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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 499/97
of 19 March 1997
fixing the representative prices and the additional import duties for molasses in
the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 12.

⁽⁴⁾ OJ No L 145, 27. 6. 1968, p. 12.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 March 1997.

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

Done at Brussels, 19 March 1997.

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⁾	8,31	—	0,00
1703 90 00 ⁽¹⁾	12,13	—	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 500/97

of 19 March 1997

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 the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as last amended by Regulation (EC) No 150/95⁽⁷⁾, 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⁽⁸⁾, as last amended by Regulation (EC) No 1482/96⁽⁹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (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 20 March 1997.

⁽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.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ 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, 19 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 19 March 1997 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	38,15 ⁽¹⁾
1701 11 90 9910	36,37 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	38,15 ⁽¹⁾
1701 12 90 9910	36,37 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4147
	— ECU/100 kg —
1701 99 10 9100	41,47
1701 99 10 9910	41,16
1701 99 10 9950	41,16
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4147

⁽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).

COMMISSION REGULATION (EC) No 501/97**of 19 March 1997****fixing the maximum export refund for white sugar for the 31st 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 31st partial invitation to

tender, the provisions set out in Article 1 should be adopted;

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

For the 31st 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 44,180 per 100 kilograms.

Article 2

This Regulation shall enter into force on 20 March 1997.

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

Done at Brussels, 19 March 1997.

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.

COMMISSION REGULATION (EC) No 502/97

of 18 March 1997

establishing unit values for the determination of the customs value of certain perishable goods

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 89/97 ⁽⁴⁾, and in particular Article 173 (1) thereof,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 March 1997.

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

Done at Brussels, 18 March 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ No L 17, 21. 1. 1997, p. 28.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	34,12 198,76 304,62	468,44 224,65 1 372,98	66,56 25,02 24,43	254,04 66 345,66	10 472,04 74,88	5 652,25 6 691,14
1.30	Onions (other than seed) 0703 10 19	a) b) c)	26,50 154,37 236,59	363,82 174,48 1 066,35	51,70 19,43 18,97	197,30 51 528,72	8 133,33 58,16	4 389,94 5 196,81
1.40	Garlic 0703 20 00	a) b) c)	147,82 861,10 1 319,70	2 029,45 973,25 5 948,25	288,36 108,40 105,84	1 100,58 287 433,03	45 368,62 324,43	24 487,57 28 988,39
1.50	Leeks ex 0703 90 00	a) b) c)	60,76 353,95 542,45	834,19 400,05 2 444,97	118,53 44,56 43,51	452,38 118 146,60	18 648,34 133,35	10 065,38 11 915,40
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 441,79 677,08	1 041,22 499,33 3 051,79	147,95 55,62 54,30	564,66 147 469,36	23 276,66 166,45	12 563,50 14 872,68
1.70	Brussels sprouts 0704 20 00	a) b) c)	53,71 312,88 479,51	737,40 353,63 2 161,28	104,78 39,39 38,46	399,89 104 438,02	16 484,57 117,88	8 897,49 10 532,85
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	40,64 236,74 362,82	557,95 267,57 1 635,35	79,28 29,80 29,10	302,58 79 023,67	12 473,15 89,19	6 732,34 7 969,75
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 617,19 945,90	1 454,61 697,58 4 263,41	206,68 77,70 75,86	788,84 206 017,66	32 517,96 232,53	17 551,47 20 777,43
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	47,87 278,86 427,37	657,22 315,18 1 926,28	93,38 35,10 34,28	356,41 93 082,26	14 692,16 105,06	7 930,05 9 387,59
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	90,53 527,37 808,23	1 242,90 596,05 3 642,91	176,60 66,39 64,82	674,03 176 033,77	27 785,29 198,69	14 997,02 17 753,48
1.120	Endives ex 0705 29 00	a) b) c)	21,82 127,11 194,80	299,57 143,66 878,03	42,57 16,00 15,62	162,46 42 428,55	6 696,95 47,89	3 614,66 4 279,03
1.130	Carrots ex 0706 10 00	a) b) c)	33,70 196,31 300,87	462,67 221,88 1 356,08	65,74 24,71 24,13	250,91 65 528,98	10 343,14 73,96	5 582,67 6 608,77
1.140	Radishes ex 0706 90 90	a) b) c)	174,87 1 018,67 1 561,20	2 400,83 1 151,35 7 036,73	341,13 128,24 125,21	1 301,98 340 031,22	53 670,75 383,80	28 968,61 34 293,06
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	342,27 1 993,83 3 055,70	4 699,09 2 253,52 13 772,88	667,69 251,00 245,07	2 548,34 665 537,17	105 048,82 751,20	56 699,76 67 121,20

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	209,87 1 222,56 1 873,67	2 881,35 1 381,79 8 445,13	409,41 153,90 150,27	1 562,57 408 088,02	64 412,88 460,61	34 766,64 41 156,77
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	255,10 1 486,04 2 277,47	3 502,32 1 679,59 10 265,17	497,64 187,07 182,66	1 899,33 496 036,85	78 294,78 559,88	42 259,36 50 026,64
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 540,76 828,76	1 274,48 611,20 3 735,46	181,09 68,08 66,47	691,16 180 506,08	28 491,20 203,74	15 378,03 18 204,52
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	468,81 2 730,96 4 185,42	6 436,39 3 086,66 18 864,82	914,54 343,79 335,68	3 490,49 911 591,67	143 886,23 1 028,92	77 662,13 91 936,45
1.200.2	— other ex 0709 20 00	a) b) c)	287,28 1 673,50 2 564,77	3 944,12 1 891,46 11 560,09	560,42 210,67 205,70	2 138,92 558 610,21	88 171,40 630,51	47 590,23 56 337,33
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	136,00 792,24 1 214,18	1 867,17 895,43 5 472,61	265,30 99,73 97,38	1 012,58 264 449,28	41 740,85 298,49	22 529,49 26 670,42
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	64,85 377,77 578,97	890,34 426,97 2 609,55	126,51 47,56 46,43	482,84 126 099,53	19 903,63 142,33	10 742,92 12 717,47
1.230	Chantarelles 0709 51 30	a) b) c)	1 317,71 7 676,07 11 764,20	18 091,10 8 675,84 53 024,39	2 570,55 966,32 943,51	9 810,90 2 562 260,74	404 428,92 2 892,04	218 289,20 258 410,84
1.240	Sweet peppers 0709 60 10	a) b) c)	232,26 1 352,99 2 073,56	3 188,74 1 529,21 9 346,10	453,09 170,32 166,30	1 729,27 451 624,92	71 284,77 509,75	38 475,73 45 547,58
1.250	Fennel 0709 90 50	a) b) c)	73,55 428,45 656,64	1 009,78 484,26 2 959,64	143,48 53,94 52,66	547,61 143 016,50	22 573,82 161,42	12 184,15 14 423,60
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	43,56 253,75 388,89	598,04 286,80 1 752,85	84,98 31,94 31,19	324,32 84 701,55	13 369,35 95,60	7 216,06 8 542,38
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	159,46 928,90 1 423,62	2 189,26 1 049,89 6 416,64	311,07 116,94 114,18	1 187,25 310 066,78	48 941,14 349,97	26 415,82 31 271,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	70,85 412,72 632,53	972,71 466,48 2 850,99	138,21 51,96 50,73	527,51 137 766,41	21 745,14 155,50	11 736,87 13 894,11

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	97,26 566,57 868,31	1 335,30 640,36 3 913,72	189,73 71,32 69,64	724,14 189 120,12	29 850,84 213,46	16 111,90 19 073,27
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	104,80 610,49 935,63	1 438,82 690,01 4 217,13	204,44 76,85 75,04	780,28 203 781,50	32 165,01 230,01	17 360,96 20 551,91
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	76,61 446,28 683,96	1 051,79 504,40 3 082,77	149,45 56,18 54,85	570,39 148 966,61	23 512,99 168,14	12 691,06 15 023,68
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	93,29 543,44 832,87	1 280,80 614,22 3 753,97	181,99 68,41 66,80	694,58 181 400,54	28 632,38 204,75	15 454,23 18 294,73
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	60,12 350,22 536,74	825,40 395,83 2 419,22	117,28 44,09 43,05	447,62 116 902,14	18 451,91 131,95	9 959,36 11 789,89
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	56,86 331,23 507,63	780,64 374,37 2 288,04	110,92 41,70 40,71	423,35 110 563,13	17 451,36 124,79	9 419,31 11 150,59
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	157,30 916,32 1 404,34	2 159,60 1 035,67 6 329,72	306,86 115,35 112,63	1 171,16 305 866,70	48 278,20 345,23	26 058,00 30 847,47

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.90	Grapefruit, fresh:							
2.90.1	— white	a)	32,57	447,16	63,54	242,50	9 996,32	5 395,48
	ex 0805 40 90	b)	189,73	214,44	23,88	63 331,71	71,48	6 387,17
	ex 0805 40 20	c)	290,78	1 310,61	23,32			
	ex 0805 40 95							
2.90.2	— pink	a)	43,46	596,67	84,78	323,58	13 338,66	7 199,50
	ex 0805 40 90	b)	253,17	286,14	31,87	84 507,10	95,38	8 522,77
	ex 0805 40 20	c)	388,00	1 748,82	31,12			
	ex 0805 40 95							
2.100	Table grapes	a)	147,31	2 022,45	287,37	1 096,78	45 212,09	24 403,08
	0806 10 21	b)	858,13	969,89	108,03	286 441,35	323,31	28 888,37
	0806 10 29	c)	1 315,15	5 927,72	105,48			
	0806 10 61							
	0806 10 30							
	0806 10 69							
2.110	Water melons	a)	51,74	710,35	100,93	385,23	15 879,94	8 571,14
	0807 11 00	b)	301,40	340,66	37,94	100 607,40	113,56	10 146,52
		c)	461,92	2 082,01	37,05			
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), unteniente, piel de sapo (including verde liso), rochet, tendral, futuro	a)	57,50	789,43	112,17	428,11	17 647,78	9 525,33
	ex 0807 19 00	b)	334,96	378,58	42,17	111 807,60	126,20	11 276,09
		c)	513,35	2 313,79	41,17			
2.120.2	— other	a)	157,11	2 156,99	306,49	1 169,75	48 219,89	26 026,53
	ex 0807 19 00	b)	915,21	1 034,42	115,21	305 497,25	344,82	30 810,21
		c)	1 402,64	6 322,07	112,49			
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>)	a)	—	—	—	—	—	—
	ex 0808 20 41	b)	—	—	—	—	—	—
		c)	—	—	—	—	—	—
2.140.2	Other	a)	—	—	—	—	—	—
	ex 0808 20 41	b)	—	—	—	—	—	—
		c)	—	—	—	—	—	—
2.150	Apricots	a)	156,60	2 149,99	305,49	1 165,95	48 063,36	25 942,04
	0809 10 10	b)	912,24	1 031,06	114,84	304 505,57	343,70	30 710,20
	0809 10 50	c)	1 398,09	6 301,55	112,13			
2.160	Cherries	a)	146,66	2 013,52	286,10	1 091,95	45 012,59	24 295,40
	0809 20 11	b)	854,34	965,61	107,55	285 177,44	321,88	28 760,91
	0809 20 19	c)	1 309,35	5 901,57	105,01			
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	141,10	1 937,19	275,25	1 050,55	43 306,13	23 374,34
	0809 30 19	b)	821,95	929,01	103,47	274 366,13	309,68	27 670,56
	0809 30 59	c)	1 259,71	5 677,84	101,03			
2.180	Nectarines	a)	119,85	1 645,44	233,80	892,33	36 784,12	19 854,11
	ex 0809 30 11	b)	698,16	789,10	87,89	233 045,93	263,04	23 503,30
	ex 0809 30 51	c)	1 069,99	4 822,74	85,81			

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.190	Plums	a)	123,23	1 691,85	240,39	917,50	37 821,51	20 414,04
	0809 40 10	b)	717,85	811,35	90,37	239 618,27	270,46	24 166,14
	0809 40 40	c)	1 100,17	4 958,75	88,24			
2.200	Strawberries	a)	183,50	2 519,31	357,97	1 366,23	56 319,45	30 398,24
	0810 10 10	b)	1 068,94	1 208,17	134,57	356 812,08	402,74	35 985,45
	0810 10 05	c)	1 638,24	7 384,00	131,39			
2.205	Raspberries	a)	1 586,26	21 778,08	3 094,43	11 810,37	486 851,75	262 776,66
	0810 20 10	b)	9 240,46	10 443,98	1 163,26	3 084 450,84	3 481,44	311 075,10
		c)	14 161,75	63 830,79	1 135,79			
2.210	Fruit of the species <i>Vaccinium myrtillus</i>	a)	2 140,29	29 384,47	4 175,21	15 935,36	656 893,53	354 556,16
	0810 40 30	b)	12 467,85	14 091,73	1 569,55	4 161 751,10	4 697,40	419 723,71
		c)	19 108,00	86 124,84	1 532,49			
2.220	Kiwi fruit (<i>Actinidia chinensis Planch.</i>)	a)	35,00	480,52	68,28	260,59	10 742,13	5 798,03
	0810 50 10	b)	203,89	230,44	25,67	68 056,80	76,82	6 863,71
	0810 50 20	c)	312,47	1 408,39	25,06			
2.230	Pomegranates	a)	124,96	1 715,60	243,77	930,38	38 352,47	20 700,62
	ex 0810 90 85	b)	727,93	822,74	91,64	242 982,22	274,26	24 505,41
		c)	1 115,61	5 028,37	89,47			
2.240	Khakis (including sharon fruit)	a)	51,86	712,00	101,17	386,12	15 916,77	8 591,02
	ex 0810 90 85	b)	302,10	341,45	38,03	100 840,73	113,82	10 170,06
		c)	462,99	2 086,84	37,13			
2.250	Lychees	a)	152,35	2 091,64	297,20	1 134,31	46 758,96	25 238,00
	ex 0810 90 30	b)	887,49	1 003,08	111,72	296 241,53	334,37	29 876,75
		c)	1 360,14	6 130,53	109,09			

COMMISSION REGULATION (EC) No 503/97
of 19 March 1997

amending Regulation (EC) No 1600/95 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 1587/96⁽²⁾, and in particular Articles 13 (3) and 16 (1) and (4) thereof,

Whereas Commission Regulation (EC) No 1600/95⁽³⁾, as last amended by Regulation (EC) No 2325/96⁽⁴⁾, provides for the application of the IMA-1 certificate (inward monitoring arrangement certificate) arrangements to imports coming from Switzerland under the special arrangement concluded between that country and the Community; whereas these arrangements have not functioned adequately because of administrative difficulties; whereas it is therefore necessary to replace them with a system based exclusively on the Community import licence arrangements; whereas that Regulation should therefore be amended;

Whereas certain order numbers in Annex 7 to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the common customs tariff⁽⁵⁾, as last amended by Commission Regulation (EC) No 480/97⁽⁶⁾, have been changed; whereas the corresponding codes should therefore be altered;

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

Regulation (EC) No 1600/95 is hereby amended as follows:

1. Article 3 is replaced by the following:

Article 3

Classification of cheeses falling within CN codes 0406 20 10, 0406 90 02 to 0406 90 06 and 0406 90 19 shall be subject to the presentation of an IMA 1 certi-

ficate fulfilling the conditions laid down in Title IV, or, where appropriate, a certificate issued in accordance with Article 22a.

CN code 0406 90 01 shall apply only to cheeses imported from third countries.

2. The following Article 22 (a) is inserted:

'Article 22 (a)

1. Article 22 notwithstanding, this Article shall apply to imports coming from Switzerland.

2. Licence applications and licences shall contain:

(a) in Section 15, the detailed description of the product referred to in Article 13 (d);

(b) in Section 16, the combined nomenclature code for the product shown in Annex IV.

3. Licence applications and licences shall show:

(a) in Section 20, one of the following:

- Reglamento (CE) n° 1600/95, artículo 22 *bis*
- Förordning (EF) nr. 1600/95, artikel 22a
- Verordnung (EG) Nr. 1600/95, Artikel 22bis
- Κανονισμός (ΕΚ) αριθ. 1600/95, άρθρο 22α
- Article 22bis of Regulation (EC) No 1600/95
- Règlement (CE) n° 1600/95, article 22 bis
- Regolamento (CE) n. 1600/95, articolo 22bis
- Verordening (EG) nr. 1600/95, artikel 22bis
- Regulamento (CE) n° 1600/95, artigo 22 *bis*
- Asetus (EY) N:o 1600/95, artikla 22bis
- Förordning (EG) nr 1600/95, artikel 22bis;

(b) in Section 24, the rate of duty applicable.

4. Import licences shall be issued only where the applications are accompanied by:

(a) a written declaration by the applicant that the minimum prices referred to in Annex IV have been complied with;

(b) a written undertaking by the applicant to supply, at the request of the competent authorities, any information and additional supporting documentation which they may judge necessary with regard to compliance with the minimum price and to allow any auditing of accounts required by those authorities.

In cases of non-compliance with the minimum price, the duty levied shall be equal to the import duty set in Annex I to Council Regulation (EEC) No 2658/87 increased by 25 %.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 151, 1. 7. 1995, p. 12.

⁽⁴⁾ OJ No L 316, 5. 12. 1996, p. 11.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 75, 15. 3. 1997, p. 9.

5. The reduced rate of duties shall be applied only on presentation of the declaration of release for free circulation accompanied by the import licence and proof of origin, issued in application, *mutatis mutandis*, of the provisions of Protocol 3 of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972.'
3. The heading 'Switzerland' and the text in that section are deleted from Annex VII.
4. In the first column of Annex I the order numbers 38, 43, 45 and 46 are replaced by the order numbers 39, 44, 46 and 47 respectively.

5. In the first column of Annex II the order numbers 36, 37, 39, 40, 41, 42, 44 and 47 are replaced by the order numbers 37, 38, 40, 41, 42, 43, 45 and 48 respectively.

Article 2

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

Article 1 (1), (2) and (3) shall apply from 1 May 1997.

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

Done at Brussels, 19 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 504/97

of 19 March 1997

laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of production aid for products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organization of the markets in processed fruit and vegetable products⁽¹⁾, and in particular Articles 1 (3), 4 (9) and 6 (5), 25, 26 and 27 (1) thereof,

Whereas Regulation (EC) No 2201/96 introduces a system of production aid for the products listed in Annex I thereto and obtained from fruit and vegetables harvested in the Community;

Whereas the products on which the aid is payable, and their marketing years, should be defined with a view to ensuring a uniform application of the arrangements;

Whereas, with a view to facilitating the way the arrangements operate, the authorities should be apprised of each processor wishing to qualify under the system; whereas processors should also notify the authorities of the information needed to ensure that the system operates correctly;

Whereas the new system must be capable of operating from the outset with a sufficient number of producer organizations; whereas, in accordance and by analogy with Council Regulation (EC) No 2202/96 of 28 October 1996 introducing a Community aid scheme for producers of certain citrus fruits⁽²⁾, the term 'producer organizations ... provisionally authorized' in the first subparagraph of Article 2 (2) of Regulation (EC) No 2201/96 must be interpreted as covering not only producer organizations provisionally recognized by virtue of Article 14 of Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽³⁾ but also producer organizations as referred to in Article 13 of that Regulation;

Whereas the production aid system is based on contracts between producer organizations recognized or provisionally recognized pursuant to Regulation (EC) No 2200/96 or individual producers during the period referred to in the second subparagraph of Article 2 (2) of

Regulation (EC) No 2201/96, on the one hand, and processors, on the other hand; whereas, producers and producer organizations may also act as processors in certain circumstances; whereas the types of contracts and the particulars to be included therein should be specified with a view to the application of the aid system;

Whereas, such contracts must be concluded before the beginning of each marketing year; whereas the parties thereto should nevertheless be authorized to increase, by way of amendments thereto and within a definite ceiling, the quantities originally stipulated therein, so that the system may be as efficient as possible;

Whereas the tomato harvest depends on the area planted during the year in question and may accordingly vary substantially from year to year; whereas the quantities available for processing are consequently subject to fluctuations; whereas, in order to encourage producers to take account of the real needs of the processing industry and to adjust their areas planted in consequence, provision should be made for a system of preliminary contracts; whereas such contracts should be concluded before the planting period, in such a way that any planted area will produce only such quantities as can later be disposed of for processing;

Whereas the number of aid applications to be submitted by processors must be determined in line with processing; whereas aid applications must include all particulars necessary for calculating the aid to be paid to processors;

Whereas, the system of production aid set up by Regulation (EC) No 2201/96 is based essentially on direct relations between producer organizations and processors and on the obligation as to the minimum price; whereas it should be provided that a price at least equal to the minimum price for the raw material is to be paid direct by the processor to the producer organization by bank or postal transfer; whereas, in order to administer the system rationally and to facilitate controls, that obligation should be deemed to have been discharged once the processor has made the abovementioned transfer;

Whereas, in return for the obligations imposed on processors of processed tomato products, provision should be made for the possibility of provisional payment of part of the production aid; whereas such provisional payments must be subject to the lodging of a security guaranteeing reimbursement in cases where the conditions for receiving provisional production aid are not observed;

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 29.

⁽²⁾ OJ No L 297, 21. 11. 1996, p. 49.

⁽³⁾ OJ No L 297, 21. 11. 1996, p. 1.

Whereas the quota system for processed tomato products provided for in Article 6 (2), (3) and (4) of Regulation (EC) No 2201/96 stipulates that quantities produced in excess of the quotas for which at least the minimum price was paid should be taken into account when apportioning annual quotas among the Member States and among undertakings; whereas, as a consequence, such quantities, which do not qualify for production aid, should be subject to the same provisions *mutatis mutandis* as quantities covered by the quotas;

Whereas, with a view to the correct application of the production aid system, processors should be under an obligation to keep suitable updated records for the purposes of any inspections and checks deemed necessary;

Whereas experience gained in the administration of the production aid system calls, on the one hand, for the provisions on controls to be stepped up by providing for checks to be carried out on a sufficiently representative number of aid applications and, on the other hand, for certain penalties to be laid down for failure by processors to comply with the legislation and in particular for any false declarations;

Whereas the measures provided for in this Regulation are to replace those laid down in Commission Regulation (EEC) No 1558/91 of 7 June 1991 laying down detailed rules for the application of the system of production aid for products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2529/95⁽²⁾; whereas that Regulation should accordingly be repealed;

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

HAS ADOPTED THIS REGULATION:

TITLE I

General provisions

Article 1

1. For the purposes of this Regulation:

- (a) *producer* means any natural or legal person who grows on his holding raw material intended for processing;
- (b) *individual producers* means producers not affiliated to any collective body, as referred to in the second

subparagraph of Article 2 (2) of Regulation (EC) No 2201/96;

- (c) *producer organizations* means producer organizations as referred to in Articles 11 and 13 of Regulation (EC) No 2200/96 and producer organizations recognized provisionally by virtue of Article 14 thereof;
- (d) *associations of producer organizations* means associations as referred to in Article 16 (3) of Regulation (EC) No 2200/96;
- (e) *processor* means a processing enterprise operating, for economic ends and under its own responsibility, one or more plants having facilities for manufacturing one or more of the products listed in Annex I to Regulation (EC) No 2201/96;
- (f) *association of processors* means an association of processors recognized by a Member State.

2. For the purposes of the system of production aid:

- (a) *peaches in syrup and/or in natural fruit juice* means whole peaches or pieces of peaches, without peel, having undergone a heat treatment, packed in hermetically sealed containers with a covering liquid of sugar syrup or natural fruit juice and covered by CN codes ex 2008 70 61, ex 2008 70 69, ex 2008 70 71, ex 2008 70 79, ex 2008 70 92, ex 2008 70 94 and ex 2008 70 99;
- (b) *Williams and Rocha pears in syrup and/or in natural fruit juice* means pears of the Williams or Rocha varieties, whole or in pieces, without peel, having undergone a heat treatment, packed in hermetically sealed containers with a covering liquid of sugar syrup or natural fruit juice and covered by CN codes ex 2008 40 51, ex 2008 40 59, 2008 40 71, ex 2008 40 79, ex 2008 40 91 and ex 2008 40 99;
- (c) *prunes* means prunes obtained from dried plums of the *prunes d'Ente* variety which have been suitably treated or processed and are packed in appropriate containers, covered by CN code ex 0813 20 00 and ready to be offered for human consumption;
- (d) *dried figs* means dried figs, including fig paste, which have been suitably treated or processed and are packed in appropriate containers, covered by CN code ex 0804 20 90 and ready to be offered for human consumption;
- (e) *unprocessed dried figs* means dried figs which have not been treated in such a way that they are ready to be offered for human consumption;
- (f) *whole peeled quick-frozen tomatoes* means peeled tomatoes of the San Marzano, Roma or similar varieties, frozen, packed in appropriate containers and covered by CN code ex 0710 80 70, where not less than 90 % of the net weight of the tomatoes consists of whole tomatoes not showing any damage which substantially alters their appearance. That percentage shall be determined after the tomatoes have been thawed;

⁽¹⁾ OJ No L 144, 8. 6. 1991, p. 31.

⁽²⁾ OJ No L 258, 28. 10. 1995, p. 52.

- (g) *non-whole quick-frozen tomatoes* means pieces of peeled tomatoes of the San Marzano, Roma or similar varieties, or round varieties which are as easy to peel as the said varieties, preserved by freezing, packed in appropriate containers and covered by CN code ex 0710 80 70;
- (h) *whole peeled preserved tomatoes* means peeled tomatoes of the San Marzano, Roma or similar varieties, having undergone a heat treatment, packed in hermetically sealed containers and covered by CN code ex 2002 10 10, where not less than 65 % of the weight of the drained tomatoes consists of whole tomatoes which do not show damage which substantially alters their appearance;
- (i) *non-whole peeled preserved tomatoes* means peeled tomatoes in pieces or partially crushed of the San Marzano, Roma or similar varieties, or round varieties which are as easy to peel as the said varieties, having undergone a heat treatment, packed in hermetically sealed containers and covered by CN code ex 2002 10 10;
- (j) *tomato flakes* means flakes obtained by drying of tomatoes, packed in appropriate containers and covered by CN code ex 0712 90 30;
- (k) *tomato juice* means juice obtained direct from fresh tomatoes, the juice being strained free from skins, pips and other coarse parts and having, where applicable after concentration, a dry weight content of less than 12 %, packed in hermetically sealed containers and covered by CN codes ex 2002 90 11, 2002 90 19, 2009 50 10 and 2009 50 90;
- (l) *tomato concentrate* means the product obtained by concentrating tomato juice, packed in appropriate containers, having a dry weight of 12 % or more and covered by CN codes ex 2002 90 31, ex 2002 90 39, ex 2002 90 91 and ex 2002 90 99. However, certain preparations of concentrate having a dry weight of not more than 18 % may contain not more than 4 % skin and pips by weight of product;
- (m) *whole unpeeled preserved tomatoes* means whole unpeeled tomatoes of the Roma or similar varieties or of the round varieties, having undergone a heat treatment, packed in hermetically sealed containers, lightly brined (natural preparation) or in tomato purée (tomato purée or juice preparation), where not less than 65 % of the weight of the drained tomatoes consists of whole tomatoes not showing any damage which substantially alters their appearance, and covered by CN code ex 2002 10 90;
- (n) *non-whole unpeeled preserved tomatoes* means tomatoes in pieces or crushed, of the Roma or similar varieties or of the round varieties, having been slightly strained, whether or not slightly concentrated, packed in hermetically sealed containers where the dry weight content is between 4,5 % and 14 %, and covered by CN code ex 2002 10 90;
- (o) *sugar syrup* means a liquid in which water is combined with sugars and which has a total sugar content determined after homogenization of not less than 14 % in respect of fruits in syrup;
- (p) *natural fruit juice* means a covering liquid with a minimum of 10,5° Brix, consisting solely of juice extracted mechanically from fermentable but unfermented fruit, or of juice obtained from concentrated fruit juice by the restoration of the proportion of water extracted during concentration as defined in Council Directive 93/77/EEC⁽¹⁾, without added sugar.
3. Products as referred to in paragraph 2 (a), (b) and (c) shall not include fruit preserved by sugar as defined in CN code 2006 00 that is subsequently packed with a covering liquid of sugar, nor shall they include fruit purées and other crushed fruit preparations.
4. Tomato juice and tomato concentrate to be added to preserved tomatoes shall be products on which production aid has not been, and will not be, applied for. The weight of the tomato juice and tomato concentrate added to such products shall be included in the net weight of the tomatoes themselves, whether peeled or unpeeled.

TITLE II

Marketing years

Article 2

1. The marketing years within the meaning of Article 1 (3) of Regulation (EC) No 2201/96 for the products referred to in Article 1 (2) of this Regulation shall run:

(a) from 15 June to 14 June for:

- peeled frozen tomatoes, whether or not cooked, covered by CN code ex 0710 80 70,
- tomato flakes covered by CN code ex 0712 90 30,
- prepared or preserved tomatoes covered by CN code ex 2002,
- tomato juice covered by CN code 2009 50,
- peaches in syrup and/or in natural fruit juice covered by CN code ex 2008 70;

⁽¹⁾ OJ No L 244, 30. 9. 1993, p. 23.

- (b) from 1 July to 30 June for dried figs covered by CN code ex 0804 20 90;
 - (c) from 15 July to 14 July for Williams and Rocha pears in syrup and/or in natural fruit juice covered by CN code ex 2008 40;
 - (d) from 1 September to 31 August for prunes obtained from dried plums of the *prunes d'Ente* variety, covered by CN code ex 0813 20 00;
2. Production aid shall be granted solely on products delivered to the processing industry in the following delivery periods:
- (a) tomatoes: between 15 June and 25 November,
 - (b) peaches: between 15 June and 25 October,
 - (c) Williams and Rocha pears: between 15 July and 15 December,
 - (d) prunes obtained from plums of the *prunes d'Ente* variety: between 1 September and 31 December,
 - (e) dried figs: between 15 July and 15 June.

TITLE III

Information forwarded by processors

Article 3

Processors wishing to qualify under the system of aid shall so inform the competent authorities of the Member States by 15 January preceding the marketing year in which aid applications are to be made, giving all information required by the Member State with a view to the administration and monitoring of the system of aid. Member States may decide that such information shall:

- (a) be notified by new processors only, where they have already received the necessary information concerning other processors;
- (b) cover one or more marketing years or an unlimited period.

Article 4

1. At least five working days before commencement of processing each marketing year, processors shall inform the competent authorities of the week in which they so begin processing. The processor shall be deemed to have fulfilled this requirement if he furnishes proof that he has sent the said information at least eight working days before the abovementioned deadline.

2. In exceptional, duly justified cases, Member States may accept notifications after the deadlines laid down in paragraph 1; however, in such cases no aid shall be granted in respect of quantities already processed and on which the necessary checks on compliance with the

conditions for granting the aid cannot be conducted to the satisfaction of the competent authorities.

Article 5

Each year processors as referred to in Article 3 shall notify the agency designated by the Member State of the following:

1. in the case of peaches, pears and tomatoes:

(a) by 1 November:

- (i) the quantity of raw material delivered before 22 October and entered in the records of raw materials, and the quantity of raw material scheduled to be delivered during the remainder of the delivery period as defined in Article 2 (2). The quantity to be notified shall be that used or intended to be used for processing into finished products as defined in Article 1 (2), broken down into:

- the quantity in respect of which the production aid has been or is to be applied for,
- the quantity in respect of which the production aid has not been or will not be applied for.

In the case of tomatoes, the quantity referred to in the second indent shall be broken down into the quantities for which at least the minimum price has and has not been paid;

- (ii) the quantity of finished products obtained or likely to be obtained from the quantities of fresh products referred to in point (i).

In the case of processed tomato products, the quantity of finished products to be notified in respect of each category of raw material as referred to in point (i) shall be broken down into:

- tomato concentrate of a dry-matter content by weight of 28 % or more but less than 30 %,
- preserved whole peeled tomatoes of the San Marzano variety,
- preserved whole peeled tomatoes of the Roma or similar varieties,
- other processed tomato products;

- (iii) the quantities, expressed in net weight, of finished products in stock at the end of the preceding marketing year, broken down into products sold and products unsold and, in the case of processed tomato products, further broken down in accordance with point (ii);

- (b) by 20 January, the quantities referred to in point (a) (ii) in stock at 31 December, broken down into products sold and products unsold;

2. in the case of dried figs and prunes, by 15 May:

- (a) the quantity of raw material used at 1 May;
- (b) the quantity of finished products obtained from the raw material as referred to in (a), broken down into products on which aid is paid and products on which aid is not paid and into quality classes;
- (c) the quantity of products referred to in (a) and (b) in stock at 1 May, broken down into products sold and products unsold.

TITLE IV

Contracts

CHAPTER I

Preliminary contracts

Article 6

1. In the case of tomatoes, preliminary contracts shall be concluded by 16 February each year, pending the conclusion of contracts as referred to in Article 7 (1). Member States may defer that date to 16 March.

However, during the period referred to in the second subparagraph of Article 2 (2) of Regulation (EC) No 2201/96, preliminary contracts may be concluded by individual producers. Where individual producers become full members of a producer organization between the conclusion of the preliminary contract and that of the processing contract, the rights arising under preliminary contracts shall be transferred to the producer organization in question.

2. Preliminary contracts shall bear an identification number and shall include the particulars specified in Article 7 (2) (a) and (b), the area planted and the estimated quantity of tomatoes to be harvested on that area.

3. A copy of the preliminary contract shall be forwarded by the processor or the association of processors to the agency referred to in Article 8 (1) so as to reach the latter within 10 working days of the conclusion of that contract.

The provisions of Article 8 (2) shall apply.

4. For the purposes of the production aid system, processing contracts as referred to in Article 7 (1) shall not be valid for tomatoes unless they cover the total quantity of tomatoes harvested on the area stipulated in the preliminary contract or the estimated quantity indicated therein. Processing contracts shall include a reference to the number of the preliminary contract.

5. Once preliminary contracts as referred to in paragraph 1 are concluded, the producer organization or association of producer organizations and associations of processors shall forward to the competent authorities, or shall allow the latter to consult, a list giving the names and addresses of each producer or each processor covered by the contract and the cadastral reference numbers, or references recognized as equivalent by the inspection body, for the area on which each producer is to harvest tomatoes.

CHAPTER II

Processing contracts

Article 7

1. Contracts as referred to in Article 2 (2) of Regulation (EC) No 2201/96, hereinafter referred to as 'processing contracts', shall be concluded in writing. They shall take one of the following forms:

- (a) a contract between a producer organization or an association of producer organizations, on the one hand, and a processor or an association of processors, on the other;
- (b) an undertaking covering supplies, where the producer organization or association of producer organizations acts as processor;
- (c) a contract between an individual producer, on the one hand, and a processor or an association of processors, on the other, covering the period defined in the second subparagraph of Article 2 (2) of Regulation (EC) No 2201/96.

2. Processing contracts must specify:

- (a) the name and address of the producer, producer organization or association of producer organizations;
- (b) the name and address of the processor or association of processors;
- (c) the quantities of raw materials covered.

In the case of tomatoes, such quantities shall be broken down according to the finished products to be obtained. Contracts shall also specify the quantities not covered by the quota for which at least the minimum price was paid, broken down in the same manner;

- (d) the schedule for deliveries to the processor;
- (e) the price to be paid to the other party to the contract for the raw materials, excluding in particular costs connected with packing, loading, transport, unloading and the payment of taxes, which shall, where applicable, be indicated separately.

The price shall not be lower than the minimum price fixed pursuant to Article 3 of Regulation (EC) No 2201/96;

3. The parties may decide, by written amendments to processing contracts, to increase the quantities originally stipulated therein.

Such amendments shall be concluded by:

- 15 September for tomatoes,
- 15 August for peaches,
- 15 September for Williams and Rocha pears,
- 15 November for prunes obtained from plums of the *prunes d'Ente* variety and dried figs.

Such amendments shall relate to no more than 20 % of the quantities originally stipulated in the contracts. However, in the case of prunes, that maximum shall be 30 %.

4. Where producer organizations or, during the period referred to in the second subparagraph of Article 2 (2) of Regulation (EC) No 2201/96, individual producers act as processors, the processing contracts covering their own production shall be deemed to have been concluded after the following particulars are forwarded to the competent authority within the time-limit laid down in Article 8 (1):

- (a) the total area on which the raw material is grown, together with cadastral reference numbers or a reference recognized as equivalent by the inspection agency,
- (b) an estimate of the total harvest,
- (c) the quantity intended to be processed, broken down in the case of tomatoes in accordance with paragraph 2 (c),
- (d) the processing schedule.

5. Where the minimum price payable to the producer for a given product is not published in the *Official Journal of the European Communities* fifteen days before the beginning of the marketing year, the deadline for signature of contracts shall, for the purposes of the fourth subparagraph of Article 2 (2) of Regulation (EC) No 2201/96, be deemed to be the fifteenth day following that of publication of the price.

Article 8

1. Processors and associations thereof shall forward copies of processing contracts and any amendments thereto to the agency designated by the Member State where the raw materials are produced and, where applicable, to the agency designated by the Member State

where processing takes place. Such copies must reach the competent authorities within 10 working days of conclusion of the contract.

2. In exceptional and duly justified cases, Member States may accept processing contracts and amendments thereto which reach their authorities at a later date, provided that such acceptance is compatible with the objectives of the system of aid and does not jeopardize the possibility of controls.

Article 9

1. Without prejudice to cases covered by Article 7 (1) (b), a price at least equal to the minimum price shall be paid for the raw materials by processors by bank or post-office transfer order to producer organizations or, during the period referred to in the second subparagraph of Article 2 (2) of Regulation (EC) No 2201/96, to individual producers.

A producer organization shall pay the amounts referred to in the first subparagraph in full within 15 working days by transfer order to its members and, where applicable, to producers who market their production through the organization in accordance with the third subparagraph of Article 2 (2) of Regulation (EC) No 2201/96. In cases envisaged by Article 7 (1) (b) of this Regulation, such payments may be expressed as credits.

2. Member States may adopt additional provisions relating to processing contracts, covering in particular time-limits, terms of payment of the minimum price and damages payable by processors, producer organizations or producers where the latter do not fulfil their obligations under contracts.

Article 10

Without prejudice to minimum quality criteria laid down or to be laid down in accordance with the procedure provided for in Article 46 of Regulation (EC) No 2200/96, raw materials delivered to processors under processing contracts shall be of sound and fair merchantable quality and suitable for processing.

TITLE V

Aid applications

Article 11

1. Processors shall submit production aid applications to the agency designated by the Member State on whose territory processing is carried out.

2. In the case of dried figs, processors shall submit three aid applications in respect of each marketing year:

- (a) the first relating to products processed before 30 November,
- (b) the second relating to products processed from 1 December to the end of February, and
- (c) the third relating to products processed during the remainder of the marketing year concerned.

Aid applications as referred to in (a) and (b) shall be submitted within 30 days of expiry of the processing period concerned, and, in the case of those referred to in (c), by 31 October of the following marketing year.

3. In the case of prunes, processors shall submit three aid applications in respect of each marketing year:

- (a) the first relating to products processed before 31 December,
- (b) the second relating to products processed from 1 January to 30 April, and
- (c) the third relating to products processed during the remainder of the marketing year concerned.

Aid applications as referred to in (a) and (b) shall be submitted within 30 days of expiry of the processing period concerned and, in the case of those referred to in (c), by 30 November of the following marketing year.

4. In the case of products processed from peaches, pears and tomatoes, aid applications may be submitted once only per marketing year. They must reach the competent authorities by 1 February of the marketing year concerned.

5. In exceptional, duly justified cases, Member States may accept aid applications after the deadlines laid down in this Article, provided that this does not adversely affect the system of production aid.

Article 12

1. Aid applications shall include, in particular:

- (a) the name and address of the applicant;
- (b) the net weight of finished products for which a specific rate of aid is applicable, broken down into products on which aid is and is not paid;
- (c) the net weight of the raw materials used to obtain each category of products as referred to in (b), broken down into quantities covered by contracts signed with producer organizations and those covered by contracts signed with individual producers;

- (d) a declaration by the processor to the effect that the finished products comply with the quality standards laid down pursuant to Article 8 of Regulation (EC) No 2201/96.

2. Aid applications shall be accompanied by copies of the transfer orders provided for in the first subparagraph of Article 9 (1). In the case of undertakings covering supplies, such copies may be replaced by a declaration by the producer to the effect that the processor has credited him with a price at least equal to the minimum. Such copies or declarations shall quote the references of the relevant contracts.

3. For the purposes of the second subparagraph of Article 2 (2) of Regulation (EC) No 2201/96, the quantities on which the aid is payable and obtained from raw materials delivered under contracts concluded with individual producers may not exceed the percentages laid down in that subparagraph, of the total quantity of finished products obtained by the processor in respect of which the other conditions for the granting of the aid are fulfilled.

4. In the case of processed tomato products, aid applications must also be accompanied by the following information:

- (a) in respect of products not covered by the quota for which at least the minimum price has been paid:

- the net weight of the finished products, broken down as for the products on which the aid is payable,
- the net weight of the raw materials used for processing into each of the finished products referred to in the first indent,
- a declaration by the processor to the effect that the finished products meet the quality standards laid down by the Community,

- copies of the transfer orders referred to in the first subparagraph of Article 9 (1) or, in the case of undertakings covering supplies, of a declaration by the producer to the effect that the processor has credited him with a price at least equal to the minimum. Such declarations must quote the references of the relevant contracts;

- (b) in respect of products not covered by the quota for which at least the minimum price has not been paid:

- the net weight of the finished products, broken down as for products on which aid is payable,
- the net weight of the raw materials used for processing into each of the finished products referred to in the preceding indent.

Article 13

1. In the case of processed tomato products, between 1 September and 30 November processors may submit applications for payment of provisional aid. Such applications shall include in particular:

- (a) the name and address of the applicant;
- (b) the net weight of the finished products processed by 25 November and covered by the provisional aid application, broken down into the rates of aid applicable;
- (c) the net weight of the tomatoes used for processing into each of the products referred to in (b);
- (d) a copy of the bank or post-office transfer orders proving payment of a price of 50 % or more of the minimum price for the quantities of tomatoes referred to in (c) and the references of the concluded contracts to which those quantities relate;
- (e) a declaration by the processor to the effect that the products referred to in (b) meet the quality requirements laid down by the Community.

2. The provisional production aid payable on the quantity of finished products referred to in paragraph 1 (b) shall be paid to the processor. The provisional aid shall be paid subject to the lodging of a security equal to the aid, plus 10 %.

Article 12 (3) shall apply.

The provisional aid shall be paid by the competent body within 30 days of the date of lodging of the application.

At the request of the Member State, the time-limit may, with the agreement of the Commission, be extended to 45 days where, for duly justified reasons of verification, the shorter time-limit cannot be met.

3. Securities shall be forfeited in proportion to any quantity in respect of which provisional aid has been unduly applied for, without prejudice to Article 16.

4. Without prejudice to paragraph 3, securities shall be released once production aid based on aid applications as referred to in Article 12 is paid by the competent authorities.

5. Where this Article is implemented, the information and documents referred to in Article 12 (1) and (2) shall cover the entire production of processors during the marketing year concerned and aid applications shall state that an application for provisional aid has been submitted.

TITLE VI**Checks and penalties***Article 14*

1. Processors shall keep records showing at least the following:

- (a) consignments of raw materials purchased and entering their premises each day, specifying those covered by processing contracts or amendments thereto, together with the numbers of any receipts in respect of such consignments;
- (b) the weight of each consignment and the name and address of the other party to the contract;
- (c) the quantities of finished products obtained each day from processing of the raw materials, broken down into quantities on which the aid is payable and others;
- (d) in the case of processed tomato products, the quantities of finished products obtained each day from the processing of raw materials not covered by the quota, for which at least the minimum price was paid;
- (e) the quantities and prices of products leaving the processor's premises, consignment by consignment, with details of the consignee. Such data may be recorded by reference to supporting documents, provided the latter contain the abovementioned particulars.

2. Processors shall retain proof of payment in respect of all raw materials purchased under processing contracts or amendments thereto.

3. Processors shall undergo any inspections or checks deemed necessary and shall keep such additional records as the national authorities require to conduct any checks they deem necessary. Where an inspection or checks laid down cannot be conducted for reasons attributable to the processor, despite the latter's having been formally notified thereof, no aid shall be paid in respect of the marketing year in question.

Article 15

1. Each marketing year the competent authorities shall verify processors' records and shall conduct on-the-spot sampling checks of aid applications covering at least 25 % of the quantities of finished products in question, to ensure, in particular, that:

- (a) finished products which may be the subject of a production aid application meet the applicable quality standards. Where the results of analysis of official

samples are at variance with the particulars entered in processors' records, thereby implying that the minimum Community quality standards have not been met, no aid shall be paid in respect of the processing operations in question;

- (b) the quantities of raw materials used for processing correspond to those indicated in the aid application;
- (c) the price paid for the raw materials processed into products as referred to in (a) is at least equal to the minimum price laid down; and
- (d) the raw materials comply with the quality requirements.

2. In the case of processed tomato products, verification of processors' records and sampling checks as provided for in paragraph 1 shall also be carried out in respect of quantities not covered by the quota for which at least the minimum price has been paid.

3. Each marketing year, the competent authorities shall also conduct sampling checks covering:

- (a) the weight of the raw materials delivered to processing plants,
- (b) transfer orders as referred to in Article 9 (1).

4. Verifications undertaken pursuant to this Article shall be without prejudice to any checks conducted subsequently by the competent authorities or any consequences resulting from the application of the provisions in force.

5. Member States shall take all measures necessary to prevent and punish fraud in respect of the production aid system and to ensure the correct implementation thereof.

Article 16

1. With regard to provisional aid under Article 13, where processors do not submit aid applications covered by Article 11 (4), the securities provided for in Article 13 (2) shall be forfeited in full and the processors shall be disqualified from the production aid system provided for in Article 2 of Regulation (EC) No 2201/96 for the following marketing year.

2. Where it is ascertained that the production aid on a product, applied for by a processor in respect of any marketing year, exceeds the amount due, then that amount shall be reduced where the difference is the result of false declarations or false documents or of negligence on the part of the processor. The reduction shall be equal to twice the difference, plus interest calculated on the time elapsing between payment and reimbursement by the recipient of the excess amount.

The rate of interest shall be that applied by the European Monetary Institute to operations in ecus and published in the 'C' series of the *Official Journal of the European Communities* in force at the date of over-payment, plus three percentage points.

3. Where paragraph 2 is applied, if the difference between the aid actually paid and the aid due exceeds 20 % of the latter, the recipient shall reimburse the total aid paid, plus interest calculated in accordance with that paragraph; if that difference exceeds 30 %, the processor shall in addition forfeit any right to production aid for the following marketing year.

4. Amounts recovered and interest due shall be paid to the competent paying agency and deducted from expenditure financed by the European Agricultural Guidance and Guarantee Fund.

5. Member States shall take the measures necessary to ensure compliance with the second subparagraph of Article 9 (1). They shall make provision in particular for the penalties applicable to the officers of producer organizations, to be commensurate with the seriousness of any misconduct on their part.

6. This Article shall apply without prejudice to other penalties to be adopted in accordance with Article 25 of Regulation (EC) No 2201/96.

TITLE VII

Notifications to the Commission

Article 17

Each Member State concerned shall notify the Commission:

1. by 1 December, of the following:

- (a) the estimated harvest of unprocessed dried figs, prunes, peaches, pears and tomatoes used or intended to be used for processing into any of the finished products referred to in Article 1 (2), broken down in accordance with (b);
- (b) the estimated production during the current marketing year of:
 - tomato concentrate,
 - whole peeled preserved tomatoes, broken down into peeled tomatoes of the San Marzano variety and peeled tomatoes of the Roma variety and similar varieties,
 - other processed tomato products,

- peaches in syrup and/or in natural juice,
- Williams and Rocha pears in syrup and/or in natural juice,
- dried figs,
- prunes;

2. by 1 April, of the following:

- (a) the quantity, expressed as net weight, of finished products processed from peaches, pears and tomatoes, broken down into products on which aid is paid and products on which aid is not paid;
- (b) the quantity of raw materials used to manufacture the products referred to in (a);
- (c) the quantity, expressed as net weight, of products as referred to in (a) in stock at 31 December of the preceding year, broken down into products sold and products unsold;
- (d) in the case of tomatoes, the quantities referred to in (a), (b) and (c), further broken down by rate of aid;
- (e) in the case of processed tomato products:
 - (i) in the case of products not covered by the quota for which at least the minimum price was paid:
 - the quantity, expressed as net weight, of finished products covered by aid applications,
 - the quantity of raw materials quoted in aid applications as having been used to manufacture products covered by the first indent;
 - (ii) in the case of products not covered by the quota for which at least the minimum price was not paid:
 - the quantity, expressed as net weight, of finished products covered by aid applications,
 - the quantity of raw material quoted in aid applications as having been used to manufacture products as referred to in the first indent;
 - (iii) the quantities of finished products and raw materials as referred to in points (i) and (ii), broken down in the same way as products qualifying for aid;

(iv) the total area in hectares planted during the marketing year;

(v) the average yield, expressed in tonnes per hectare, for the marketing year;

(vi) the area and yield, broken down into:

- tomatoes of the San Marzano variety,
- tomatoes of the Roma and similar varieties,
- tomatoes of round varieties;

3. by 1 June, of the following:

- (a) the quantity, expressed as net weight, of prunes and dried figs, broken down into products on which the aid is paid and products on which the aid is not paid, and by quality class;
- (b) the total quantity of dried figs and prunes obtained from plums of the *prunes d'Ente* variety used in the manufacture of products as referred to in (a);
- (c) the quantity, expressed as net weight, of products as referred to in (a) and (b) in stock at 1 May, broken down into products sold and products unsold.

TITLE VIII

Final provisions

Article 18

Regulation (EC) No 1558/91 is hereby repealed. However, it shall remain applicable for each product concerned until the end of the 1996/97 marketing year.

Article 19

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

However, the first subparagraph of Article 6 (1) concerning the closing date for the conclusion of preliminary contracts shall not apply for the 1997/98 marketing year.

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

Done at Brussels, 19 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 505/97**of 19 March 1997****providing for the rejection of applications for export licences in relation to products falling within the beef sector**

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⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 laying down special rules for the application of the system of import and export licences for beef and repealing Regulation (EEC) No 2377/80⁽³⁾, as last amended by Regulation (EC) No 266/97⁽⁴⁾, and in particular Article 10 thereof,

Whereas the quantity covered by applications for advance fixing of refunds is greater than that normally disposed of; whereas it has therefore been decided to reject all applica-

tions for export licences for beef made after 13 and 14 March 1997,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with Article 10 (2) of Regulation (EC) No 1445/95, applications for export licences with advance fixing of refunds for products falling within the beef sector made between 13 and 14 March 1997 shall be rejected.

Article 2

This Regulation shall enter into force on 20 March 1997.

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

Done at Brussels, 19 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁴⁾ OJ No L 45, 15. 2. 1997, p. 1.

COMMISSION REGULATION (EC) No 506/97
of 19 March 1997
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 20 March 1997.

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

Done at Brussels, 19 March 1997.

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 19 March 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽²⁾			
	Third countries (except ACP and Bangladesh) ⁽³⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽⁵⁾ ⁽³⁾ ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁸⁾
1006 10 21	(7)	140,81		217,73
1006 10 23	(7)	140,81		217,73
1006 10 25	(7)	140,81		217,73
1006 10 27	(7)	140,81		217,73
1006 10 92	(7)	140,81		217,73
1006 10 94	(7)	140,81		217,73
1006 10 96	(7)	140,81		217,73
1006 10 98	(7)	140,81		217,73
1006 20 11	345,90	168,61		259,43
1006 20 13	345,90	168,61		259,43
1006 20 15	345,90	168,61		259,43
1006 20 17	249,44	120,38	0	187,08
1006 20 92	345,90	168,61		259,43
1006 20 94	345,90	168,61		259,43
1006 20 96	345,90	168,61		259,43
1006 20 98	249,44	120,38	0	187,08
1006 30 21	572,00	271,09		429,00
1006 30 23	572,00	271,09		429,00
1006 30 25	572,00	271,09		429,00
1006 30 27	572,00	271,09		429,00
1006 30 42	572,00	271,09		429,00
1006 30 44	572,00	271,09		429,00
1006 30 46	572,00	271,09		429,00
1006 30 48	572,00	271,09		429,00
1006 30 61	572,00	271,09		429,00
1006 30 63	572,00	271,09		429,00
1006 30 65	572,00	271,09		429,00
1006 30 67	572,00	271,09		429,00
1006 30 92	572,00	271,09		429,00
1006 30 94	572,00	271,09		429,00
1006 30 96	572,00	271,09		429,00
1006 30 98	572,00	271,09		429,00
1006 40 00	(7)	84,38		132,00

⁽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.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ No L 292, 15. 11. 1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ No L 31, 1. 2. 1997, p. 53).

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)	249,44	572,00	345,90	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	441,45	400,48	362,50	412,50	—
(b) fob price (\$/tonne)	—	—	—	332,50	382,50	—
(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 507/97

of 19 March 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 Commis-

sion 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 20 March 1997.

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

Done at Brussels, 19 March 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 19 March 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	204	60,7
	212	103,0
	624	141,0
	999	101,6
0707 00 15	052	128,0
	999	128,0
0709 10 10	220	121,3
	999	121,3
0709 90 73	052	71,7
	204	86,0
	999	78,8
0805 10 01, 0805 10 05, 0805 10 09	052	53,4
	204	41,5
	212	42,5
	448	26,2
	600	38,5
	624	49,1
	999	41,9
0805 30 20	600	80,4
	999	80,4
0808 10 51, 0808 10 53, 0808 10 59	060	57,3
	388	99,1
	400	104,0
	404	100,7
	508	78,1
	512	92,0
	524	80,1
	528	94,3
	999	88,2
	388	64,3
	400	82,0
0808 20 31	512	65,5
	528	70,2
	999	70,5
	999	70,5

⁽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'.

Information on the date of entry into force and the date of application of the Agreement on fisheries relations between the European Community and the Republic of Latvia ⁽¹⁾

As the internal procedures for application by both parties of the Agreement on fisheries relations between the European Community and the Government of the Republic of Latvia, signed on 19 December 1996, have been completed, the Agreement accordingly entered into force on 6 February 1997 in accordance with Article 18 thereof.

⁽¹⁾ OJ No L 332, 20. 12. 1996, p. 1.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 11 March 1997

appointing three members and six alternate members of the Committee of the Regions

(97/187/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Having regard to Council Decision 94/65/EC, of 26 January 1994⁽¹⁾ and 95/15/EC of 23 January 1995⁽²⁾ appointing members and alternate members of the Committee of the Regions,

Whereas three seats as members and six seats as alternate members of the Committee have become vacant following the resignations of Mr Wolter Lemstra, Mr Jan C. Terlouw and Ms Christina Bührmann, members, and Mr Michel Jager, Mr Antoine Kessen, Mr Edgar F. L. Peer, Mr Bert Westerink, Ms Nathalie de T'Serclaes and Mr Helmut Holl, alternate members, notified to the Council on 3 September 1996, 23 January 1997, 27 January 1997, 28 February 1997, 28 February 1997, 29 January 1997, 10 February 1997, 24 October 1996 and 28 February 1997 respectively;

Having regard to the proposals from the Netherlands, German and Belgian governments,

HAS DECIDED AS FOLLOWS:

Sole Article

1. Mr Antoine Kessen is hereby appointed a member of the Committee of the Regions in place of Mr Wolter Lemstra for the remainder of the latter's term of office, which runs until 25 January 1998.
2. Ms M. J. Loupen-Laurant is hereby appointed a member of the Committee of the Regions in place of Mr Jan C. Terlouw for the remainder of the latter's term of office, which runs until 25 January 1998.
3. Mrs Heidrun Alm-Merk is hereby appointed a member of the Committee of the Regions in place of Ms Chris-

tina Bührmann for the remainder of the latter's term of office, which runs until 25 January 1998.

4. Ms M. M. Van Den Brink is hereby appointed an alternate member of the Committee of the Regions in place of Mr Michel Jager for the remainder of the latter's term of office, which runs until 25 January 1998.
5. Mr M. Verbeek is hereby appointed an alternate member of the Committee of the Regions in place of Mr Antoine Kessen for the remainder of the latter's term of office, which runs until 25 January 1998.
6. Ms P. C. Krikke is hereby appointed an alternate member of the Committee of the Regions in place of Mr Edgar Peer for the remainder of the latter's term of office, which runs until 25 January 1998.
7. M A. G. J. M. Rombouts is hereby appointed an alternate member of the Committee of the Regions in place of Mr Bert Westerink for the remainder of the latter's term of office, which runs until 25 January 1998.
8. Mr Michel Lebrun is hereby appointed an alternate member of the Committee of the Regions in place of Ms Nathalie de T'Serclaes for the remainder of the latter's term of office, which runs until 25 January 1998.
9. Mr Werner Litten is hereby appointed an alternate member of the Committee of the Regions in place of Mr Helmut Holl for the remainder of the latter's term of office, which runs until 25 January 1998.

Done at Brussels, 11 March 1997.

For the Council

The President

A. JORRITSMA-LEBBINK

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.

⁽²⁾ OJ No L 25, 2. 2. 1995, p. 20.

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

No 220/96/COL

of 4 December 1996

amending Decision No 71/94/COL concerning the status of Norway with regard to infectious hematopoietic necrosis and viral haemorrhagic septicaemia

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 5 of Chapter I of Annex I to the Agreement on the European Economic Area concerning the animal health conditions governing the placing on the market of aquaculture animals and products (Council Directive 91/67/EEC), and in particular Article 5 thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (e) thereof,

Whereas Norway, by Decision of the EFTA Surveillance Authority No 71/94/COL⁽¹⁾ was recognized as approved continental zone and coastal zone for fish with regard to infectious hematopoietic necrosis (IHN) and viral haemorrhagic septicaemia (VHS);

Whereas Norway, on 18 March 1996, has established a buffer zone towards the Russian border with regard to IHN and VHS;

Whereas Norway has requested Decision No 71/94/COL to be amended so as to take account of the buffer zone along the Russian border;

Whereas, accordingly, as far as IHN and VHS are concerned, the Norwegian status as an approved continental and coastal zone should be limited to Norway with the exemption of the buffer zone;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

⁽¹⁾ OJ No L 247, 22. 9. 1994, p. 45.

HAS ADOPTED THIS DECISION:

1. Point 1 of EFTA Surveillance Authority Decision No 71/94/COL concerning the status of Norway with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia is hereby replaced by the following:
 - '1. Norway, with the exemption of the Norwegian part of the catchment areas of Grense Jakobselv and Pasvik river and the rivers in between and the associated coastal region, is recognized as approved continental zone and as approved coastal zone for fish with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.'
2. This Decision shall enter into force on 9 December 1996.
3. This Decision is addressed to the EFTA States.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON

College Member

EFTA SURVEILLANCE AUTHORITY DECISION

No 221/96/COL

of 4 December 1996

replacing Decision No 32/94/COL establishing the status of EFTA States or regions with regard to Newcastle disease, as amended by Decision No 190/94/COL, in so far as these Decisions concern Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 4 of Chapter I of Annex I to the Agreement on the European Economic Area concerning the animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (Council Directive 90/539/EEC; hereinafter referred to as 'the Poultry Act'), and in particular Article 12 (2) thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (e) thereof,

Whereas Norway, by Decision of the EFTA Surveillance Authority No 190/94/COL ⁽¹⁾ amending Decision No 32/94/COL ⁽²⁾, was granted the status as being free of Newcastle disease;

Whereas these Decisions comprise, in addition to Newcastle disease-free status thus granted to Norway, similar status granted to Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 190/94/COL amending Decision No 32/94/COL is unchanged, has requested that the Decisions, in so far as they concern the Newcastle disease-free status granted to Norway, be replaced by a new decision, covering only the Newcastle disease-free status granted to Norway, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new decision would not in any way alter the material situation compared to what applies by virtue of Decision No 32/94/COL, as amended by Decision No 190/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

⁽¹⁾ OJ No L 383, 30. 12. 1994, p. 38.

⁽²⁾ OJ No L 138, 2. 6. 1994, p. 48.

HAS ADOPTED THIS DECISION:

1. Decision No 32/94/COL establishing the status of EFTA States or regions with regard to Newcastle disease, as amended by Decision No 190/94/COL, shall be replaced by the text in the Annex hereto, in so far as these Decisions concern Norway.
2. This Decision shall enter into force 9 December 1996.
3. This Decision is addressed to the EFTA States.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON

College Member

ANNEX

1. EFTA States or regions thereof, listed in the Annex, fulfil the requirements laid down in Article 12 (2) of the Act referred to in point 4 of Chapter I of Annex I to the Agreement on the European Economic Area on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (Council Directive 90/539/EEC).

ANNEX

Regions which fulfil the requirements in Article 12 (2) of the Poultry Act

Norway: All regions'

EFTA SURVEILLANCE AUTHORITY DECISION**No 222/96/COL****of 4 December 1996**

replacing Decision No 194/94/COL approving the national plans for approval of poultry establishments in certain EFTA States, in so far the Decision concerns Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 4 in Chapter I of Annex I to the Agreement on the European Economic Area on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (Council Directive 90/539/EEC; hereinafter referred to as 'Poultry Act'), and in particular Article 3 (2) thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (e) thereof,

Whereas Norwegian national plans relating to approval of poultry establishments were approved by EFTA Surveillance Authority Decision No 194/94/COL⁽¹⁾;

Whereas the Decision comprises, in addition to the approval of Norwegian national plans relating to approval of poultry establishments, similar approvals granted to Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 194/94/COL is unchanged, has requested that the Decision, in so far as it concerns the approval of the Norwegian plans relating to approval of poultry establishments, be replaced by a new decision, covering only Norwegian plans relating to approval of poultry establishments, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new Decision would not in any way alter the material situation compared to what applies by virtue of Decision No 194/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. Decision No 194/94/COL approving the national plans for approval of poultry establishments in certain EFTA States shall be replaced by the text in the Annex hereto, in so far as the Decision concerns Norway.
2. This Decision shall enter into force on 9 December 1996.

⁽¹⁾ OJ No L 383, 31. 12. 1994, p. 45.

3. This Decision is addressed to Norway.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON

College Member

ANNEX

1. The plans submitted by the EFTA State referred to in the Annex for the approval of establishments are hereby approved in accordance with Article 3 (2) of the Act referred to in point 4 of Chapter I of Annex I to the Agreement on the European Economic Area on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (Council Directive 90/539/EEC).
2. The EFTA State referred to in the Annex shall bring into force by 1 December 1994 the laws, regulations, and administrative provisions for the implementation of the plans referred to in Article 1.
3. The EFTA State referred to in the Annex shall communicate to the EFTA Surveillance Authority the texts of the provisions of national law which they adopt to comply with this Decision.

ANNEX

**EFTA State with approved national plans for the approval of poultry establishments according to
Article 3 (2) of the Poultry Act**

Norway'

EFTA SURVEILLANCE AUTHORITY DECISION

No 223/96/COL

of 4 December 1996

replacing Decision No 193/94/COL approving the plans relating to examination for residues by certain EFTA States, in so far as the Decision concerns Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 29 of Chapter I of Annex I to the Agreement on the European Economic Area concerning the examination of animals and fresh meat for the presence of residues (Council Directive 86/469/EEC; hereinafter referred to as 'the Residue Act'), and in particular Article 4 thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (e) thereof,

Whereas Norwegian plans relating to examination of residues were approved by EFTA Surveillance Authority Decision No 193/94/COL (1);

Whereas the Decision comprises, in addition to the approval of Norwegian plans relating to examination of residues, similar approvals granted to Austria, Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 193/94/COL is unchanged, has requested that the Decision, in so far as it concerns the approval of the Norwegian plans relating to examination of residues, be replaced by a new decision, covering only Norwegian plans relating to examination of residues, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new decision would not in any way alter the material situation compared to what applies by virtue of Decision No 193/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. Decision No 193/94/COL approving the plans relating to examination for residues by certain EFTA States shall be replaced by the text in the Annex hereto, in so far as the Decision concerns Norway.
2. This Decision shall enter into force on 9 December 1996.

(1) OJ No L 383, 31. 12. 1994, p. 43.

3. This Decision is addressed to Norway.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON

College Member

ANNEX

1. The plans relating to the examination for residues of substances referred to in Annex I to the Act referred to in point 29 of Chapter I of Annex I to the Agreement on the European Economic Area concerning the examination of animals and fresh meat for the presence of residues (Council Directive 86/469/EEC) submitted by the EFTA State referred to in the Annex are hereby approved.
2. The EFTA State referred to in the Annex shall adopt the necessary laws, regulations and administrative provisions for the implementation of the plans referred to in point 1.

ANNEX

Country with approved plans relating to the examination for residues of substances

Norway'

EFTA SURVEILLANCE AUTHORITY DECISION**No 224/96/COL****of 4 December 1996**

replacing Decision No 189/94/COL setting up the list of establishments in the EFTA States for which are granted temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat, in so far as the Decision concerns Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 19 of Chapter I of Annex I to the Agreement on the European Economic Area on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat (Council Directive 91/498/EEC), and in particular Article 2 (2) thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (c) thereof,

Whereas certain Norwegian establishments were granted temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat by EFTA Surveillance Authority Decision No 189/94/COL⁽¹⁾;

Whereas the Decision comprises, in addition to derogations granted to Norwegian establishments, similar derogations granted to Austria, Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 189/94/COL is unchanged, has requested that the Decision, in so far as it concerns granting Norwegian establishments temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat, be replaced by a new decision, covering only Norwegian establishments granted temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new decision would not in any way alter the material situation compared to what applies by virtue of Decision No 189/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

⁽¹⁾ OJ No L 383, 31. 12. 1994, p. 14.

HAS ADOPTED THIS DECISION:

1. Decision No 189/94/COL setting up the list of establishments in the EFTA States for which are granted temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat shall be replaced by the text in the Annex hereto, in so far as the Decision concerns Norway.
2. This Decision shall enter into force on 9 December 1996.
3. This Decision is addressed to the EFTA States.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON
College Member

ANNEX

1. The establishments listed in the Annex are granted derogations in the sense of Article 2 of the Act referred to in point 19 of Chapter I of Annex I to the Agreement on the European Economic Area on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat (Council Directive 91/498/EEC).

ANNEX

List of establishments of the EFTA States for which is granted a temporary and limited derogation from specific health rules on the production and marketing of fresh meat

Activity:

S = slaughter house

C = cutting plant

CS = cold store

Member State	Establishment	No	Activity	Address	Place
NOR	Nordfjord Kjøtt — Slakt A/S	142	S		6880 Stryn
	Inderøy Slakteri AS	146	S		7670 Sakshaug
	Inderøy Slakteri AS	146	C		7670 Sakshaug
	Inderøy Slakteri AS	146	CS		7670 Sakshaug
	S/L Nord-Norges Salgslag	150	S	avd. Brønnøysund	8900 Brønnøysund
	S/L Nord-Norges Salgslag	150	C	avd. Brønnøysund	8900 Brønnøysund
	S/L Nord-Norges Salgslag	150	CS	avd. Brønnøysund	8900 Brønnøysund
	Ringeby vg. skole	164	C		2630 Ringeby
	Ringeby vg. skole	164	CS		2630 Ringeby
	Eidsmo Slakteri AS	177	S		7096 Kvål
	Eidsmo Slakteri AS	177	C		7096 Kvål
	Eidsmo Slakteri AS	177	CS		7096 Kvål
	Meråker Kjøtt A/S	180	C		7530 Meråker
	Brødr. Lundal A/S	302	C		5540 Førdesfjorden
	Brødr. Lundal A/S	302	CS		5540 Førdesfjorden
	Toma Mat A/S	303	CS		4262 Avaldsnes
	S/L Nord-Norges Salgslag	310	CS		8501 Narvik
	Skadal Kjøtt	321	CS		4621 Kristiansand
	Ekås A/S	326	C		2201 Kongsvinger
	Ekås A/S	326	CS		2201 Kongsvinger
	Brødr. Michelsen A/S	328	C		1300 Sandvika
	Salten Kjøtt A/S	334	C		8001 Bodø
	Aakervik Kjøttindustri AS	355	C		7800 Namsos
	S/L Nord-Norges Salgslag	357	CS	avd. Finnsnes	9370 Silsand
	Manstad Kjøtt- og Kolonial ANS	362	C		1626 Manstad
	Nøtterøy Kjøttforretning a.s.	364	C		3133 Duken
	Kronborg AS	371	C		3340 Åmot
	Kronborg AS	371	CS		3340 Åmot
	Br. Bothner AS	389	C		9401 Harstad
	Narvik Kjøtt A/S	391	C		8500 Narvik
	S/L Nord-Norges Salgslag	395	CS		9001 Tromsø
	He-ka Kjøtt A/S	401	C		3155 Åsgårdstrand
	A/S Kjøttcentralen	409	C		0666 Oslo'

EFTA SURVEILLANCE AUTHORITY DECISION

No 225/96/COL

of 4 December 1996

replacing Decision No 67/94/COL laying down the methods for control for maintaining the officially tuberculosis-free status of bovine herds in certain EFTA States, in so far as the Decision concerns Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 1 of Chapter I of Annex I to the Agreement on the European Economic Area on animal health problems affecting intra-Community trade in bovine animals and swine (Council Directive 64/432/EEC; hereinafter referred to as 'the Cattle and Swine Act'), and in particular Article 3 (14) thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (e) thereof,

Whereas Norway, by EFTA Surveillance Authority Decision No 67/94/COL⁽¹⁾, was granted tuberculosis-free status of bovine herds, providing certain conditions were met;

Whereas this Decision comprises, in addition to the tuberculosis-free status thus granted to Norway, similar status granted to Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 67/94/COL is unchanged, has requested that the Decision, in so far as it concerns the status as being tuberculosis-free granted to Norway, be replaced by a new decision, covering only the tuberculosis-free status granted to Norway, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new decision would not in any way alter the material situation compared to what applies by virtue of Decision No 67/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. Decision No 67/94/COL laying down the methods for control for maintaining the officially tuberculosis-free status of bovine herds in certain EFTA States shall be replaced by the text in the Annex hereto, in so far as the Decision concerns Norway.
2. This Decision shall enter into force on 9 December 1996.

⁽¹⁾ OJ No L 247, 22. 9. 1994, p. 41.

3. This Decision is addressed to Norway.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON
College Member

ANNEX

1. By way of derogation from Annex A (I) (b) to the Cattle and Swine Act the EFTA States or regions thereof referred to in the Annex to this Decision may maintain the officially tuberculosis-free status of bovine herds if the following conditions are met:
 - 1.1. An identification system making it possible to trace, for each bovine animal, the herds of origin and transit shall be set up.
 - 1.2. Every bovine animal slaughtered, except those slaughtered on the farm for on-the-farm consumption, shall be submitted to a post-mortem examination by an official veterinarian.
 - 1.3. Every suspected case of tuberculosis in a living or dead/slaughtered animal shall be notified to the competent authorities.
 - 1.4. 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 suspicion of tuberculosis are found at the post-mortem examination or slaughtering, the competent authorities shall submit such lesions to laboratory examination.
 - 1.5. 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.
 - 1.6. 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.
2. The status of officially tuberculosis freedom shall remain withdrawn until such time as:
 - 2.1. all animals that have been deemed to be infected have been removed from the herd;
 - 2.2. disinfection of premises and utensils have taken place; and
 - 2.3. all remaining bovine animals over six weeks of age have reacted negatively to at least two official intradermal tuberculin tests in accordance with Annex B to the Cattle and Swine Act, the first test carried out at least six months after the last infected animal has left the herd and the second test carried out at least six months after the first one.
3. The number of breakdown herds shall be communicated to the EFTA Surveillance Authority on an annual basis, it being understood that a breakdown herd is a herd of origin or transit which has contained a bovine animal that has proved positive for the presence of *Mycobacterium bovis*. The EFTA Surveillance Authority may, as appropriate in the light of such information, take a decision in accordance with Article 3 (14) second indent, of the Cattle and Swine Act.

ANNEX

Regions which may maintain their tuberculosis-free status based on Article 3 (14) of the Cattle and Swine Act

Norway: All regions'

EFTA SURVEILLANCE AUTHORITY DECISION

No 226/96/COL

of 4 December 1996

replacing Decision No 31/94/COL concerning additional guarantees relating to Aujeszky's disease for pigs destined to EFTA States or regions free of the disease as amended by Decision No 75/94/COL, in so far as these Decisions concern Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 1 of Chapter I of Annex I to the Agreement on the European Economic Area on animal health problems affecting intra-Community trade in bovine animals and swine (Council Directive 64/432/EEC; hereinafter referred to as the 'Cattle and Swine Act'), and in particular Article 10 thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (c) thereof,

Whereas Norway, by EFTA Surveillance Authority Decision No 75/94/COL ⁽¹⁾ amending Decision No 31/94/COL ⁽²⁾, was granted additional guarantees relating to Aujeszky's disease;

Whereas these Decisions comprise, in addition to the guarantees thus granted to Norway, similar guarantees granted to Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 75/94/COL amending Decision No 31/94/COL is unchanged, has requested that the Decisions, in so far as they concern the additional guarantees granted to Norway, be replaced by a new decision, covering only the guarantees granted to Norway, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new decision would not in any way alter the material situation compared to what applies by virtue of Decision No 31/94/COL, as amended by Decision No 75/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

⁽¹⁾ OJ No L 247, 22. 9. 1994, p. 52.

⁽²⁾ OJ No L 138, 2. 6. 1994, p. 43.

HAS ADOPTED THIS DECISION:

1. Decision No 31/94/COL concerning additional guarantees relating to Aujeszky's disease for pigs destined to EFTA States or regions free of the disease, as amended by Decision No 75/94/COL, shall be replaced by the text in the Annex hereto, in so far as these Decisions concern Norway.
2. This Decision shall enter into force on 9 December 1996.
3. This Decision is addressed to the EFTA States.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON
College Member

ANNEX

1. Pigs intended for breeding coming from other EFTA States or EC Member States or regions thereof and destined for EFTA States or regions thereof where vaccination for Aujeszky's disease is not permitted, listed in Annex I, must fulfil the following conditions:
 - 1.1. Aujeszky's disease must be compulsorily notifiable in the EFTA State and the EC Member State of origin;
 - 1.2. no clinical, pathological or serological evidence of Aujeszky's disease must have been recorded in the herd of origin for the past 12 months;
 - 1.3. if vaccine for Aujeszky's disease has been used on the herd of origin, only a g1 deleted vaccine shall have been used for the past 12 months;
 - 1.4. the pigs must have been held in isolation in accommodation approved by the competent authority such that no direct or indirect contact with other pigs shall have been possible for at least 30 days prior to movement;
 - 1.5. the pigs must not have been vaccinated;
 - 1.6. the pigs must have been subjected to an Elisa test for the presence of g1 antibodies in accordance with Annex II to this Decision, on sera taken at least 21 days after entry into isolation, with negative results. All animals in isolation must also have given negative results to this test. In the case of pigs aged over four months the test used shall be the whole virus Elisa;
 - 1.7. the pigs must have remained on the herd of origin since birth or the pigs must have remained in the consigning herd for three months and in others of equivalent status since birth;
 - 1.8. the pigs must not come into contact with pigs which do not fulfil the conditions set out in points 1.1 to 1.7 during transport from the site of origin to the farm of destination.
2. Pigs intended for production coming from other EFTA States, or EC Member States or regions thereof and destined for EFTA States or regions thereof where vaccination for Aujeszky's disease is not permitted, listed in Annex I, must fulfil the following conditions:
 - 2.1. Aujeszky's disease must be compulsorily noticeable in the EFTA State or the EC Member State of origin;
 - 2.2. no clinical, pathological or serological evidence of Aujeszky's disease must have been recorded in the herd of origin for the past 12 months;
 - 2.3. the pigs must not have been vaccinated;
 - 2.4. no pre-movement testing shall be necessary if the herd of origin is part of an official monitoring programme where at least 15 % of the breeding animals (or 25 animals, whichever is the greater) are tested over the course of each year. Such testing shall be split into at least three approximately equal divisions, each being separated by at least two months; movement into such herds shall only be from herds of equivalent or superior status and no clinical case of Aujeszky's disease shall have been recorded within 2 km of the herd of origin for the previous 60 days;
 - 2.5. if the herd of origin is not part of such a monitoring programme the pigs must have been segregated prior to movement and the pigs must have been sampled in accordance with Annex III within 10 days prior to movement and subjected to a test in accordance with Annex II. All animals tested must have passed the test;
 - 2.6. the pigs must have remained in the herd of origin since birth or the pigs must have remained in the herd of origin for three months and in herds of equivalent status since birth;
 - 2.7. the pigs must not come into contact with pigs which do not fulfil the conditions set out in points 2.1 to 2.6 during transport from the site of origin to the farm of destination.

3. The animals referred to in point 2 shall be transported directly to the farm of destination and shall remain there until slaughter unless otherwise authorized by the competent authority in the EFTA State of destination. The competent authority of the EFTA State of destination may require that the pigs go directly to slaughter.
 4. Pigs intended for slaughter coming from other EFTA States or EC Member States or regions thereof and destined for EFTA States or regions thereof, listed in Annex I, must fulfil the following conditions:
 - 4.1. the pigs must be transported directly to the slaughterhouse of destination;
 - 4.2. if such pigs have been vaccinated, only a g1 deleted vaccine shall have been used;
 - 4.3. no clinical, pathological or serological evidence of Aujeszky's disease must have been recorded in the herd of origin for the past three months;
 - 4.4. the pigs must have remained in the herd of origin for the previous 60 days or since birth;
 - 4.5. Aujeszky's disease must be compulsorily noticeable in the EFTA State or EC Member State of origin;
 - 4.6. the pigs must not come into contact with pigs which do not fulfil the conditions set out in points 4.1 to 4.5 during transport from the site of origin to the slaughterhouse.
 5. The health certificate referred to as Model III in Annex F to the Cattle and Swine Act must be completed by the following for pigs destined for an EFTA State or region thereof, listed in Annex I, and coming from an EFTA State or EC Member State or region thereof;

'pigs in accordance with EFTA Surveillance Authority Decision 226/96/COL concerning Aujeszky's disease. In the case of pigs for breeding the test used was the whole virus Elisa/Elisa for g1 antibodies. (Delete where applicable)'.
 6. The conditions laid down in points 1 to 5 shall not apply to the introduction of pigs into an EFTA State or region thereof, listed in Annex I, from an EFTA State or region thereof which pursuant to Article 10 of the Cattle and Swine Act has been granted additional guarantees corresponding to those provided for in this Decision.
 7. An EFTA State listed in Annex I shall submit annual reports on the monitoring and findings concerning Aujeszky's disease. This report shall be submitted to the EFTA Surveillance Authority at the latest by 1 April, the following year.
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*ANNEX I***Regions free of Aujeszky's disease which do not permit vaccination**

Norway: All regions

*ANNEX II***Protocol for enzyme linked immunosorbent assay (Elisa) for detecting antibodies to Aujeszky's disease virus glycoprotein 1 (ADV-g1) in serum**

1. The institutions listed in point 2 (d) shall evaluate Elisa g1-tests and kits against the criteria in point 2 (a), (b) and (c). The competent authority in each EFTA State shall ensure that only Elisa g1-kits that meet these standards shall be registered. The examinations listed in point 2 (a) and (b) must be carried out prior to approval of the test and the examination in point 2 (c), at least, must thereafter be carried out on each batch.
2. Standardization, sensitivity and specificity of the test
 - (a) The sensitivity of the test must be of such a level that the following Community reference sera ⁽¹⁾ are scored positive:
 - Community reference serum ADV1 at 1:8 dilution,
 - Community reference serum ADV-g1 A,
 - Community reference serum ADV-g1 B,
 - Community reference serum ADV-g1 C,
 - Community reference serum ADV-g1 D,
 - Community reference serum ADV-g1 E,
 - Community reference serum ADV-g1 F.
 - b) The specificity of the test must be of such a level that the following Community reference sera are scored negative:
 - Community reference serum ADV-g1 G,
 - Community reference serum ADV-g1 H,
 - Community reference serum ADV-g1 J,
 - Community reference serum ADV-g1 K,
 - Community reference serum ADV-g1 L,
 - Community reference serum ADV-g1 M,
 - Community reference serum ADV-g1 N,
 - Community reference serum ADV-g1 O,
 - Community reference serum ADV-g1 P,
 - Community reference serum ADV-g1 Q.
 - (c) For batch control, the EC reference serum ADV1 must be scored positive at a dilution of 1:8 and the EC reference serum ADV-g1 K must be scored negative.

⁽¹⁾ As laid down in 'Report of Sub-Committee of Scientific Veterinary Committee on Aujeszky's disease', reference No VI/2556/92-EN (PVET/EN/1374), which can be obtained from the EFTA Surveillance Authority.

(d) The institute listed below will, in addition, be responsible for checking the quality of the Elisa method in each EFTA State, and in particular for producing and standardizing national reference sera according to the EC reference sera:

1. Veterinærinstituttet, Oslo, Norway.

(e) The Community reference sera will be supplied by those institutes listed in paragraph 2 (d).

ANNEX III

Population	Number to be sampled
Under 25	All
25 to 100	25
100+	30'

EFTA SURVEILLANCE AUTHORITY DECISION**No 227/96/COL****of 4 December 1996**

replacing Decision No 66/94/COL laying down the methods for control for maintaining the officially brucellosis-free status of bovine herds in certain EFTA States, in so far as the Decision concerns Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, and in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in point 1 of Chapter I of Annex I to the Agreement on the European Economic Area on animal health problems affecting intra-Community trade in bovine animals and swine (Council Directive 64/432/EEC; hereinafter referred to as 'the Cattle and Swine Act'), and in particular Article 3 (13) thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5 (2) (d) and Protocol 1, Article 1 (e) thereof,

Whereas Norway, by EFTA Surveillance Authority Decision No 66/94/COL⁽¹⁾ was granted brucellosis-free status of bovine herds, provided certain conditions were met;

Whereas this Decision comprises, in addition to the brucellosis-free status thus granted to Norway, similar status granted to Finland and Sweden;

Whereas the Norwegian Government, while confirming that the material situation justifying Decision No 66/94/COL is unchanged, has requested that the Decision, in so far as it concerns the status as being brucellosis-free granted to Norway, be replaced by a new decision, covering only the brucellosis-free status granted to Norway, alleging this to be necessary for the solution foreseen in ongoing negotiations with the European Union in the veterinary field;

Whereas such a new Decision would not in any way alter the material situation compared to what applies by virtue of Decision No 66/94/COL;

Whereas there is accordingly no obstacle in granting the request made by the Norwegian Government;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

⁽¹⁾ OJ No L 247, 22. 9. 1994, p. 39.

HAS ADOPTED THIS DECISION:

1. Decision No 66/94/COL laying down the methods for control for maintaining the officially brucellosis-free status of bovine herds in certain EFTA States shall be replaced by the text in the Annex hereto, in so far as the Decision concerns Norway.
2. This Decision shall enter into force on 9 December 1996.
3. This Decision is addressed to Norway.
4. This Decision shall be authentic in the English language.

Done at Brussels, 4 December 1996.

*For the EFTA Surveillance
Authority*

Björn FRÍÐFINNSSON
College Member

ANNEX

1. By way of derogation from Annex A (II) (A) (1) (c) (ii) to the Cattle and Swine Act, the EFTA States or regions thereof referred to in the Annex to this Decision may maintain the officially brucellosis-free status of bovine herds if the following conditions are met:
 - every bovine animal suspected of being infected with brucellosis must be notified to the competent authorities and must undergo official investigations for brucellosis including at least two serological blood tests including complement fixation tests as well as microbiological examination of appropriate samples taken in the case of an abortion,
 - during the period of suspicion which will continue until negative results have been obtained from the tests provided for in the first indent, the officially brucellosis-free status shall be suspended in the case of the herd, in which the suspected bovine animal(s) were found.

ANNEX

Regions which may maintain their brucellosis-free status based on Article 3 (13) of the Cattle and Swine Act

Norway: All regions'

CORRIGENDA

Corrigendum to Commission Decision 97/160/EC of 14 February 1997 amending Council Decision 79/542/EEC and Commission Decisions 92/260/EEC, 93/195/EEC and 93/197/EEC with regard to the animal health conditions for the temporary admission, re-entry and imports into the Community of registered horses from Lebanon

(Official Journal of the European Communities No L 62 of 4 March 1997)

Page 40, Article 4, point 1:

for: 'Lebanon',

read: 'Lebanon (2)'.
