6110 30 and 6110 30 91 of the CN. Classification of this garment as a shirt under CN code 6105 is excluded because the number of rows of stitches per linear centimetre is less than 10.
2. Lightweight, loose-fitting, sleeveless garment made of plain fabric (100 % cotton), intended to cover both the upper and lower parts of the body reaching down to the ankles (approximately 122 cm long). On the front it has a low-cut neckline, a complete opening buttoning right over left and pockets sewn on below the waist. The garment has side vents starting 4,5 cm below the waist, approximately 73 cm in length. It also has motifs embroidered on the front at chest level and pockets. Two strips of the same fabric are sewn on to the back at the waist. These can be tied. (Dress) (See photograph No 548)(*)	6204 42 00	Classification is determined by general rules 1 and 6 for the interpretation of the combined nomenclature and the wording of CN codes 6204 and 6204 42 00. See also the CN explanatory notes to codes 6204 41 00 to 6204 49 90. By virtue of its general appearance, and in particular its length, this garment is to be regarded as a dress, despite the presence of side vents.
3. Friction sponge in the form of a parallelepiped (14 × 9 × 5 cm) consisting of plastic sponge encased in knitted sisal, with a hanging tab. Used to massage the body. (Toilet Linen) (See photograph No 549)(*)	6302 99 00	Classification is determined by the provisions of general rules 1, 3(b) and 6 for the interpretation of the combined nomenclature, and by the text of CN codes 6302 and 6302 99 00. See also the Harmonized System explanatory notes to heading 6302.
4. Friction pad consisting of a plastic sponge covered on one side with knitted sisal and the other with knitted terry fabric (cotton). Used to massage the body. It has an elasticated strap for use in the hand. (Toilet Linen) (See photograph No 552)(*)	6302 99 00	Classification is determined by the provisions of general rules 1, 3(b) and 6 for the interpretation of the combined nomenclature, note 2(A) to section XI and by the text of CN codes 6302 and 6302 99 00. See also the Harmonized System explanatory notes to heading 6302.
5. Friction strap (60 × 12 × 2 cm), consisting of knitted ramie (predominating by weight) and cotton with an intermediate layer of plastic sponge. Used to massage the body. The strap has a textile cord at either end enabling it to be used. (Toilet Linen) (See photograph No 553)(*)	6302 99 00	Classification is determined by the provisions of general rules 1, 3(b) and 6 for the interpretation of the combined nomenclature, note 2(A) to section XI and by the text of CN codes 6302 and 6302 99 00. See also the Harmonized System explanatory notes to heading 6302.



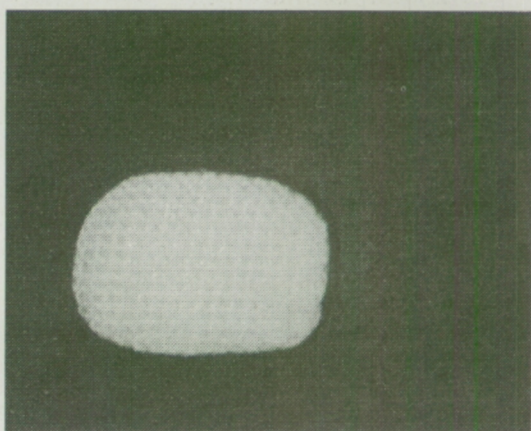
551



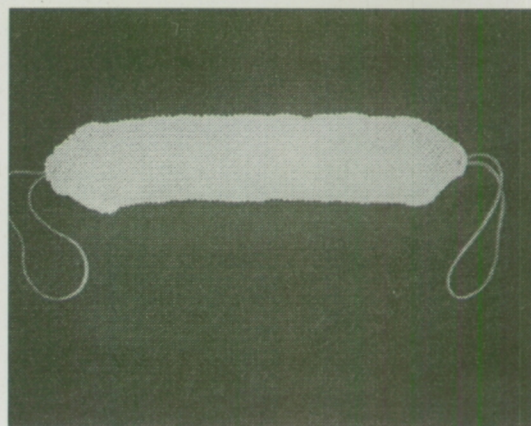
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548



552



553

(*) These photographs are purely for illustrative purposes.

COMMISSION REGULATION (EC) No 93/97

of 21 January 1997

laying down supply balances for the Canary Islands and Madeira as regards certain products of the beef and veal sector and determining aid for those products from the Community for the first half of 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Articles 3 (4) and 5 (2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽³⁾, as last amended by Regulation (EC) No 2348/96,

Whereas Regulation (EC) No 2348/96 amending Regulations (EEC) No 1600/92 and (EEC) No 1601/92 concerning specific measures for the Azores and Madeira and the Canary Islands respectively with regard to certain agricultural products extended, transitionally and for one year, application of the supply arrangements for certain products of the beef and veal sector; whereas the supply balance for those products for the first half of 1997 should now be drawn up and the amounts of Community aid applicable from 1 January 1997 fixed;

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

In the case of the Canary Islands, pursuant to Articles 2 and 3 of Regulation (EEC) No 1601/92, for the first half

of 1997 and for bovine animals for fattening and certain processed beef and veal products:

1. the quantities under the forecast supply balance which shall benefit, as appropriate, from exemption from customs import duties or Community aid for animals and products from elsewhere in the Community are laid down in Annex I;
2. aid for animals from elsewhere in the Community is laid down in Annex III;
3. aid for processed products from elsewhere in the Community is laid down in Annex IV.

Article 2

In the case of Madeira, pursuant to Articles 2 and 3 of Regulation (EEC) No 1600/92, for the first half of 1997 and for bovine animals for fattening:

1. the quantities under the supply balance which shall benefit, as appropriate, from exemption from customs import duties or Community aid for animals from elsewhere in the Community are laid down in Annex II;
2. aid for animals from elsewhere in the Community is laid down in Annex III.

Article 3

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

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

ANNEX I

Forecast supply balance for the Canary Islands for bovine animals for fattening and certain processed beef and veal products for the first half of 1997

CN code	Designation of goods	Number or quantity (in tonnes)
ex 0102 90	Bovine animals for fattening	2 500 (*)
1602 50	Other preparations and preserves containing meat or offal of domestic bovine animals	1 250

(*) In heads.

ANNEX II

Forecast supply balance for Madeira for bovine animals for fattening for the first half of 1997

CN code	Designation of goods	Number of head
ex 0102 90	Bovine animals for fattening	800

ANNEX III

Amounts of aid that can be granted for male bovine animals for fattening coming from the Community market

(ECU per head)

Product code	Amount of aid
ex 0102 90 05	49,0
ex 0102 90 29	97,5
ex 0102 90 49	130,0
0102 90 79	195,0

ANNEX IV

Amounts of aid granted for the products referred to in Annex I and coming from the Community market

(ECU per 100 kg net weight)

Product codes	Amount of aid
1602 50 10 9190	48,5
1602 50 31 9195	36,0
1602 50 31 9395	36,0
1602 50 39 9195	36,0
1602 50 39 9395	36,0
1602 50 39 9495	36,0
1602 50 39 9505	36,0
1602 50 39 9595	36,0
1602 50 39 9615	36,0
1602 50 39 9625	16,0
1602 50 39 9705	19,0
1602 50 80 9195	36,0
1602 50 80 9395	36,0
1602 50 80 9495	36,0
1602 50 80 9505	36,0
1602 50 80 9515	16,0
1602 50 80 9595	36,0
1602 50 80 9615	36,0
1602 50 80 9625	16,0
1602 50 80 9705	19,0
1602 50 10 9120	102,5 ⁽⁸⁾
1602 50 10 9140	91,0 ⁽⁸⁾
1602 50 10 9160	73,0 ⁽⁸⁾
1602 50 10 9170	48,5 ⁽⁸⁾
1602 50 31 9125	115,5 ⁽⁹⁾
1602 50 31 9135	73,0 ⁽⁸⁾
1602 50 31 9325	103,5 ⁽⁹⁾
1602 50 31 9335	65,5 ⁽⁸⁾
1602 50 39 9125	115,5 ⁽⁹⁾
1602 50 39 9135	73,0 ⁽⁸⁾
1602 50 39 9325	103,5 ⁽⁹⁾
1602 50 39 9335	65,5 ⁽⁸⁾

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

COMMISSION REGULATION (EC) No 94/97

of 21 January 1997

correcting and amending Regulation (EC) No 322/96 laying down detailed rules of application for the public storage of skimmed-milk powder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Commission Regulation (EC) No 1587/96⁽²⁾, and in particular Articles 7 (5) and 28 thereof,

Whereas Article 1 (1) (d) of Commission Regulation (EC) No 332/96⁽³⁾ lays down the age at which skimmed-milk powder may be bought in; whereas the Dutch version of that provision contains an error that may lead to differences in the treatment of operators; whereas, as a result, that error should be corrected;

Whereas Article 4 (6) of that Regulation fixes the storage costs to be reimbursed by the seller where the skimmed-milk powder offered for buying-in does not comply with the quality requirements laid down in the Regulation; whereas, in order to ensure that there is a link between those amounts and the amounts to be reimbursed by the intervention agency to the European Agricultural Guidance and Guarantee Fund, reference should be made to the amounts provided for in Commission Regulation (EEC) No 3597/90 of 12 December 1990 on the accounting rules for intervention measures involving the buying-in, storage and sale of agricultural products by intervention agencies⁽⁴⁾, as last amended by Regulation (EC) No 895/94⁽⁵⁾;

Whereas Article 5 (3) of Regulation (EC) No 322/96 refers to Commission Regulation (EEC) No 618/90 of 14 March 1990 laying down rules for drawing up the annual inventory of agricultural products in public storage⁽⁶⁾ as regards checking the presence of intervention products in store; whereas Regulation (EEC) No 618/90 was repealed and

replaced by Commission Regulation (EC) No 2148/96 of 8 November 1996 laying down rules for evaluating and monitoring public intervention stocks of agricultural products⁽⁷⁾; whereas, as a result, that reference should be replaced;

Whereas Annex II to Regulation (EC) No 322/96 lays down requirements concerning the packaging of skimmed-milk powder bought into public intervention; whereas experience has shown that an addition should be made to that Annex to allow the use of a new type of bag;

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

HAS ADOPTED THIS REGULATION:

Article 1

(Concerns the Dutch version only).

Article 2

Regulation (EC) No 322/96 is hereby amended as follows:

1. The second and third subparagraphs of Article 4 (6) are replaced by the following:

'The storage and financing costs to be paid shall be the costs to be reimbursed by the intervention agency to the account of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) in accordance with Article 7 (2) of Commission Regulation (EEC) No 3597/90^(*).

(*) OJ No L 350, 14. 12. 1990, p. 43.'

2. In Article 5 (3), 'Commission Regulation (EEC) No 618/90' is replaced by 'Commission Regulation (EC) No 2148/96⁽¹⁾.'

(1) OJ No L 288, 9. 11. 1996, p. 6.'

(7) OJ No L 288, 9. 11. 1996, p. 6.

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 206, 16. 8. 1996, p. 21.

(3) OJ No L 45, 23. 2. 1996, p. 5.

(4) OJ No L 350, 14. 12. 1990, p. 43.

(5) OJ No L 104, 23. 4. 1994, p. 16.

(6) OJ No L 67, 15. 3. 1990, p. 21.

3. In Annex II (1), the following paragraph (e) is added:

'(e) — one outer semi-stretchable kraft paper bag of a strength of at least 90 g/m²,

— one semi-stretchable kraft paper bag with a polyethylene lining, of a strength of at least 90 g plus 15 g/m²,

— two semi-stretchable kraft paper bags of a strength of at least 90 g/m²,
— one polyethylene inner bag at least 0,08 mm thick, welded or double bound.'

Article 3

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

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 95/97

of 21 January 1997

amending Regulation (EC) No 68/97 amending Regulation (EC) No 2805/95
fixing the exports refunds in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾, and in particular Article 55 (3) thereof,Whereas Commission Regulation (EC) No 2805/95 ⁽³⁾, as last amended by Regulation (EC) No 68/97 ⁽⁴⁾, fixed the refunds applicable on exports of milk and milk products;

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

Article 1

The Annex to Regulation (EC) No 2805/95 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 January 1997.

It shall apply from 17 January 1997.

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.⁽³⁾ OJ No L 291, 6. 12. 1995, p. 10.⁽⁴⁾ OJ No L 14, 17. 1. 1997, p. 51.

ANNEX

ANNEX

CN code	Product code	For export to (1)	Refund (ECU/hl)
2009 60 11 2009 60 19 2009 60 51 2009 60 71 2004 30 92 2204 30 94 2204 30 96 2204 30 98	9100	01	52,161 52,161 52,161 52,161 52,161 13,820 52,161 13,820
2204 21 79 2204 21 79 2204 21 83	9120 9220 9120	02 and 09 02 and 09	4,782
2204 21 79	9180	02	13,918
2204 21 80	9180	02	15,136
2204 21 79	9180	09	13,024
2204 21 80	9180	09	14,164
2204 21 79	9280	02	16,295
2204 21 80	9280	02	17,721
2204 21 79	9280	09	15,248
2204 21 80	9280	09	16,582
2204 21 83	9180	02	19,011
2204 21 84	9180	02	20,675
2204 21 83	9180	09	17,790
2204 21 84	9180	09	19,346
2204 21 79	9910	02 and 09	4,782
2204 21 94 2204 21 98	9910	02 and 09	15,000
2204 29 62 2204 29 64 2204 29 65 2204 29 83	9120	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9220	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9180	02	13,918
2204 29 71 2204 29 72 2204 29 75	9180	02	15,136

CN code	Product code	For export to ⁽¹⁾	Refund (ECU/hl)
2204 29 62 2204 29 64 2204 29 65	9180	09	13,024
2204 29 71 2204 29 72 2204 29 75	9180	09	14,164
2204 29 62 2204 29 64 2204 29 65	9280	02	16,295
2204 29 71 2204 29 72 2204 29 75	9280	02	17,721
2204 29 62 2204 29 64 2204 29 65	9280	09	15,248
2204 29 71 2204 29 72 2204 29 75	9280	09	16,582
2204 29 83	9180	02	19,011
2204 29 84	9180	02	20,675
2204 29 83	9180	09	17,790
2204 29 84	9180	09	19,346
2204 29 62 2204 29 64 2204 29 65	9910	02 and 09	4,782
2204 29 94 2204 29 98	9910	02 and 09	15,000

⁽¹⁾ The destinations are as follows:

- 01 — Libya, Nigeria, Cameroon, Gabon,
 - Saudi Arabia, United Arab Emirates, India, Thailand, Vietnam, Indonesia, Malaysia, Brunei, Singapore, Philippines, China, South Korea, Japan, Taiwan, Equatorial Guinea,
- 02 all countries of the African continent with the exception of those explicitly excluded under 09,
- 09 all destinations other than those in 02, with the exception of the following third countries and territories:
 - all countries of the American continent within the meaning of Commission Regulation (EEC) No 208/93 (OJ No L 25, 2. 2. 1993, p. 11),
 - Algeria,
 - Australia,
 - Bosnia-Herzegovina,
 - Croatia,
 - Cyprus,
 - Israel,
 - Morocco,
 - The Republic of Serbia and Montenegro,
 - Slovenia,
 - South Africa,
 - Switzerland,
 - The former Yugoslav Republic of Macedonia,
 - Tunisia,
 - Turkey,
 - Hungary,
 - Bulgaria,
 - Romania.

COMMISSION REGULATION (EC) No 96/97

of 21 January 1997

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 22 January 1997.

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

Done at Brussels, 21 January 1997.

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 21 January 1997 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 15	052	41,9
	204	45,3
	212	113,8
	404	37,5
	624	229,0
	999	93,5
0707 00 10	053	192,1
	068	134,7
	624	130,5
	999	152,4
0709 10 10	220	186,4
	999	186,4
0709 90 71	052	130,6
	053	197,1
	204	146,3
	999	158,0
0805 10 01, 0805 10 05, 0805 10 09	052	39,1
	204	46,1
	212	48,0
	220	31,3
	448	28,2
	600	70,5
	624	56,1
	999	45,6
0805 20 11	052	57,4
	204	69,8
	624	54,9
	999	60,7
0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	51,9
	204	83,2
	400	77,6
	464	89,9
	624	65,0
	662	48,8
	999	69,4
	999	69,4
0805 30 20	052	75,2
	528	46,1
	600	76,5
	999	65,9
0808 10 51, 0808 10 53, 0808 10 59	052	79,7
	060	55,1
	064	53,8
	400	89,7
	404	88,3
	720	47,7
	728	98,2
	999	73,2
0808 20 31	052	132,8
	064	67,0
	400	99,1
	624	70,0
	999	92,2

(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 97/97

of 21 January 1997

determining the extent to which the applications for import licences submitted in January 1997 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 1600/95 can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the allocation factors should be fixed for the quantities applied for the period 1 January to 31 March 1997,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Commission Regulation (EC) No 1600/95 of 30 June 1995 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 2325/96⁽²⁾, and in particular Article 14 (4) thereof,

Import licences applied for for products falling within the order numbers in Annex II to Regulation (EC) No 1600/95 listed in the Annex hereto, lodged under Regulation (EC) No 1600/95 for the period 1 January to 31 March 1997, shall be awarded in accordance with the allocation factors indicated.

Article 2

Whereas applications lodged for the products referred to in Annex II of Regulation (EC) No 1600/95 concern quantities greater than those available; whereas, therefore,

This Regulation shall enter into force on 22 January 1997.

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 151, 1. 7. 1995, p. 12.

⁽²⁾ OJ No L 316, 5. 12. 1996, p. 11.

ANNEX

Order number in Annex II to Regulation (EC) No 1600/95	Allocation factor
36	0,0084
37	0,0050
39	0,1483
40	0,0103
41	0,0141
42	0,0124
44	0,0056
47	0,0043

COMMISSION REGULATION (EC) No 98/97

of 21 January 1997

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 2397/96⁽⁴⁾, opened and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

- (a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;
- or
- (b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 1985/96⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (standard) carnations originating in Israel, whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 January 1997 to 31 December 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 22 January and is applicable until 31 December 1997 at the latest.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 327, 18. 12. 1996, p. 1.

⁽⁵⁾ OJ No L 264, 17. 10. 1996, p. 14.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 99/97

of 21 January 1997

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of multiflorous (spray) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 2397/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alterna-

tively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 1985/96⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) (a) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for multiflorous (spray) carnations originating in Israel; whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 January 1997 to 31 December 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

⁽¹⁾ OJ No L 264, 17. 10. 1996, p. 14.

⁽²⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽³⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 327, 18. 12. 1996, p. 1.

HAS ADOPTED THIS REGULATION:

1981/94 is hereby suspended and the Common Customs
Tariff duty is hereby re-established.

Article 1

For imports of multiflorous (spray) carnations (CN codes
ex 0603 10 13 and ex 0603 10 53) originating in Israel, the
preferential customs duty fixed by Regulation (EC) No

Article 2

This Regulation shall enter into force on 22 January 1997
and is applicable until 31 December 1997 at the latest.

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 100/97

of 21 January 1997

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of large-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 2397/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alterna-

tively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 1985/96⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for large-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 January 1997 to 31 December 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 327, 18. 12. 1996, p. 1.

⁽⁵⁾ OJ No L 264, 17. 10. 1996, p. 14.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 188, 27. 7. 1996, p. 22.

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 22 January 1997.

It shall apply until 31 December 1997 at the latest.

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 101/97

of 21 January 1997

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Community,

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

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

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

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

HAS ADOPTED THIS REGULATION:

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

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 35,286 per 100 kilograms.

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

- ECU 59,321 per 100 kilograms in Spain,
- ECU 28,813 per 100 kilograms in Greece,
- ECU 71,014 per 100 kilograms in other Member States.

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

Article 2

This Regulation shall enter into force on 22 January 1997.

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ No L 206, 16. 8. 1996, p. 16.

⁽⁴⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ No L 207, 17. 8. 1996, p. 3.

⁽⁶⁾ OJ No L 217, 28. 8. 1996, p. 1.

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

Done at Brussels, 21 January 1997.

For the Commission

Franz FISCHLER

Member of the Commission

DECISION No 102/97/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 16 December 1996

adopting a programme of Community action on the prevention of drug dependence within the framework for action in the field of public health (1996-2000)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 129 thereof,

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

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

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽⁴⁾, in the light of the joint text approved by the Conciliation Committee on 1 October 1996,

- (1) Whereas drug dependence has grown alarmingly in the Member States and has serious implications for the health of individuals and the welfare of the general public;
- (2) Whereas, by setting up in 1985 a Committee of Inquiry into the problem of drugs in the Member States of the European Community, the European Parliament demonstrated its desire to study in depth the factors which trigger drug demand and enable drugs to continue being produced and distributed;
- (3) Whereas in its resolutions concerning this problem ⁽⁵⁾ the European Parliament formulated a series of proposals with a view, in particular, to Community action on the prevention of drug dependence;
- (4) Whereas the European Council, at its meeting in Dublin on 25 and 26 June 1990, 'stressed the responsibility of each Member State to develop an

appropriate drug demand reduction programme' and 'considered that effective action by each Member State, supported by joint action of the Twelve and the Community, should be a main priority over the coming years';

- (5) Whereas the actions undertaken at Community level on the basis of Council resolutions, declarations and conclusions relating to the prevention of drug dependence, and in particular subsequent to the emphasis placed by the European Council, meeting in Rome on 14 and 15 December 1990, on the European Plan to Combat Drugs, have helped to sustain the Member States' efforts;
- (6) Whereas the Council, in its Resolution of 2 June 1994 ⁽⁶⁾, in response to the Commission communication of 24 November 1993 on a framework for action in the field of public health, included drug dependence among the priority areas for Community action for which the Commission was invited to bring forward proposals for action;
- (7) Whereas Regulation (EEC) No 302/93 ⁽⁷⁾ established a European Monitoring Centre on Drugs and Drug Addiction (EDMC) to provide the Community and the Member States with reliable and comparable information concerning drugs and drug addiction;
- (8) Whereas, in accordance with its constituent Regulation, the EDMC actively seeks the cooperation of international organizations and other, particularly European, governmental and non-governmental agencies having responsibility in the sector of drugs;
- (9) Whereas the declaration on the occasion of the entry into force of the Treaty on European Union adopted by the European Council, meeting in Brussels on 29 October 1993, emphasized that the Treaty provides 'a structured institutional framework, so that in particular greater control can be achieved over those of society's problems that run across frontiers, such as drugs (...)';
- (10) Whereas the problems associated with the drugs phenomenon are such that they require a fully coordinated and global strategy, as stated by the European Council, meeting in Brussels on 10 and 11 December 1993;

⁽¹⁾ OJ No C 257, 14. 9. 1994, p. 4 and OJ No C 34, 7. 2. 1996, p. 4.

⁽²⁾ OJ No C 110, 2. 5. 1995, p. 8.

⁽³⁾ OJ No C 210, 14. 8. 1995, p. 88.

⁽⁴⁾ Opinion of the European Parliament of 20 September 1995 (OJ No C 269, 16. 10. 1995, p. 65), Council common position of 20 December 1995 (OJ No C 37, 9. 2. 1996, p. 1) and Decision of the European Parliament of 16 April 1996 (OJ No C 141, 13. 5. 1996, p. 42). Council Decision of 12 November 1996.

⁽⁵⁾ OJ No C 172, 2. 7. 1984, p. 130;

OJ No C 283, 10. 11. 1986, p. 79;

OJ No C 47, 27. 2. 1989, p. 51 and OJ No C 150, 15. 6. 1992, p. 42.

⁽⁶⁾ OJ No C 165, 17. 6. 1994, p. 1.

⁽⁷⁾ OJ No L 36, 12. 2. 1993, p. 1.

- (11) Whereas a multidisciplinary approach should in particular ensure that the social and personal implications of the phenomenon are taken into account, in order to limit the adverse consequences to the health and social situation of affected persons;
- (12) Whereas drug dependence is the only scourge expressly referred to in the provisions of the Treaty dealing with public health and is therefore a priority for Community action within the framework for action in the field of public health set out by the Commission;
- (13) Whereas drug dependence is a major health scourge which can be prevented;
- (14) Whereas a Community strategy designed to contribute to the prevention of drug dependence should be based on a global approach to prevention;
- (15) Whereas this programme is one of the essential components of the Commission communication to the European Parliament and the Council of 23 June 1994 on a European Union Action Plan to combat drugs (1995-1999), on which the Council commented in its conclusions of 2 June 1995;
- (16) Whereas, by reason of its scale and effects, Community action to encourage support for the prevention of drug dependence will make a better contribution to achieving the desired objectives, which come within the framework of Article 129 of the Treaty, in particular the second subparagraph of paragraph 1 thereof;
- (17) Whereas cooperation with the competent international organizations and with non-member countries should be strengthened;
- (18) Whereas a multiannual programme should be launched with clear objectives for Community action, and priority measures should be selected, as well as appropriate mechanisms for the evaluation of such action, with a view to preventing drug dependence and the associated problems;
- (19) Whereas the programme should have the objective of helping to combat drug dependence by preventing dependence linked to the use of narcotics and psychotropic substances and associated use of other products for the purposes of drug addiction;
- (20) Whereas a Community strategy must place the emphasis on data, research and evaluation as well as information, health education and training and must take into account the complex nature of the phenomenon, the risks associated with it and the fundamental importance of the wide variety of health and social responses vital to health protection and the quality of life;
- (21) Whereas this strategy implies consistency with the measures implemented under other Community programmes and initiatives, particularly in the field of public health and in the social field;
- (22) Whereas the Community action programme on health promotion includes specific measures to prevent alcohol abuse, and the health and social consequences of such abuse, and measures to encourage the rational use of medicinal products, and whereas this programme includes specific measures to prevent the use of all types of narcotics and psychotropic substances, including the new synthetic drugs, and the associated use of other products for the purposes of drug addiction (multiple drug dependence);
- (23) Whereas there is a need to improve knowledge of the phenomenon of drugs and drug dependence and their consequences, and of the ways and means of preventing drug addiction and the associated risks;
- (24) Whereas there is a need both for general preventive action and for preventive measures focusing on specific target groups, particularly the young and marginal groups, while avoiding stereotypes of drug users;
- (25) Whereas socio-economic conditions have to be taken into account in the prevention of drug dependence and can thereby influence the measures taken;
- (26) Whereas the prison environment is one of the environments for which preventive action appears necessary;
- (27) Whereas it is important that the Commission ensure implementation of this programme in close cooperation with the Member States; whereas, to that end, provision should be made for a procedure to ensure that Member States are fully involved in implementing the programme;
- (28) Whereas a *modus vivendi* between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the Treaty was concluded on 20 December 1994;

- (29) Whereas, from an operational point of view, the investment made in previous years in terms of both the establishment of Community networks of non-governmental organizations and of the mobilization of all those involved should be safeguarded and developed; whereas multidisciplinary cooperation and cooperation between the public and private sectors, including NGOs, should be promoted with a view to preventing drug dependence;
- (30) Whereas, however, possible duplication of effort should be avoided by the promotion of the exchange of experience and by the joint development of basic modules for informing the general public, for health education and for training members of the health-care professions and members of the various groups involved in the prevention of drug dependence, which may be targeted on specific groups;
- (31) Whereas the objectives of this programme and of the actions undertaken to implement it form part of the health protection requirements referred to in the third subparagraph of Article 129 (1) of the Treaty and as such form a constituent part of the Community's other policies, the aim being to use the opportunities presented within the framework of other Community policies, programmes and instruments for improving the efficiency of the prevention of drug dependence;
- (32) Whereas, in order to increase the value and impact of the programme, a continuous assessment of the measures undertaken should be carried out, with particular regard to their effectiveness and the achievement of objectives both at national level and Community level, and, where appropriate, the necessary adjustments should be made;
- (33) Whereas this Decision lays down, for the entire duration of the programme, a financial framework constituting the principal point of reference, within the meaning of point 1 of the Declaration of the European Parliament, the Council and Commission of 6 March 1995, for the budgetary authority during the annual budgetary procedure;
- (34) Whereas this programme should run for five years in order to allow sufficient time for actions to be implemented in order to achieve the objectives set,

HAVE DECIDED AS FOLLOWS:

Article 1

Establishment of the programme

1. A programme of Community action on the prevention of drug dependence, hereinafter referred to as 'the

programme', shall be adopted for the period 1 January 1996 to 31 December 2000 within the framework for action in the field of public health.

2. The objective of the programme shall be to help in combating drug dependence, in particular by encouraging cooperation between the Member States, supporting their action and promoting coordination between their policies and programmes with a view to preventing dependence linked to the use of narcotics and psychotropic substances and associated use of other products for the purposes of drug addiction.

3. The actions to be implemented under the programme and their specific objectives are set out in the Annex under the following headings:

A. Data, research, evaluation

B. Information, health education and training.

Article 2

Implementation

1. The Commission shall ensure the implementation, in close cooperation with the Member States, of the actions set out in the Annex, in accordance with Article 5.

2. The Commission shall cooperate with the institutions and organizations which are active in the field of drug demand reduction; it shall promote multidisciplinary cooperation and cooperation between the public and private sectors, including NGOs.

3. The Member States are called upon to take the measures they judge necessary to coordinate and organize the implementation of this programme at national level.

Article 3

Budget

1. The financial framework for the implementation of the programme for the period referred to in Article 1 shall be ECU 27 million.

2. The annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

Article 4

Consistency and complementarity

1. The Commission shall ensure that there is consistency and complementarity between actions to be implemented under this programme and other relevant Community programmes and initiatives, including the

Socrates, Leonardo da Vinci and Youth for Europe (III) programmes and the biomedical and health research programme under the Community's framework programme for research, and social measures to promote the reintegration of drug users and former drug users.

2. The Commission shall also ensure that the activities implemented take into account the work of the European Monitoring Centre for Drugs and Drug Addiction (EDMC). It shall also ensure, together with the Member States, that the Community's priorities and needs are taken into due account in the EDMC's programmes.

3. The Commission and the Member States shall ensure consistency with the European Union's Action Plan to combat drugs.

Article 5

Committee

1. The Commission shall be assisted by a Committee consisting of two members designated by each Member State and chaired by the representative of the Commission.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken concerning:

- (a) the Committee's rules of procedure;
- (b) an annual work programme indicating the priorities for action;
- (c) the arrangements, criteria and procedures for selecting and financing projects under the programme, including those involving cooperation with international organizations having responsibility in the field of public health and participation of the countries referred to in Article 6(2);
- (d) the evaluation procedure;
- (e) the arrangements for dissemination and transfer of results;
- (f) the arrangements for cooperating with the institutions and organizations referred to in Article 2(2).

The Committee shall deliver its opinion on the draft measures referred to above within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee

shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event:

- the Commission shall defer application of the measures which it has decided upon for a period of two months from the date of such communication,
- the Council, acting by a qualified majority, may take a different decision within the time limit referred to in the first indent.

3. In addition, the Commission may consult the Committee on any other matter concerning the implementation of the programme.

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its opinion recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

4. The Commission representative shall keep the Committee regularly informed about:

- financial assistance granted under this programme (amounts, duration, breakdown and beneficiaries),
- Commission proposals or Community initiatives and the implementation of programmes in other areas which are directly relevant to the achievement of the objectives of the programme, with a view to ensuring the consistency and complementarity referred to in Article 4.

Article 6

International cooperation

1. In the course of implementing the programme, cooperation with non-member countries and with international organizations having responsibility in the field of public health shall be encouraged and implemented in accordance with the procedure laid down in Article 5.

In particular, the Commission shall cooperate with the Council of Europe's Pompidou Group, with international intergovernmental organizations such as the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (Unesco), the International Labour Organization (ILO) and with the United Nations International Drug Control Programme (UNDCP).

2. The programme shall be open to participation by the associated countries of Central and Eastern Europe (ACCEE) in accordance with the conditions laid down in the Additional Protocols to the Association Agreements, to be concluded with those countries, concerning participation in Community programmes. The programme shall be open to participation by Cyprus and Malta on the basis of additional appropriations in accordance with the same rules as those applied to the EFTA countries, in accordance with procedures to be agreed with those countries.

Article 7

Monitoring and evaluation

1. The Commission, taking into account the reports drawn up by the Member States and with the participa-

tion, where necessary, of independent experts, shall ensure that an evaluation is made of the actions undertaken.

2. The Commission shall submit to the European Parliament and the Council an interim report halfway through the programme and a final report on completion thereof. The Commission shall incorporate into these reports the results of the evaluations. It shall also send the reports to the Economic and Social Committee and the Committee of the Regions.

Done at Brussels, 16 December 1996.

For the European Parliament

The President

K. HÄNSCH

For the Council

The President

I. YATES

ANNEX

PROGRAMME OF COMMUNITY ACTION ON THE PREVENTION OF DRUG DEPENDENCE

A. DATA, RESEARCH, EVALUATION

Objective

To improve knowledge of the phenomenon of drugs and drug dependence and its consequences and of means and methods of preventing drug dependence and the risks relating thereto, in particular by using the information supplied by the EDMC and the possibilities offered by existing Community programmes and instruments.

Actions

1. Help identify the data to be collected, analysed and disseminated for the purposes of the programme, including data on polysubstance dependence.
2. Exploit the data most useful for the implementation of the programme, on the basis in particular of a regular communication of the work of the EDMC.
3. Help develop a strategy for research on the prevention of drug dependence, in particular to improve knowledge as regards the impact in the public health sphere of policies targeting drug users and on the effects of drugs and the use of appropriate techniques for preventive purposes.
4. Support studies and pilot projects on the socio-economic, socio-cultural and psycho-sociological factors associated with drug dependence, including in target groups.
5. Support studies and actions and promote the exchange of experience on ways and means of preventing the risks associated with drug dependence, in particular with a view to:
 - preventing, in drug-dependent pregnant women, the effects of drugs on the foetus and the risks of transmitting infections to the child,
 - reducing the risks associated with the injection of drugs,
 - making an assessment of accompanying health measures, in particular substitution programmes,
 - evaluating methods and programmes for prevention and risk reduction in the management of drug-dependent prisoners.
6. Support and encourage the exchange of information and experience, especially among members of the various groups involved in the prevention of drug dependence, and among persons who have a long-term positive influence on drug users, such as families and guardians, on the prevention of drug addiction relapses, including rehabilitation of drug users and links between social and health aspects thereof, as well as other actions provided for in Article 4 (1).

B. INFORMATION, HEALTH EDUCATION AND TRAINING

Objective

Contribute to improving information, education and training aimed at preventing drug dependence and the associated risks, in particular, for young people in the relevant environments (for example home, school, university and leisure time) and particularly vulnerable groups, including former drug users.

(a) *Information and health education*

Actions

7. Support schemes to evaluate the effectiveness of information and health education campaigns and carry out regular public opinion surveys via Eurobarometer to monitor changes in Europeans' attitudes towards drugs.

8. Organize further European Drug Prevention Weeks on the basis of previous experience.
 9. Help identify, test and develop the best information and educational tools and methods for target groups, and in particular:
 - encourage the use of information tailored to particular environments or circles, taking account of changes in patterns of use and products used, and of the phenomenon of polysubstance dependence,
 - support schemes to adapt messages to the needs and specific features of particularly vulnerable groups,
 - support the development of telephone helpline services and consider the feasibility of introducing a single telephone number for such services in all Member States.
 10. Help define guidelines on the prevention of drug abuse and foster the selection and use of teaching methods and materials, in particular within the context of the European network of health-promoting schools, enabling in particular highly specialized social behaviour programmes to be defined in order to develop attitudes in young people which will enable them to avoid drugs and drug addiction; support integrated projects, programmes and other drug prevention initiatives in places frequented by children and young people, in a close dialogue with them, with the participation wherever possible of parents and those concerned; promote recourse to the expertise of persons liable to come into contact with groups of potential users.
 11. Encourage exchanges of experience on initiatives aimed at improving coordination between all those involved in the provision of education.
 12. Support schemes for advising teachers, families and those responsible for young people on the early detection of the use of drugs and the action to take.
 13. In cooperation with the EDMC and the Council of Europe, if need be, encourage the extension of the European network of 'test towns', so as to promote technical cooperation on the ways and means used by these towns to reduce drug demand.
 14. Support exchanges of experience, particularly on a regional cross-border basis, concerning local prevention, grassroots and street-level initiatives designed to benefit risk groups which are not always reached by conventional assistance and prevention strategies. Support exchanges of experience on prevention models and practices involving towns in different Member States which are particularly affected by the problem of drugs.
- (b) *Training*
15. Promote initiatives to improve the drug prevention aspect of vocational training programmes for teachers and those responsible for young people and encourage exchanges of students training for the social and health-care professions, including exchanges under other Community programmes.
 16. Support the development of further-training programmes, teaching materials and modules for those likely to come into contact with drug users and groups at risk, including in particular social work, health-care, police and other law-enforcement professionals; promote multidisciplinary cooperation and cooperation between the public and private sectors, including NGOs, with a view to preventing drug dependence.
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II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 2/96 OF THE ASSOCIATION COUNCIL, ASSOCIATION
BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER
STATES, OF THE ONE PART, AND ROMANIA, OF THE OTHER PART**

of 13 December 1996

**concerning the export of certain ECSC steel products from Romania to the
Community for the period 1 January to 31 December 1997 (extension of the
double-checking system established by Decision No 3/95 of the Association
Council)**

(97/75/ECSC)

THE ASSOCIATION COUNCIL,

Whereas the Contact Group referred to in Article 11 of Protocol 2 to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽¹⁾, which entered into force on 1 February 1995, met on 17 September 1996 and agreed to recommend to the Association Council established under Article 106 of the Agreement that the double-checking system introduced in 1996 by Association Council Decision No 3/95⁽²⁾ should be extended for the period between 1 January and 31 December 1997 subject to certain amendments;

Whereas the Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS:

Article 1

The double-checking system established by Association Council Decision No 3/95 for the period 1 January to 31 December 1996 shall continue to apply for the period between 1 January and 31 December 1997, subject to the amendments shown in Article 2. In the preamble and Article 1 (1) and (3) of the Decision, references to the period 1 January to 31 December 1996 are hereby replaced by references to 1 January to 31 December 1997.

Article 2

1. The first sentence of Article 2 (2) of the Decision shall be amended to read as follows:

'The Community undertakes to supply the Romanian authorities with precise statistical information on import documents issued by Member States in respect of the export documents issued by the Romanian authorities pursuant to Article 1.'

2. Annex I to the Decision shall be replaced by the text contained in the Annex to this Decision.

3. In Annex IV to the Decision, paragraph 3 shall be amended to read as follows:

'The export documents shall be valid for six months from the date of their issue. They may be renewed or prolonged.'

Article 3

This Decision shall enter into force on the date of signature thereof.

It shall apply with effect from 1 January 1997.

Done at Bucharest, 13 December 1996.

For the Association Council
The President
A. SEVERIN

⁽¹⁾ OJ No L 357, 31. 12. 1994, p. 12.

⁽²⁾ OJ No L 325, 30. 12. 1995, p. 51.

ANNEX

ANNEX I

ROMANIA

List of products subject to double-checking (1997)

7202 11 20	7210 41 10	7216 10 00	7222 11 91
7202 11 80	7210 49 10	7216 21 00	7222 11 99
7202 99 11	7210 50 10	7216 22 00	7222 19 10
	7210 61 10	7216 31 11	7222 19 90
7203 90 00	7210 69 10	7216 31 19	7222 30 10
	7210 70 31	7216 31 91	7222 40 10
7206 10 00	7210 70 39	7216 31 99	7222 40 30
7206 90 00	7210 90 31	7216 32 11	
	7210 90 33	7216 32 19	7225 11 00
7208 10 00	7210 90 38	7216 32 91	7225 19 10
7208 25 00		7216 32 99	7225 19 90
7208 26 00	7211 13 00	7216 33 10	7225 20 20
7208 27 00	7211 14 10	7216 33 90	7225 30 00
7208 36 00	7211 14 90	7216 40 10	7225 40 20
7208 37 10	7211 19 20	7216 40 90	7225 40 50
7208 37 90	7211 19 90	7216 50 10	7225 40 80
7208 38 10	7211 23 10	7216 50 91	7225 50 00
7208 38 90	7211 23 51	7216 50 99	7225 91 10
7208 39 10	7211 29 20	7216 99 10	7225 92 10
7208 39 90	7211 90 11		7225 99 10
7208 40 10		7219 11 00	
7208 40 90		7219 12 10	7226 11 10
7208 51 10	7212 10 10	7219 12 90	7226 19 10
7208 51 30	7212 10 91	7219 13 10	7226 19 30
7208 51 50	7212 20 11	7219 13 90	7226 20 20
7208 51 91	7212 30 11	7219 14 10	7226 91 10
7208 51 99	7212 40 10	7219 14 90	7226 91 90
7208 52 10	7212 40 91	7219 21 10	7226 92 10
7208 52 91	7212 50 31	7219 21 90	7226 93 20
7208 52 99	7212 50 51	7219 22 10	7226 94 20
7208 53 10	7212 60 11	7219 22 90	7226 99 20
7208 53 90	7212 60 91	7219 23 00	
7208 54 10		7219 24 00	7227 10 00
7208 54 90	7213 10 00	7219 31 00	7227 20 00
7208 90 10	7213 20 00	7219 32 10	7227 90 10
	7213 91 10	7219 32 90	7227 90 50
7209 15 00	7213 91 20	7219 33 10	7227 90 95
7209 16 10	7213 91 41	7219 33 90	
7209 16 90	7213 91 49	7219 34 10	7228 10 10
7209 17 10	7213 91 70	7219 34 90	7228 10 30
7209 17 90	7213 91 90	7219 35 10	7228 20 11
7209 18 10	7213 99 10	7219 35 90	7228 20 19
7209 18 91	7213 99 90	7219 90 10	7228 20 30
7209 18 99			7228 20 30
7209 25 00	7214 20 00		7228 30 20
7209 26 10	7214 30 00	7220 11 00	7228 30 41
7209 26 90	7214 91 10	7220 12 00	7228 30 49
7209 27 10	7214 91 90	7220 20 10	7228 30 61
7209 27 90	7214 99 10	7220 90 11	7228 30 69
7209 28 10	7214 99 31	7220 90 31	7228 30 70
7209 28 90	7214 99 39		7228 30 89
7209 90 10	7214 99 50	7221 00 10	7228 60 10
	7214 99 61	7221 00 90	7228 70 10
7210 11 10	7214 99 69		7228 70 31
7210 12 11	7214 99 80	7222 11 11	7228 80 10
7210 12 19	7214 99 90	7222 11 19	7228 80 90
7210 20 10		7222 11 21	
7210 30 10	7215 90 10	7222 11 29	7301 10 00

COMMISSION

COMMISSION DECISION

of 17 December 1996

laying down the methods of control for maintaining the officially tuberculosis free status of bovine herds in certain Member States and regions of Member States

(Text with EEA relevance)

(97/76/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 95/25/EC⁽²⁾, and in particular Article 3 (14) thereof;

Whereas more than 99,9 % of bovine herds in the Member States and regions mentioned in the Annexes have been declared officially tuberculosis free within the meaning of Article 2 (d) of Directive 64/432/EEC and as having fulfilled the conditions for this qualification for at least 10 years; whereas every year for at least six years bovine tuberculosis has not been found to be present in more than one herd per 10 000 herds;

Whereas in order to maintain the qualification of officially tuberculosis free it is necessary to lay down control measures ensuring its efficiency and which are adapted to the special health situation of bovine herds in those Member States and regions mentioned in the Annexes;

Whereas in order to consolidate and simplify the situation pertaining to this matter, a number of previous Commission Decisions must be withdrawn;

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 Member States and regions referred to respectively in Annexes I and II satisfy the conditions laid down in

Article 3 (14) of Directive 64/432/EEC in so far as that at least 99,9 % of the bovine herds have been declared officially tuberculosis free within the meaning of Article 2 (d) of Directive 64/432/EEC for at least 10 years and where every year for at least six years bovine tuberculosis has not been found to be present in more than one herd per 10 000 herds in that Member State or part thereof.

Article 2

All of the bovine herds situated in the Member States and regions referred to respectively in Annexes I and II are recognised as officially free of tuberculosis providing the conditions laid down in Articles 3, 4 and 5 continue to be fulfilled.

Article 3

1. An identification system making it possible to trace, for each bovine animal, the herds of origin and transit shall be set up.
2. Every animal slaughtered must be submitted to an *anti mortem* and a *post mortem* examination carried out in accordance with Council Directive 64/433/EEC⁽³⁾.
3. Every suspected case of tuberculosis in a living or dead or slaughtered animal must be notified to the competent authorities.
4. For each suspected case, the competent authorities shall carry out the investigations required in order to confirm or invalidate the suspicion, including back-tracing the herds of origin and transit. If lesions giving rise to a suspicion of tuberculosis are found at the post-mortem examination or slaughtering, the competent authorities shall submit such lesions to laboratory examination.

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

⁽²⁾ OJ No L 243, 11. 10. 1995, p. 16.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

5. The officially tuberculosis free status of the herds of origin and transit of the suspected bovine animals shall be suspended and the period of suspension shall continue until clinical or laboratory examinations or tuberculin tests have ruled out the presence of bovine tuberculosis.

6. If the suspicion of tuberculosis is confirmed, either by tuberculin tests or by clinical or laboratory examinations, the officially tuberculosis free status of the herds of origin and transit shall be withdrawn.

Article 4

The officially tuberculosis free status shall remain withdrawn until such time as:

- all the animals that have been deemed to be infected have been removed from the herd,
- the premises and utensils have been disinfected,
- all the remaining bovine animals over six weeks of age have reacted negatively to at least two official intradermal tuberculin tests in accordance with Annex B of Directive 64/432/EEC, the first one being carried out at least six months after the infected animal has left the herd and the second one at least six months after the first.

Article 5

Details of any breakdown herds, as well as an epidemiological report, shall be communicated to the Commission without delay; it being understood that a 'breakdown herd' means a herd of origin or transit which has contained a bovine animal that has proved positive for the presence of *Mycobacterium bovis*.

Article 6

Commission Decisions 80/984/EEC ⁽¹⁾, 94/959/EEC ⁽²⁾, 95/63/EC ⁽³⁾ and 95/138/EC ⁽⁴⁾ are hereby withdrawn.

Article 7

This Decision shall apply from 1 January 1997.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 17 December 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 281, 25. 10. 1980, p. 31.

⁽²⁾ OJ No L 371, 31. 12. 1994, p. 23.

⁽³⁾ OJ No L 56, 14. 3. 1995, p. 15.

⁽⁴⁾ OJ No L 91, 22. 4. 1995, p. 53.

*ANNEX I**Member State*

- Denmark
 - Finland
 - Sweden
 - The Netherlands
 - Luxembourg
 - Germany
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*ANNEX II**Regions of Member States*
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