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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 550/97
of 24 March 1997
on HIV/AIDS-related operations in developing countries

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130w thereof,

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

Acting in accordance with the procedure referred to in Article 189c of the Treaty ⁽²⁾,

Whereas the budgetary authority decided, in the framework of the 1988 budget, to create a budget heading designed to support the fight against the HIV/AIDS epidemic whereby it would seek to develop innovative measures complementing those already implemented at other levels;

Whereas the Commission, in its communication of 7 January 1994 to the Council and the European Parliament on HIV/AIDS in the developing countries, outlined the policy principles and strategic priorities needed to enhance the effectiveness of action by the Community and the Member States in that field;

Whereas HIV/AIDS is no longer an emerging epidemic, but has become a pandemic spread throughout the whole world, and is evolving with different social and political implications, depending on the regions and/or countries in question, and thus requires an appropriate structural and multisectoral response which is beyond the financial and human resources of most developing countries;

Whereas the Council, in its Resolution of 6 May 1994, emphasized the gravity of the HIV/AIDS epidemic and the need to step up efforts to give more support to the developing countries' national strategies; whereas it identified, as priorities for such support, strategies aimed at

more effective prevention of transmission based on education, the promotion of sexual and reproductive health and transfusion safety, along with strategies to help the HIV-positive and the sick, in particular by strengthening health systems and combating discrimination and social exclusion;

Whereas the European Parliament and the EC-ACP Joint Assembly, in their respective Resolutions adopted on 14 April 1986 and 15 February 1993, also underlined the need to take greater account of causes and factors such as poverty in the spread of the epidemic, and of the economic and social consequences of HIV/AIDS, notably through measures designed to enhance the status of women and help local communities care for families and individuals affected by the pandemic;

Whereas both the European Parliament and the Council have called for increased Community involvement in this field;

Whereas the effectiveness of programmes to support national strategies to combat HIV/AIDS depends on improved coordination of aid both at European level and with other donors and UN agencies, in particular Unaid, and on the use of flexible procedures tailored to the specific nature of the activities and the partners concerned; whereas the European Parliament and Council Resolutions call for efforts in that direction;

Whereas administrative rules and procedures should be established for cooperation in the field of HIV/AIDS;

Whereas a financial reference amount within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995 ⁽³⁾ is included in this Regulation for the period 1997 to 1999 without thereby affecting the powers of the budgetary authority as they are defined by the Treaty,

⁽¹⁾ OJ No C 252, 28. 9. 1995, p. 4.

⁽²⁾ Opinion of the European Parliament of 9 May 1996 (OJ No C 152, 27. 5. 1996, p. 44), Council Common Position of 27 June 1996 (OJ No C 264, 11. 9. 1996, p. 21) and Decision of the European Parliament of 12 November 1996 (OJ No C 362, 2. 12. 1996, p. 43).

⁽³⁾ OJ No C 102, 4. 4. 1996, p. 4.

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community shall implement a programme to assist the developing countries (hereinafter 'the programme') in their efforts to minimize the spread of the HIV/AIDS epidemic and help them cope with its impact on health and social and economic development.

The programme shall be directed primarily at the poorest and least developed countries and the most disadvantaged sections of the population of developing countries.

The Community shall give priority to pursuing the following aims:

- (a) reducing the transmission of HIV/AIDS and the spread of other diseases capable of being transmitted sexually or perinatally;
- (b) reinforcing health and social services so that they can cope with the growing demands of the spreading epidemic;
- (c) helping governments and communities to assess the epidemic's impact on different economic sectors and social groups, and to define and implement strategies to cope with it;
- (d) developing scientific understanding of the epidemic and of the impact of measures, with a view to improving their quality, while excluding basic research;
- (e) combating discrimination against, and the social and economic exclusion of, persons infected with HIV/AIDS.

2. To attain the objectives referred to in paragraph 1, the Community shall support a series of measures which shall take into account the following fundamental policy principles, namely, they shall:

- (a) be adapted to the risk arising from the socio-economic environment and to the requirements of vulnerable groups as determined by individual behaviour and socio-economic and demographic factors;
- (b) be gender-specific;
- (c) be based on respect for the rights of the individual and provide social training for the persons concerned;
- (d) increase the motivation of individuals and communities and enable them to assume their responsibilities and become more self-reliant;

- (e) be integrated into health, education and other policies;
- (f) be adapted to the various stages of development of the epidemic;
- (g) encourage both political and financial commitment by governments to respond to HIV/AIDS.

Article 2

The measures to be taken to achieve the priority objectives mentioned in Article 1 shall support strategies developed at international, regional and national level with the beneficiary countries and shall include, as regards each objective:

1. reducing the transmission of HIV/AIDS and the spread of other diseases capable of being transmitted sexually or perinatally through:

- (a) information and education on sexual and reproductive health and rights as regards reproduction; special attention shall be given to making the measures specially adapted and accessible to the target groups, notably people in high-risk environments and the most socially and economically vulnerable individuals and communities, in particular women and young people. Such measures shall also include dialogue with religious communities;
- (b) greater efficiency in reducing the transmission of HIV and sexually transmitted diseases (STD), inter alia through the promotion of better screening and treatment methods for such diseases;
- (c) improved availability and use of different means and methods of protection, including the safety of blood transfusions and other forms of injection;
- (d) support for the HIV/AIDS problem to be taken into account in development policies and strategies;
- (e) support for measures that aim to increase women's power of decision in all areas of sexuality and reproductive health, to enable them to encourage the widespread use of different means and methods of protection against HIV/STD infection and transmission, act accordingly and protect the health of unborn children and to increase awareness of, and responsibility for, these issues in the population, especially the male population;

2. reinforcing health and social services so that they can cope with the growing demands of the spreading epidemic through:

- (a) strengthening health services, particularly primary health services, by taking steps to increase national, regional and local capacities to develop preventive activities and care and to improve access for the most vulnerable;

- (b) studying ways and means of improving access to treatment for people infected with HIV in the poorest countries. This study should be conducted in close collaboration with the United Nations agencies, concerned NGOs, pharmaceutical laboratories and the Member States of the European Union;
 - (c) strengthening capacities with regard to blood transfusion and nosocomial safety;
 - (d) improved training for medical and paramedical personnel;
 - (e) improved notification and statistical systems for epidemiological monitoring;
3. helping governments and communities to assess the epidemic's impact on different economic sectors and social groups and to define and implement strategies to cope with it through:
- (a) technical back-up to help governments analyse the social and economic impact of the epidemic and develop and implement suitable strategies in the sectors concerned;
 - (b) technical and financial support to enable non-governmental organizations (NGOs) and local communities to optimize their contribution to prevention and care, notably through help with the formation of networks intended to improve the effectiveness of efforts and to reinforce the information, coordination and collaboration of all protagonists;
 - (c) encouragement of participation by local communities in developing local strategies for information, sex education programmes and funding;
4. developing scientific understanding of the epidemic and of the impact of measures, with a view to improving their quality, while excluding basic research, through:
- (a) the development of scientific training through better monitoring of programmes based on relevant indicators, and the strengthening of applied medical, sociological, and anthropological research;
 - (b) support for the exchange of information on experience gained;
5. combating discrimination against, and the social and economic exclusion of, persons infected with HIV/AIDS by:
- (a) promoting respect for the rights of the individual, and in particular rights as regards reproduction;

- (b) encouraging non-discrimination and combating the stigma attaching to those living with the virus, in particular by public information campaigns and the setting-up of an appropriate legislative framework.

Article 3

The agents of cooperation eligible for financial support under this Regulation include:

- national, regional and local government departments and agencies,
- local authorities and other decentralized bodies, including traditional social structures,
- regional organizations and international organizations,
- research institutes and universities,
- local communities and the private sector, including NGOs, women's organizations and groups and grass-roots associations able to contribute whatever expertise they have to the design, implementation and monitoring of the priority strategies in the HIV/AIDS field described in Article 2.

Article 4

1. The instruments to be employed in the course of the activities referred to in Article 2 shall include studies, technical assistance, training or other services, supplies and works, as well as audits and evaluation and monitoring missions. Priority shall be given to enhancing national capacity, particularly through training with a view to long-term viability.
2. Community financing may cover both investment expenditure, with the exception of the purchase of buildings and, since the project must, as far as possible, aim at medium-term viability, recurrent expenditure (which includes administrative expenditure, maintenance and running costs).
3. A contribution from the partners defined in Article 3 shall be sought for each cooperation operation. Their contribution shall be requested according to their means and the nature of the operation concerned.
4. Opportunities may be sought for cofinancing with other fund providers, and especially with Member States.
5. The necessary measures shall be taken to emphasize the Community character of the aid provided under this Regulation.
6. In order to achieve the objectives of consistency and complementarity referred to in the Treaty and with the aim of guaranteeing optimum effectiveness of all these operations, the Commission may take all necessary co-ordination measures, including in particular:

- (a) the establishment of a system for the systematic exchange and analysis of information on operations financed and those which the Community and the Member States propose to finance;
- (b) on-the-spot coordination of the implementation of operations through regular meetings and exchange of information between representatives of the Commission and of the Member States in the beneficiary country.
7. In order to obtain the greatest possible impact globally and nationally, the Commission, in liaison with the Member States, shall take any initiative necessary for ensuring proper coordination and close collaboration with the beneficiary countries and the providers of funds and other international agencies involved, in particular those forming part of the United Nations system, and more specifically Unids.

Article 5

Financial support under this Regulation shall take the form of grants.

Article 6

The financial reference amount for the implementation of this programme during the period from 1997 to 1999 shall be ECU 45 million.

Annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

Article 7

1. The Commission shall be responsible for appraising, deciding and administering the operations covered by this Regulation in accordance with the budgetary and other procedures in force, in particular those laid down in the Financial Regulation applicable to the general budget of the European Communities.

2. Decisions relating to grants of more than ECU 2 million for individual operations financed under this Regulation shall be adopted in accordance with the procedure laid down in Article 8.

The Commission shall inform the Committee referred to in Article 8 succinctly of the financing decisions which it intends to take with regard to projects and programmes of less than ECU 2 million in value. The information shall be made available not later than one week before the decision is taken.

3. The Commission shall be authorized to approve, without recourse to the opinion of the Committee provided for in Article 8, any supplementary commitments needed for covering expected or real cost overruns in connection with the operations, where the overrun or additional requirement is less than or equal to 20 % of the initial commitment fixed by the financing decision.

4. All financing agreements or contracts concluded under this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks

according to the usual procedures laid down by the Commission under the rules in force, in particular those in the Financial Regulation applicable to the general budget of the European Communities.

5. Where operations are the subject of financing agreements between the Community and the recipient countries, such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

6. Participation in invitations to tender and the award of contracts shall be open on equal terms to all natural and legal persons of the Member States and of the recipient country. It may be extended to other developing countries and, in duly justified exceptional cases, to other third countries.

7. Supplies shall originate in the Member States, the recipient country or other developing countries. In duly justified exceptional cases supplies may originate elsewhere.

8. Particular attention will be given to:

- the pursuit of cost-effectiveness and sustainable impact in project design,
- the clear definition and monitoring of objectives and indicators of achievement for all projects.

9. The assistance provided under this Regulation shall complement and reinforce assistance provided under other instruments of development cooperation.

Article 8

1. The Commission shall be assisted by the geographically-determined committee competent for development.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 9

An exchange of views shall take place once a year on the basis of a presentation by the representative of the Commission of the general guidelines for the operations to be carried out in the year ahead, in the framework of a joint meeting of the committees referred to in Article 8 (1).

Article 10

1. After each budget year, the Commission shall submit an annual report to the European Parliament and the Council, summarizing the operations financed in the course of that year and evaluating the implementation of this Regulation over that period.

The summary shall in particular provide information about those with whom contracts have been concluded.

2. The Commission shall regularly assess operations financed by the Community with a view to establishing whether the objectives aimed at by such operations have been achieved and to provide guidelines for improving the effectiveness of future operations. The Commission

shall submit to the Committee referred to in Article 8 a summary of the assessments made which, if appropriate, may be examined by the Committee. The assessment reports shall be made available to any Member States requesting them.

3. The Commission shall inform the Member States, at the latest one month after its decision, of the operations and projects approved, stating their cost and nature, the recipient country and partners.

Article 11

Three years after this Regulation enters into force, the Commission shall submit to the European Parliament and the Council an overall assessment of operations financed by the Community under this Regulation, together with suggestions regarding the future of this Regulation and, where necessary, proposals for amending it.

Article 12

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

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

Done at Brussels, 24 March 1997.

For the Council

The President

H. VAN MIERLO

COUNCIL REGULATION (EC) No 551/97

of 24 March 1997

amending Regulation (EC) No 390/97 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1997 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 390/97 ⁽²⁾ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1997 and certain conditions under which they may be fished;

Whereas, within the framework of the agreement between the Russian Federation and the Kingdom of Sweden, negotiations have been conducted which resulted, among other things, in a transfer of 4 000 tonnes of herring to the Russian Federation from the quota allocated to Sweden in Community waters; whereas this quantity should therefore be deducted from the quota allocated to Sweden for 1997;

Whereas, in order to prevent an overfishing of the stock of herring in ICES subareas I and II, the opening of the fishery should be subject to the adoption by the Council of an allocation of catch quotas to Member States for 1997 so that the fishing of the stock is properly monitored and carried out with the security required;

Whereas Regulation (EC) No 390/97 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 390/97 is hereby amended as follows:

1. The Annex to this Regulation shall replace the corresponding elements of Annex I to Regulation (EC) No 390/97.
2. Note 4 related to the species 'herring' and the zone 'I, II' of Annex I to Regulation (EC) No 390/97 shall be replaced by the following:
'(4) No fishing of the stock shall take place until 1 May 1997 or until the opening date which is decided by the Council on the basis of Article 8 (4) of Regulation (EC) No 3760/92, whichever is the earlier'.

Article 2

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

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

Done at Brussels, 24 March 1997.

For the Council

The President

H. VAN MIERLO

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

⁽²⁾ OJ No L 66, 6. 3. 1997, p. 1.

ANNEX

Species: Herring <i>Clupea harengus</i>		Zone: IIbcd ⁽¹⁾
België/Belgique		⁽¹⁾ Community waters ⁽²⁾ Of which no more than 6 000 tonnes may be fished in the Estonian zone, no more than 2 500 tonnes in the Latvian zone, and no more than 1 000 tonnes in the Lithuanian zone
Danmark	32 140	
Deutschland	97 450	
Ελλάδα		
España		
France		
Ireland		
Italia		
Luxembourg		
Nederland		
Österreich		
Portugal		
Suomi/Finland	36 430	
Sverige	127 680	
United Kingdom		
EC	293 700 ⁽²⁾	
TAC	307 700	

COUNCIL REGULATION (EC) No 552/97**of 24 March 1997****temporarily withdrawing access to generalized tariff preferences from the Union of Myanmar**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3281/94 of 19 December 1994 applying a four-year scheme of generalized tariff preferences (1995 to 1998) in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 12 (3) thereof,

Having regard to Council Regulation (EC) No 1256/96 of 20 June 1996 applying multiannual schemes of generalized tariff preferences from 1 July 1996 to 30 June 1999 in respect of certain agricultural products originating in developing countries⁽²⁾, and in particular Article 12 (3) thereof,

Having regard to the proposals from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Whereas pursuant to Regulation (EC) No 3281/94 and Regulation (EC) No 1256/96 the Union of Myanmar (hereafter referred to as 'Myanmar') is a beneficiary of generalized tariff preferences;

Whereas Article 9 of Regulation (EC) No 3281/94 and Article 9 of Regulation (EC) No 1256/96 provide that the preferences in question may be temporarily withdrawn in whole or in part in circumstances including the practice of any form of forced labour as defined in the Geneva Conventions of 25 September 1926 and 7 September 1956 and International Labour Organization (ILO) Conventions Nos 29 and 105;

Whereas on 7 June 1995 the International Confederation of Free Trade Unions (ICFTU) and the European Trade Union Confederation (ETUC) made a joint complaint to the Commission under Article 9 of Regulation (EC)

No 3281/94 and called for Myanmar to be temporarily withdrawn from the Community scheme of generalized tariff preferences because of its use of forced labour;

Whereas on 2 January 1997 the ICFTU and the ETUC notified the Commission that they were extending the scope of the joint complaint lodged under Regulation (EC) No 3281/94, with a view to obtaining the withdrawal of Myanmar's preferential entitlement also under Regulation (EC) No 1256/96;

Whereas the Commission examined the complaint of 7 June 1995 in consultation with the Generalized Preferences Committee; whereas the evidence put forward by the complainants was judged sufficient to justify the opening of an investigation, and whereas the Commission decided by a Notice of 16 January 1996⁽⁶⁾ that an investigation should take place;

Whereas the Myanmar authorities were formally notified of the opening of the investigation; whereas they denied that the practices referred to in the complaint constituted forced labour, citing the exceptions in Article 2 (2) of ILO Convention No 29, and claiming that those exceptions covered the 1907 Town Act and the 1908 Village Act, which allow the population to be made to carry out works and services; whereas that interpretation has been challenged by the ILO, whose competent bodies have called for the immediate repeal of the laws in question in order to ensure compliance with the letter and the spirit of Convention No 29;

Whereas the written and oral statements collected by the Commission during the course of the investigation conducted in consultation with the Generalized Preferences Committee corroborate the allegations contained in the complaint; whereas it has emerged that the authorities in Myanmar have routinely used forced labour, not only for military operations but also for civilian and military infrastructure building projects, backed by coercion and frequently violent reprisals;

Whereas, seeking to add to the information it had gathered during the investigation, the Commission requested the authorities of Myanmar to cooperate with that investigation by allowing a fact-finding team into the country; whereas this request was denied and since the conditions in Article 11 (5) of Regulation (EC) No 3281/94 are thus fulfilled the findings of the investigation could be based on the information available;

⁽¹⁾ OJ No L 348, 31. 12. 1994, p. 1. Regulation as amended by Regulation (EC) No 2948/95 (OJ No L 308, 21. 12. 1995, p. 32).

⁽²⁾ OJ No L 160, 29. 6. 1996, p. 1. Regulation as amended by Regulation (EC) No 2448/96 (OJ No L 333, 21. 12. 1996, p. 12).

⁽³⁾ OJ No C 35, 4. 2. 1997, p. 14 and OJ No C 80, 13. 3. 1997, p. 18.

⁽⁴⁾ Opinion delivered on 14 March 1997 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 27 February 1997 (not yet published in the Official Journal).

⁽⁶⁾ OJ No C 15, 20. 1. 1996, p. 3.

Whereas the evidence gathered during the Commission's investigation of the initial complaint by the ICFTU and ETUC and the resulting conclusions are broad enough in scope to provide a valid basis for examining the extended complaint lodged by those organizations on 2 January 1997, thus rendering a specific investigation of the agricultural sector unnecessary; whereas the requirements of Article 9 (2) of Regulation (EC) No 1256/96 have thus been met and the conditions laid down in Article 11 (5) of that Regulation have been fulfilled;

Whereas the information available thus provides sufficient grounds to conclude that withdrawal of Myanmar's access to the scheme of generalized preferences for which it is eligible is justified;

Whereas the findings of the investigation have been reported to the Generalized Preferences Committee in accordance with Article 12 (1) of Regulation (EC) No 3281/94;

Whereas the fact that the practices condemned have been routine and widespread means that a complete withdrawal of access to the arrangements is warranted;

Whereas in the light of the foregoing, the generalized tariff preferences applicable to industrial and agricultural products originating in Myanmar should be temporarily withdrawn until it has been established that the practices in question have been brought to an end;

Whereas goods in shipment to the European Community should be excluded from this withdrawal of preferences, provided that they were dispatched before the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The Union of Myanmar's access to the tariff preferences granted by Regulation (EC) No 3281/94 and Regulation (EC) No 1256/96 is hereby temporarily withdrawn.

Article 2

The Council, acting by qualified majority, on a proposal from the Commission, shall bring the application of this Regulation to an end in the light of a Commission report on forced labour in Myanmar, showing that the practices mentioned in Article 9 (1), first indent of Regulation (EC) No 3281/94 and Article 9 (1), first indent of Regulation (EC) No 1256/96 which have caused the withdrawal of access to generalized tariff preferences from Myanmar no longer exist.

Article 3

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

It shall not apply to products proven to have been dispatched to the European Community before that date.

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

Done at Brussels, 24 March 1997.

For the Council

The President

H. VAN MIERLO

COUNCIL REGULATION (EC) No 553/97
of 24 March 1997

amending Regulation (EC) No 1981/94 opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas, and amending Regulation (EC) No 934/95 establishing tariff ceilings and a Community statistical surveillance in the framework of reference quantities for a certain number of products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta, Morocco and the West Bank and the Gaza Strip

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EC) No 1981/94⁽¹⁾, provides in its Articles 6 and 7 detailed rules for extending and adapting these tariff quotas under the agreements referred to in this Regulation;

Whereas, also Regulation (EC) No 934/95⁽²⁾, provides in its Articles 3 and 4 detailed rules for extending and adapting these tariff measures under the agreements referred to in this Regulation;

Whereas, preparations and negotiations are going on for the conclusion of new Euro-Mediterranean agreements with a certain number of countries referred to in Regulations (EC) Nos 1981/94 and (EC) 934/95;

Whereas, with Morocco and Tunisia, Euro-Mediterranean association agreements have already been signed and their entry into force depends only on their ratification by the Member States;

Whereas for the sake of efficiency and the timely publication of regulations implementing the tariff quotas, tariff ceilings and reference quantities provided in the new Euro-Mediterranean agreements, and insofar as the new agreements specify already the products eligible for those tariff measures, their volumes, duties, periods and any eligibility criteria, it should be provided that the Commission can make, on the advice of the Customs Code Committee, any adaptation of Regulation (EC) Nos 1981/94 and (EC) 934/95 made necessary by the entry

into force of these new agreements between the Community and the countries referred to in these Regulations,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1981/94 shall be amended as follows:

1. Article 6 (1) (c) shall be replaced by the following text:

‘(c) the necessary adaptations arising from the entry into force of new agreements, protocols or exchanges of letters between the Community and the countries referred to in this Regulation, insofar as the new agreements, protocols or exchanges of letters specify already the products eligible for those tariff quotas, their volumes, duties, quota periods and any eligibility criteria; and’

2. in Article 6 (2) the fourth indent shall be deleted.

Article 2

Regulation (EC) No 934/95 shall be amended as follows:

1. Article 3 (1) (c) shall be replaced by the following text:

‘(c) the necessary adaptations arising from the entry into force of new agreements, protocols or exchanges of letters between the Community and the countries referred to in this Regulation, insofar as the new agreements, protocols or exchanges of letters specify already the products eligible for tariff preferences in the framework of tariff ceilings or reference quantities, their volumes, duties, periods and any eligibility criteria; and’

2. in Article 3 (2), the fourth indent shall be deleted.

Article 3

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

It shall apply from 1 January 1997.

⁽¹⁾ OJ No L 199, 2. 8. 1994, p. 1. Regulation as last amended by Commission Regulation (EC) No 2397/96 (OJ No L 327, 18. 12. 1996, p. 1).

⁽²⁾ OJ No L 96, 28. 4. 1995, p. 6. Regulation as last amended by Commission Regulation (EC) No 2116/96 of 4 November 1996 (OJ No L 283, 5. 11. 1996, p. 21).

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

Done at Brussels, 24 March 1997.

For the Council

The President

H. VAN MIERLO

COMMISSION REGULATION (EC) No 554/97

of 26 March 1997

altering the corrective amount applicable to the refund on cereals

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 375/97⁽³⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

Whereas the corrective amount must be fixed according to the same procedure as the refund; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as last

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1997.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 60, 1. 3. 1997, p. 28.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 26 March 1997 altering the corrective amount applicable
to the refund on cereals

(ECU/tonne)

Product code	Destination ⁽¹⁾	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
0709 90 60	—	—	—	—	—	—	—	—
0712 90 19	—	—	—	—	—	—	—	—
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	0	- 10,00	- 10,00	- 10,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	0	0	- 10,00	- 10,00	—	—
1002 00 00 9000	01	0	0	0	- 10,00	- 10,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	- 20,00	- 20,00	- 20,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	- 20,00	- 20,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	- 10,00	- 10,00	—	—
1101 00 15 9130	01	0	0	0	- 10,00	- 10,00	—	—
1101 00 15 9150	01	0	0	0	- 10,00	- 10,00	—	—
1101 00 15 9170	01	0	0	0	- 10,00	- 10,00	—	—
1101 00 15 9180	01	0	0	0	- 10,00	- 10,00	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	- 10,00	- 10,00	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	0	- 15,00	- 15,00	- 15,00	—	—
1103 11 10 9400	—	—	—	—	—	—	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	- 15,00	- 15,00	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 555/97

of 26 March 1997

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 17 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) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 3 of 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⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;

Whereas Article 17 (6) of Regulation (EEC) No 1785/81 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry⁽⁴⁾, last amended by Commission Regulation (EC) No 1126/96⁽⁵⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world

market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 17 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 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 214, 8. 9. 1995, p. 16.

⁽⁴⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁵⁾ OJ No L 150, 25. 6. 1996, p. 3.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 26 March 1997 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 9100	41,16 ⁽²⁾
1702 60 10 9000	41,16 ⁽²⁾
1702 60 90 9200	78,20 ⁽⁴⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 9800	0,4116 ⁽¹⁾
	— ECU/100 kg dry matter —
1702 90 30 9000	41,16 ⁽²⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 9000	0,4116 ⁽¹⁾
1702 90 71 9000	0,4116 ⁽¹⁾
1702 90 99 9900	0,4116 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
2106 90 30 9000	41,16 ⁽²⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 9000	0,4116 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 13 (3) of Regulation (EEC) No 394/70.

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

COMMISSION REGULATION (EC) No 556/97

of 26 March 1997

altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 500/97 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 500/97 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 500/97, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1997.

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

Done at Brussels, 26 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 78, 20. 3. 1997, p. 3.

ANNEX

to the Commission Regulation of 26 March 1997 altering 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	37,86 ⁽¹⁾
1701 11 90 9910	36,37 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	37,86 ⁽¹⁾
1701 12 90 9910	36,37 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,4116
	— ECU/100 kg —
1701 99 10 9100	41,16
1701 99 10 9910	41,16
1701 99 10 9950	41,16
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,4116

⁽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 557/97
of 26 March 1997
fixing the import duties in the cereals sector

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

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

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

Whereas Article 10 of Regulation (EEC) No 1766/92 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 55 %, minus the cif import price applicable to the consignment in question;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No

1766/92 for the 1996/97 marketing year as regards import duties in the cereals 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 for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 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 1 April 1997.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	21,01	11,01
1001 90 91	Common wheat seed	33,06	23,06
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	33,06	23,06
	medium quality	37,59	27,59
	low quality	58,55	48,55
1002 00 00	Rye	66,71	56,71
1003 00 10	Barley, seed	66,71	56,71
1003 00 90	Barley, other ⁽³⁾	66,71	56,71
1005 10 90	Maize seed other than hybrid	78,33	68,33
1005 90 00	Maize other than seed ⁽³⁾	78,33	68,33
1007 00 90	Grain sorghum other than hybrids for sowing	66,71	56,71

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 14 March 1997 to 25 March 1997)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	129,11	131,86	123,65	103,30	171,18 (')	125,48 (')
Gulf premium (ECU/tonne)	30,02	22,73	9,98	10,56	—	—
Great Lakes premium (ECU/tonne)	—	—	—	—	—	—

(') Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,78 per tonne; Great Lakes — Rotterdam: ECU 24,05 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 558/97
of 26 March 1997
fixing the export refunds on 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 Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 417/97 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ No L 64, 5. 3. 1997, p. 1.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽³⁾, as last amended by Regulation (EEC) No 222/88⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in

particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 27 March 1997.

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

Done at Brussels, 26 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 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

ANNEX

to the Commission Regulation of 26 March 1997 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	+	3,324	0402 21 99 9600	+	131,29
0401 10 90 9000	+	3,324	0402 21 99 9700	+	137,24
0401 20 11 9100	+	3,324	0402 21 99 9900	+	143,96
0401 20 11 9500	+	5,138	0402 29 15 9200	+	0,6300
0401 20 19 9100	+	3,324	0402 29 15 9300	+	0,9530
0401 20 19 9500	+	5,138	0402 29 15 9500	+	1,0040
0401 20 91 9100	+	6,843	0402 29 15 9900	+	1,0802
0401 20 91 9500	+	7,973	0402 29 19 9200	+	0,6300
0401 20 99 9100	+	6,843	0402 29 19 9300	+	0,9530
0401 20 99 9500	+	7,973	0402 29 19 9500	+	1,0040
0401 30 11 9100	+	10,23	0402 29 19 9900	+	1,0802
0401 30 11 9400	+	15,79	0402 29 91 9100	+	1,0878
0401 30 11 9700	+	23,71	0402 29 91 9500	+	1,1851
0401 30 19 9100	+	10,23	0402 29 99 9100	+	1,0878
0401 30 19 9400	+	15,79	0402 29 99 9500	+	1,1851
0401 30 19 9700	+	23,71	0402 91 11 9110	+	3,324
0401 30 31 9100	+	28,24	0402 91 11 9120	+	6,843
0401 30 31 9400	+	44,10	0402 91 11 9310	+	14,00
0401 30 31 9700	+	48,63	0402 91 11 9350	+	17,15
0401 30 39 9100	+	28,24	0402 91 11 9370	+	20,85
0401 30 39 9400	+	44,10	0402 91 19 9110	+	3,324
0401 30 39 9700	+	48,63	0402 91 19 9120	+	6,843
0401 30 91 9100	+	55,43	0402 91 19 9310	+	14,00
0401 30 91 9400	+	81,46	0402 91 19 9350	+	17,15
0401 30 91 9700	+	95,06	0402 91 19 9370	+	20,85
0401 30 99 9100	+	55,43	0402 91 31 9100	+	13,52
0401 30 99 9400	+	81,46	0402 91 31 9300	+	24,65
0401 30 99 9700	+	95,06	0402 91 39 9100	+	13,52
0402 10 11 9000	+	63,00	0402 91 39 9300	+	24,65
0402 10 19 9000	+	63,00	0402 91 51 9000	+	15,79
0402 10 91 9000	+	0,6300	0402 91 59 9000	+	15,79
0402 10 99 9000	+	0,6300	0402 91 91 9000	+	55,43
0402 21 11 9200	+	63,00	0402 91 99 9000	+	55,43
0402 21 11 9300	+	95,30	0402 99 11 9110	+	0,0333
0402 21 11 9500	+	100,40	0402 99 11 9130	+	0,0685
0402 21 11 9900	+	108,00	0402 99 11 9150	+	0,1336
0402 21 17 9000	+	63,00	0402 99 11 9310	+	16,14
0402 21 19 9300	+	95,30	0402 99 11 9330	+	19,37
0402 21 19 9500	+	100,40	0402 99 11 9350	+	25,75
0402 21 19 9900	+	108,00	0402 99 19 9110	+	0,0333
0402 21 91 9100	+	108,78	0402 99 19 9130	+	0,0685
0402 21 91 9200	+	109,53	0402 99 19 9150	+	0,1336
0402 21 91 9300	+	110,88	0402 99 19 9310	+	16,14
0402 21 91 9400	+	118,51	0402 99 19 9330	+	19,37
0402 21 91 9500	+	121,15	0402 99 19 9350	+	25,75
0402 21 91 9600	+	131,29	0402 99 31 9110	+	0,1466
0402 21 91 9700	+	137,24	0402 99 31 9150	+	26,81
0402 21 91 9900	+	143,96	0402 99 31 9300	+	0,2824
0402 21 99 9100	+	108,78	0402 99 31 9500	+	0,4863
0402 21 99 9200	+	109,53	0402 99 39 9110	+	0,1466
0402 21 99 9300	+	110,88	0402 99 39 9150	+	26,81
0402 21 99 9400	+	118,51	0402 99 39 9300	+	0,2824
0402 21 99 9500	+	121,15			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,4863	0404 90 29 9160	+	136,02
0402 99 91 9000	+	0,5543	0404 90 29 9180	+	142,66
0402 99 99 9000	+	0,5543	0404 90 81 9100	+	0,6194
0403 10 11 9400	+	3,324	0404 90 81 9910	+	0,0333
0403 10 11 9800	+	5,138	0404 90 81 9950	+	16,00
0403 10 13 9800	+	6,843	0404 90 83 9110	+	0,6194
0403 10 19 9800	+	10,23	0404 90 83 9130	+	0,9445
0403 10 31 9400	+	0,0333	0404 90 83 9150	+	0,9950
0403 10 31 9800	+	0,0514	0404 90 83 9170	+	1,0703
0403 10 33 9800	+	0,0685	0404 90 83 9911	+	0,0333
0403 10 39 9800	+	0,1023	0404 90 83 9913	+	0,0685
0403 90 11 9000	+	61,94	0404 90 83 9915	+	0,1023
0403 90 13 9200	+	61,94	0404 90 83 9917	+	0,1579
0403 90 13 9300	+	94,45	0404 90 83 9919	+	0,2371
0403 90 13 9500	+	99,50	0404 90 83 9931	+	16,00
0403 90 13 9900	+	107,03	0404 90 83 9933	+	19,20
0403 90 19 9000	+	107,83	0404 90 83 9935	+	25,52
0403 90 31 9000	+	0,6194	0404 90 83 9937	+	26,55
0403 90 33 9200	+	0,6194	0404 90 89 9130	+	1,0783
0403 90 33 9300	+	0,9445	0404 90 89 9150	+	1,1746
0403 90 33 9500	+	0,9950	0404 90 89 9930	+	0,3390
0403 90 33 9900	+	1,0703	0404 90 89 9950	+	0,4863
0403 90 39 9000	+	1,0783	0404 90 89 9990	+	0,5543
0403 90 51 9100	+	3,324	0405 10 11 9500	+	185,37
0403 90 51 9300	+	5,138	0405 10 11 9700	+	190,00
0403 90 53 9000	+	6,843	0405 10 19 9500	+	185,37
0403 90 59 9110	+	10,23	0405 10 19 9700	+	190,00
0403 90 59 9140	+	15,79	0405 10 30 9100	+	185,37
0403 90 59 9170	+	23,71	0405 10 30 9300	+	190,00
0403 90 59 9310	+	28,24	0405 10 30 9500	+	185,37
0403 90 59 9340	+	44,10	0405 10 30 9700	+	190,00
0403 90 59 9370	+	48,63	0405 10 50 9100	+	185,37
0403 90 59 9510	+	55,43	0405 10 50 9300	+	190,00
0403 90 59 9540	+	81,46	0405 10 50 9500	+	185,37
0403 90 59 9570	+	95,06	0405 10 50 9700	+	190,00
0403 90 61 9100	+	0,0333	0405 10 90 9000	+	196,95
0403 90 61 9300	+	0,0514	0405 20 90 9500	+	173,78
0403 90 63 9000	+	0,0685	0405 20 90 9700	+	180,73
0403 90 69 9000	+	0,1023	0405 90 10 9000	+	240,00
0404 90 21 9100	+	61,94	0405 90 90 9000	+	190,00
0404 90 21 9910	+	3,324	0406 10 20 9100	+	—
0404 90 21 9950	+	13,87	0406 10 20 9230	037	—
0404 90 23 9120	+	61,94		039	—
0404 90 23 9130	+	94,45		099	24,03
0404 90 23 9140	+	99,50		400	24,72
0404 90 23 9150	+	107,03		...	36,05
0404 90 23 9911	+	3,324	0406 10 20 9290	037	—
0404 90 23 9913	+	6,843		039	—
0404 90 23 9915	+	10,23		099	22,36
0404 90 23 9917	+	15,79		400	16,09
0404 90 23 9919	+	23,71		...	33,54
0404 90 23 9931	+	13,87		037	—
0404 90 23 9933	+	17,00		039	—
0404 90 23 9935	+	20,66		099	22,36
0404 90 23 9937	+	24,43		400	16,09
0404 90 23 9939	+	25,54		...	33,54
0404 90 29 9110	+	107,83	0406 10 20 9300	037	—
0404 90 29 9115	+	108,54		039	—
0404 90 29 9120	+	109,89		099	9,820
0404 90 29 9130	+	117,46		400	8,246
0404 90 29 9135	+	120,05		...	14,73
0404 90 29 9150	+	130,11			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	32,61		039	—
	400	35,03		099	12,55
	...	48,91		400	8,785
0406 10 20 9620	037	—		...	18,82
	039	—	0406 30 31 9730	037	—
	099	33,07		039	—
	400	38,41		099	18,41
	...	49,60		400	12,89
0406 10 20 9630	037	—		...	27,62
	039	—	0406 30 31 9910	037	—
	099	36,91		039	—
	400	43,37		099	12,55
	...	55,37		400	8,785
0406 10 20 9640	037	—		...	18,82
	039	—	0406 30 31 9930	037	—
	099	54,25		039	—
	400	50,89		099	18,41
	...	81,37		400	12,89
0406 10 20 9650	037	—		...	27,62
	039	—	0406 30 31 9950	037	—
	099	45,21		039	—
	400	26,78		099	26,79
	...	67,81		400	18,75
0406 10 20 9660	+	—		...	40,18
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	099	16,77		099	18,41
	400	14,08		400	12,89
	...	25,15		...	27,62
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	20,33		099	26,79
	400	17,07		400	18,75
	...	30,49		...	40,18
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	26,79
0406 20 90 9913	037	—		400	18,75
	039	—		...	40,18
	099	37,49	0406 30 39 9950	037	—
	400	33,25		039	—
	...	56,24		099	30,29
0406 20 90 9915	037	—		400	22,25
	039	—		...	45,43
	099	49,48	0406 30 90 9000	037	—
	400	44,34		039	—
	...	74,22		099	31,78
0406 20 90 9917	037	—		400	22,25
	039	—		...	47,66
	099	52,57	0406 40 50 9000	037	—
	400	47,10		039	—
	...	78,86		099	57,42
0406 20 90 9919	037	—		400	34,72
	039	—		...	86,13
	099	58,76			
	400	52,65			
	...	88,14			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9151	037	—
	039	—		039	—
	099	58,96		099	38,10
	400	34,72		400	22,64
	...	88,44		...	57,15
0406 90 13 9000	037	—	0406 90 33 9919	037	—
	039	—		039	—
	099	63,33		099	36,17
	400	68,40		400	21,40
	...	94,99		...	54,25
0406 90 15 9100	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	65,44		099	38,10
	400	72,00		400	21,06
	...	98,16		...	57,15
0406 90 17 9100	037	—	0406 90 35 9190	037	30,47
	039	—		039	30,47
	099	65,44		099	64,63
	400	68,40		400	79,25
	...	98,16		...	96,94
0406 90 21 9900	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	64,87		099	57,56
	400	46,87		400	42,31
	...	97,30		...	86,34
0406 90 23 9900	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	48,04		099	63,33
	400	19,55		400	72,00
	...	72,06		...	94,99
0406 90 25 9900	037	—	0406 90 61 9000	037	42,75
	039	—		039	42,75
	099	48,65		099	69,28
	400	22,27		400	60,28
	...	72,97		...	103,92
0406 90 27 9900	037	—	0406 90 63 9100	037	39,07
	039	—		039	39,07
	099	44,05		099	67,25
	400	19,55		400	70,62
	...	66,08		...	100,88
0406 90 31 9119	037	—	0406 90 63 9900	037	31,07
	039	—		039	31,07
	099	36,17		099	51,51
	400	24,22		400	54,09
	...	54,25		...	77,27
0406 90 31 9151	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	38,10		039	—
	400	22,64		099	51,51
	...	57,15		400	54,09
0406 90 33 9119	037	—		...	77,27
	039	—	0406 90 73 9900	037	—
	099	36,17		039	—
	400	24,22		099	48,53
	...	54,25		400	51,72
				...	72,79

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 75 9900	037	—	0406 90 85 9995	037	—
	039	—		039	—
	099	54,70		099	54,70
	400	23,44		400	22,27
	...	82,05		...	82,05
0406 90 76 9100	037	—	0406 90 85 9999	+	—
	039	—		+	—
	099	38,73		0406 90 86 9100	—
	400	19,09		0406 90 86 9200	—
	...	58,10		039	—
0406 90 76 9300	037	—	0406 90 86 9300	099	39,13
	039	—		400	29,10
	099	45,89		...	58,69
	400	21,18		037	—
	...	68,84		039	—
0406 90 76 9500	037	—	0406 90 86 9400	099	40,50
	039	—		400	31,89
	099	50,79		...	60,75
	400	24,44		037	—
	...	76,19		039	—
0406 90 78 9100	037	—	0406 90 86 9900	099	45,50
	039	—		400	36,08
	099	43,06		...	68,25
	400	19,09		037	—
	...	64,59		039	—
0406 90 78 9300	037	—	0406 90 87 9100	099	57,63
	039	—		400	42,36
	099	52,73		...	86,45
	400	21,18		+	—
	...	79,09		0406 90 87 9200	—
0406 90 78 9500	037	—	0406 90 87 9300	037	—
	039	—		039	—
	099	52,73		099	32,61
	400	24,44		400	26,91
	...	79,09		...	48,91
0406 90 79 9900	037	—	0406 90 87 9400	037	—
	039	—		039	—
	099	39,88		099	40,35
	400	20,24		400	33,38
	...	59,82		...	60,53
0406 90 81 9900	037	—	0406 90 87 9951	037	—
	039	—		039	—
	099	47,73		099	55,52
	400	42,31		400	69,82
	...	71,59		...	83,29
0406 90 85 9910	037	30,47	0406 90 87 9971	037	—
	039	30,47		039	—
	099	62,39		099	55,36
	400	79,25		400	36,22
	...	93,58		...	83,04
0406 90 85 9991	037	—			
	039	—			
	099	57,56			
	400	42,31			
	...	86,34			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9972	099	21,09	2309 10 19 9100	+	—
	400	14,39	2309 10 19 9200	+	—
	...	31,64	2309 10 19 9300	+	—
0406 90 87 9973	037	—	2309 10 19 9400	+	—
	039	—	2309 10 19 9500	+	—
	099	49,56	2309 10 19 9600	+	—
	400	25,35	2309 10 19 9700	+	—
	...	74,34	2309 10 19 9800	+	—
0406 90 87 9974	037	—	2309 10 70 9010	+	—
	039	—	2309 10 70 9100	+	14,58
	099	55,36	2309 10 70 9200	+	19,44
	400	25,35	2309 10 70 9300	+	24,30
	...	83,04	2309 10 70 9500	+	29,16
0406 90 87 9979	037	—	2309 10 70 9600	+	34,02
	039	—	2309 10 70 9700	+	38,88
	099	48,04	2309 10 70 9800	+	42,77
	400	25,35	2309 90 35 9010	+	—
	...	72,06	2309 90 35 9100	+	—
0406 90 88 9100	+	—	2309 90 35 9200	+	—
0406 90 88 9105	037	—	2309 90 35 9300	+	—
	039	—	2309 90 35 9400	+	—
	099	55,22	2309 90 35 9500	+	—
	400	31,89	2309 90 35 9700	+	—
	...	82,83	2309 90 39 9010	+	—
0406 90 88 9300	037	—	2309 90 39 9100	+	—
	039	—	2309 90 39 9200	+	—
	099	33,52	2309 90 39 9300	+	—
	400	31,89	2309 90 39 9400	+	—
	...	50,28	2309 90 39 9500	+	—
2309 10 15 9010	+	—	2309 90 39 9600	+	—
2309 10 15 9100	+	—	2309 90 39 9700	+	—
2309 10 15 9200	+	—	2309 90 39 9800	+	—
2309 10 15 9300	+	—	2309 90 70 9010	+	—
2309 10 15 9400	+	—	2309 90 70 9100	+	14,58
2309 10 15 9500	+	—	2309 90 70 9200	+	19,44
2309 10 15 9700	+	—	2309 90 70 9300	+	24,30
2309 10 19 9010	+	—	2309 90 70 9500	+	29,16
			2309 90 70 9600	+	34,02
			2309 90 70 9700	+	38,88
			2309 90 70 9800	+	42,77

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

However, '099' covers all destination codes from 053 to 096 inclusive.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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

COMMISSION REGULATION (EC) No 559/97
of 26 March 1997
on the supply of white sugar as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated sugar to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 160-161/96
2. **Programme**: 1996
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel.: (31-70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient** (3): to be designated by the recipient
5. **Place or country of destination**: Uganda
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (4) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (V.A.(1))
8. **Total quantity (tonnes)**: 216
9. **Number of lots**: 1 in 2 parts (A1: 198 tonnes; A2: 18 tonnes)
10. **Packaging and marking** (6) (9) (10): see OJ No C 267, 13. 9. 1996, p. 1 (11.2 A.1.b), 2.b) and B.4) see OJ No C 114, 29. 4. 1991, p. 1 (V.A.(3))
Language to be used for the marking: English
Supplementary markings: 'Expiry date ...'
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
A or B sugar (points (a) and (b))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5. — 25. 5. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 14. 4. 1997
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 28. 4. 1997
 - (b) period for making the goods available at the port of shipment: 19. 5. — 8. 6. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels
Telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** (1): periodic refund applicable to white sugar on 21. 3. 1997, fixed by Commission Regulation (EC) No 500/97 (OJ No L 78, 20. 3. 1997, p. 3)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) The supplier should send a duplicate of the original invoice to: Scheuer Assurantie, Postbus 1315, NL-1000 BH Amsterdam.
- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Commission Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
- health certificate (+ expiry date).
- (⁹) Notwithstanding OJ No C 114, point VA (3)(c) is replaced by the following: 'the words "European Community"'.
- (¹⁰) Shipment to take place in 20-foot containers, condition FCL/FCL, each containing 18 tonnes net.
- The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which to be provided to the beneficiary's forwarder.
-

COMMISSION REGULATION (EC) No 560/97

of 26 March 1997

on additional quantities of textile products to be made available to the Republic of Indonesia

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

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽¹⁾, as last amended by Commission Regulation (EC) No 152/97⁽²⁾, and in particular Article 8 thereof,

Whereas for certain categories of textile products Indonesia had issued 1996 export licences for amounts in excess of its 1996 quota levels and that Indonesia is willing to adopt the necessary measures to take into account this over-licensing in the management of its exports in 1997;

Whereas, this has led to a situation where importers are unable to receive an import licence for goods which have already been paid for and shipped to the European Community and that the goods are consequently blocked in the ports of arrival;

Whereas overshipments of this type are an exceptional occurrence due to a breakdown in communication between Indonesia's central licensing office and its regional offices;

Whereas Indonesia and the European Community are currently making efforts to establish a system of control which will greatly reduce the risk of this situation reoccurring in the future;

Whereas the quantities in question are minor when compared to the total level of imports into the European Community of the corresponding products and that therefore there would be no risk of market disruption if the goods were released into free circulation;

Whereas Article 8 of Regulation (EEC) No 3030/93 allows the Commission to open up additional opportunities for imports under particular circumstances;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following quantities shall be made available to allow the release into free circulation of products for which Indonesia has issued 1996 export licences:

- Category 5: 862 208 pieces,
- Category 35: 452,577 tonnes.

Article 2

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

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

Done at Brussels, 26 March 1997.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 275, 8. 11. 1993, p. 1.

⁽²⁾ OJ No L 26, 29. 1. 1997, p. 8.

COMMISSION REGULATION (EC) No 561/97
of 26 March 1997
amending Regulation (EC) No 1685/95 on arrangements for issuing export
licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1592/96 ⁽²⁾, and in particular Articles 52 (3) and 83 thereof,

Whereas Article 2a (2) of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽³⁾, as last amended by Regulation (EC) 495/97 ⁽⁴⁾, introduces the possibility of extending the validity of export licences to cover products other than those indicated on the licence provided that those products belong to the same product category or group to be determined; whereas, in the interests of consistency, the product groups referred to in Article 2a (2) of Regulation (EEC) No 3665/87 should be introduced in the wine sector in order to avoid excessive penalties; whereas this is necessary because products eligible for refunds are subdivided into categories with a different refund rate based on their alcoholic strength; whereas the alcoholic strength of an exported product is only known at the time of export by means of the analysis certificate referred to in Article 3 (1) of Commission Regulation (EEC) No 3389/81 of 27 November 1981 laying down detailed rules for export refunds in the wine sector ⁽⁵⁾, as last amended by Regulation (EEC) No 2730/95 ⁽⁶⁾; whereas the alcoholic strength may differ from that indicated on the licence with consequences for the refund rate;

Whereas the current wording of Article 6 of Commission Regulation (EC) No 1685/95 ⁽⁷⁾, as last amended by Regulation (EC) No 69/97 ⁽⁸⁾, may cause misunderstandings regarding the authority which must enter the wording provided for in that Article and the time when it must be entered; whereas the fact that the exported quantity exceeds the quantity indicated on the licence can only be

noted at the time of export; whereas, when issuing licences, the issuing bodies must indicate that no refund will be paid for the exported quantity exceeding that indicated on the licence; whereas the wording of the above-mentioned Article 6 should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1685/95 is amended as follows:

1. the following paragraph 3 is added to Article 2:

'3. The product groups referred to in the first subparagraph of Article 2a (2) (b) of Regulation (EEC) No 3665/87 which may be entered on the licence application and licence in accordance with the fourth subparagraph of Article 13a of Regulation (EEC) No 3719/88 are listed in Annex Ia hereto.'

2. the first part of Article 6 is replaced by the following:

Article 6

The excess quantity exported within the tolerance referred to in Article 8 (4) of Regulation (EEC) No 3719/88 shall not give entitlement to payment of the refund.

At least one of the following entries shall be made in box 22':

3. the Annex hereto is inserted as Annex Ia.

Article 2

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

At the request of the interested party, submitted by 26 March 1998, Article 1 (1) shall be applied in cases in which the formalities referred to in Articles 3 and 25 of Regulation (EEC) No 3665/87 were completed from 1 September 1995 onwards.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 31.

⁽³⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 77, 19. 3. 1997, p. 12.

⁽⁵⁾ OJ No L 341, 28. 11. 1981, p. 24.

⁽⁶⁾ OJ No L 284, 28. 11. 1995, p. 6.

⁽⁷⁾ OJ No L 161, 12. 7. 1995, p. 2.

⁽⁸⁾ OJ No L 14, 17. 1. 1997, p. 54.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX Ia

Product groups referred to in the first subparagraph of Article 2a (2) (b) of Regulation (EEC) No 3665/87

Agricultural product nomenclature code for export refunds	Group
2009 60 11 9100 2009 60 19 9100 2009 60 51 9100 2009 60 71 9100	A
2204 30 92 9100 2204 30 96 9100	B
2204 30 94 9100 2204 30 98 9100	C
2204 21 79 9120 2204 21 79 9220 2204 21 79 9910 2204 21 83 9120	D
2204 29 62 9120 2204 29 62 9220 2204 29 62 9910 2204 29 64 9120 2204 29 64 9220 2204 29 64 9910 2204 29 65 9120 2204 29 65 9220 2204 29 65 9910 2204 29 83 9120	E
2204 21 79 9180 2204 21 79 9280 2204 21 83 9180	F
2204 29 62 9180 2204 29 62 9280 2204 29 64 9180 2204 29 64 9280 2204 29 65 9180 2204 29 65 9280 2204 29 83 9180	G
2204 21 80 9120 2204 21 80 9220 2204 21 84 9120	H
2204 29 71 9120 2204 29 71 9220 2204 29 72 9120 2204 29 72 9220 2204 29 75 9120 2204 29 75 9220 2204 29 84 9120	I
2204 21 80 9180 2204 21 80 9280 2204 21 84 9180	J

Agricultural product nomenclature code for export refunds	Group
2204 29 71 9180	K
2204 29 71 9280	
2204 29 72 9180	
2204 29 72 9280	
2204 29 75 9180	
2204 29 75 9280	
2204 29 84 9180	
2204 21 94 9910	L
2204 21 98 9910	
2204 29 94 9910	M
2204 29 98 9910	
2204 21 94 9100	N
2204 21 98 9100	
2204 29 94 9100	O'
2204 29 98 9100	

COMMISSION REGULATION (EC) No 562/97

of 26 March 1997

amending Commission Regulation (EC) No 2446/96 of 18 December 1996
concerning imports of certain textile products originating in the Russian
Federation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, as last amended by Commission Regulation (EC) No 1937/96⁽²⁾, and in particular Article 12 (2) in conjunction with Article 25 (5) thereof,

Whereas the agreement in the form of an exchange of letters between the European Community and the Russian Federation on trade in textile products initialled on 19 December 1995 expired on 31 December 1996 and whereas, pending the resumption and completion of negotiations directed towards the initialling of a new agreement with the Russian Federation, Commission Regulation (EC) No 2446/96⁽³⁾ was adopted in order to safeguard the economic interests of the Community in the further conduct of trade in textile products with that country;

Whereas the measures brought in by that Regulation are to apply until 31 March 1997;

Whereas negotiations to reach a new agreement with the Russian Federation cannot be completed before that date and whereas it is necessary, pending their conclusion and for the reasons given in the grounds for Regulation (EC) No 2446/96, to extend the period of application of that Regulation by three months;

Whereas the Commission will continue in the mean time to do everything possible to reach a new bilateral agree-

ment between the Community and the Russian Federation before this Regulation expires;

Whereas it is necessary to adapt the quantitative limits according to the same criteria as were observed when Regulation (EC) No 2446/96 was adopted and to amend the Annex accordingly;

Whereas these measures conform to the opinion delivered by the Committee set up by Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2446/96 is amended as follows:

1. Article 1 (2) is replaced by the following text:

'2. As from the date of entry into force of this Regulation re-imports into the Community, after outward economic processing in the Russian Federation, of textile products listed in the Annex to this Regulation originating in the Community shall be subject to the quantitative limits established in that Annex for the period 1 January to 30 June 1997.'

2. In Article 2 and Article 4 '31 March 1997' shall be replaced by '30 June 1997'.

3. The Annex shall be replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 1997.

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

Done at Brussels, 26 March 1997.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 67, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 255, 9. 10. 1996, p. 4.

⁽³⁾ OJ No L 333, 21. 12. 1996, p. 7.

ANNEX

ANNEX

Community quantitative limits referred to in Article 1 (1), of Regulation (EC) No 2446/96
applicable from 1 January to 30 June 1997

Category (1)	Unit	Quantity
1	tonnes	2 614
2	tonnes	7 238
2a	tonnes	556
3	tonnes	1 016
4	1 000 pieces	1 440
5	1 000 pieces	914
6	1 000 pieces	1 604
7	1 000 pieces	452
8	1 000 pieces	1 376
9	tonnes	946
20	tonnes	1 372
22	tonnes	736
39	tonnes	450
12	1 000 pairs	2 256
13	1 000 pieces	2 990
15	1 000 pieces	572
16	1 000 pieces	416
21	1 000 pieces	680
24	1 000 pieces	700
29	1 000 pieces	318
83	tonnes	236
33	tonnes	266
37	tonnes	910
50	tonnes	282
74	1 000 pieces	306
90	tonnes	486
115	tonnes	244
117	tonnes	818
118	tonnes	482

(1) The full description of products falling within these categories is set out in Annex I to Regulation (EC) No 517/94.

OUTWARD PROCESSING

Community quantitative limits referred to in Article 1 (2) of Regulation (EC) No 2446/96
applicable from 1 January to 30 June 1997

Category (1)	Unit	Quantity
4	1 000 pieces	488
5	1 000 pieces	1 118
6	1 000 pieces	3 094
7	1 000 pieces	1 976
8	1 000 pieces	1 790
12	1 000 pairs	2 386
13	1 000 pieces	714
15	1 000 pieces	1 898
16	1 000 pieces	694
21	1 000 pieces	2 714
24	1 000 pieces	1 380
29	1 000 pieces	2 180
83	tonnes	250
74	1 000 pieces	500

(1) The full description of products falling within these categories is set out in Annex I to Regulation (EC) No 517/94.

COMMISSION REGULATION (EC) No 563/97

of 26 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 27 March 1997.

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

Done at Brussels, 26 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 26 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	70,7
	212	102,8
	624	141,6
	999	105,0
0707 00 15	052	161,8
	999	161,8
0709 10 10	220	197,5
	999	197,5
0709 90 73	052	106,7
	204	83,4
	999	95,0
0805 10 01, 0805 10 05, 0805 10 09	052	53,1
	204	45,1
	212	45,0
	220	29,3
	400	38,2
	448	24,5
	456	33,4
	600	40,4
	624	49,9
	625	39,9
	999	39,9
	052	65,4
0805 30 20	600	81,3
	999	73,4
0808 10 51, 0808 10 53, 0808 10 59	060	59,7
	388	94,2
	400	88,2
	404	101,2
	508	78,8
	512	87,0
	524	71,0
	528	78,4
	999	82,3
	052	121,1
0808 20 31	388	66,7
	400	82,5
	512	68,9
	528	73,3
	999	82,5

⁽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'.

COMMISSION REGULATION (EC) No 564/97
of 26 March 1997
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

refund and may be limited to certain countries of destination, quantities, qualities and presentations;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 27 March 1997.

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

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁴⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 26 March 1997 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾
1509 10 90 9100	27,00
1509 10 90 9900	0,00
1509 90 00 9100	30,50
1509 90 00 9900	0,00
1510 00 90 9100	2,00
1510 00 90 9900	0,00

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

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

COMMISSION REGULATION (EC) No 565/97

of 26 March 1997

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the ninth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 March 1997.

Article 2

This Regulation shall enter into force on 27 March 1997.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

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

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ No L 279, 31. 10. 1996, p. 17.

ANNEX

to the Commission Regulation of 26 March 1997 fixing the maximum export refunds for olive oil for the ninth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

(ECU/100 kg)	
Product code	Amount of refund
1509 10 90 9100	28,00
1509 10 90 9900	—
1509 90 00 9100	31,80
1509 90 00 9900	—
1510 00 90 9100	2,20
1510 00 90 9900	—

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

COMMISSION REGULATION (EC) No 566/97
of 26 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 1 April 1997.

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

Done at Brussels, 26 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 26 March 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽²⁾			
	Third countries (except ACP and Bangladesh) ⁽¹⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁵⁾
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	357,14	174,23		267,86
1006 20 13	357,14	174,23		267,86
1006 20 15	357,14	174,23		267,86
1006 20 17	254,10	122,71	4,10	190,58
1006 20 92	357,14	174,23		267,86
1006 20 94	357,14	174,23		267,86
1006 20 96	357,14	174,23		267,86
1006 20 98	254,10	122,71	4,10	190,58
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)	254,10	572,00	357,14	572,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	381,80	344,18	307,03	350,27	—
(b) fob price (ECU/tonne)	—	—	—	281,08	324,32	—
(c) Sea freight (ECU/tonne)	—	—	—	25,95	25,95	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 567/97

of 26 March 1997

fixing the rates of refunds applicable to certain products from the sugar sector
exported in the form of goods not covered by Annex II to the Treaty

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⁾ and in particular Article 17 (5) (a) and (15),

Whereas Article 17 (1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds⁽³⁾ as last amended by Regulation (EC) No 229/96⁽⁴⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 17 (3) of Regulation (EEC) No 1785/81 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

Whereas the refunds fixed under this Regulation may be fixed in advance; whereas the market situation over the next few months cannot be established at the moment;

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex II to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86⁽⁵⁾, as last amended by Commission Regulation (EC) No 1126/96⁽⁶⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 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 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 150, 25. 6. 1996, p. 3.

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

Done at Brussels, 26 March 1997.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 26 March 1997 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Product	Rate of refund in ECU/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	4,54	4,54
— in all other cases	41,16	41,16
Raw sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	4,18	4,18
— in all other cases	37,87	37,87
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	$\frac{4,54^{(*)} \times S^{(1)}}{100}$	$\frac{4,54^{(*)} \times S^{(1)}}{100}$
— in all other cases	$\frac{41,16^{(*)} \times S^{(1)}}{100}$	$\frac{41,16^{(*)} \times S^{(1)}}{100}$
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion	the rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses	—	—
Isoglucose ⁽²⁾ :		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	4,54 ⁽³⁾	4,54 ⁽³⁾
— in all other cases	41,16 ⁽³⁾	41,16 ⁽³⁾

(¹) 'S' represents in 100 kilograms of syrup

— the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

(⁴) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EC) No 568/97

of 26 March 1997

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

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 Article 17 (3) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 229/96 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced

skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EC) No 531/96 ⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 1997.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 78, 28. 3. 1996, p. 13.

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

Done at Brussels, 26 March 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 26 March 1997 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 63,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3): (a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EEC) No 570/88 are exported (b) On exportation of other goods	67,23 108,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	65,00 197,25 190,00

COMMISSION REGULATION (EC) No 569/97

of 26 March 1997

fixing the production refund for white sugar used in the chemical industry

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 Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry ⁽³⁾, as last amended by Commission Regulation (EC) No 1126/96 ⁽⁴⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry ⁽⁵⁾, as last amended by Regulation (EC) No 1126/96, specifies the method to be used for establi-

shing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 36,615 for the quarter 1 April to 30 June 1997.

Article 2

This Regulation shall enter into force on 1 April 1997.

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

Done at Brussels, 26 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 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 150, 25. 6. 1996, p. 3.

⁽⁵⁾ OJ No L 201, 25. 7. 1978, p. 26.

COMMISSION REGULATION (EC) No 570/97

of 26 March 1997

altering the corrective amount applicable to the refund on malt

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96 ⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the corrective amount applicable to the refund on malt was fixed by Commission Regulation (EC) No 1675/96 ⁽³⁾, as amended by Regulation (EC) No 2518/96 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on malt should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of malt is hereby altered to the amount set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1997.

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 214, 23. 8. 1996, p. 16.

⁽⁴⁾ OJ No L 345, 31. 12. 1996, p. 62.

ANNEX

to the Commission Regulation of 26 March 1997 altering the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
	4	5	6	7	8	9
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	0	0	0	0	0	0
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	0	0	0	0	0	0
1107 20 00 9000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
	10	11	12	1	2	3
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	0	0	0	0	0	0
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	0	0	0	0	0	0
1107 20 00 9000	0	0	0	0	0	0

COMMISSION REGULATION (EC) No 571/97
of 26 March 1997

establishing detailed rules for the application in the pigmeat sector of the Interim Agreement on Trade and Trade-related Measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 410/97 of 24 February 1997 on certain procedures for applying the Interim Agreement on Trade and Trade-related Measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia⁽¹⁾, of the other part, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽²⁾, as last amended by Regulation (EC) No 3290/94⁽³⁾, and in particular Article 8 (2) thereof,

Whereas an Interim Agreement on trade and trade-related measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, signed in Brussels on 11 November 1996⁽⁴⁾, provides that, pending the entry into force of the Europe Agreement, the provisions of that Agreement as regards trade and trade-related measures are to enter into force; whereas those provisions are to apply temporarily from 1 January 1997;

Whereas provision should be made for the administration of the arrangements set up by the Interim Agreement, by means of import licences; whereas, to that end, notwithstanding Article 8 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EC) No 2350/96⁽⁶⁾, detailed rules for submission of the applications and the particulars which should appear in applications and licences should be laid down; whereas, in addition, provision should be made for licences to be

issued after a period of consideration, applying, where necessary, a single acceptance rate;

Whereas, in order to ensure regular imports, the quantities of products benefiting under the arrangements should be staggered over the year;

Whereas, in order to ensure proper administration of the system, the security for import licences under the said system should be fixed at ECU 30 per 100 kilograms; whereas, in view of the likelihood of speculation inherent in the system in the pigmeat sector, precise conditions governing access by traders to the said system should be laid down;

Whereas the attention of traders should be drawn to the fact that licences may be used only for products that comply with all the veterinary requirements in force in the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

All imports into the Community under the arrangements provided for in Protocol No 1 to the Interim Agreement between the Community and Slovenia of products with the CN codes and in the groups referred to in Annex I to this Regulation shall be subject to presentation of an import licence.

The quantities of products to which those arrangements apply and the rates of customs duty shall be those listed in Annex I.

Article 2

The quantities referred to in Article 1 shall be staggered as follows:

- 25 % in the period 1 January to 31 March,
- 25 % in the period 1 April to 30 June,
- 25 % in the period 1 July to 30 September,
- 25 % in the period 1 October to 31 December.

⁽¹⁾ OJ No L 62, 4. 3. 1997, p. 5.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽⁴⁾ OJ No L 344, 31. 12. 1996, p. 3.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 320, 11. 12. 1996, p. 4.

Article 3

1. Applicants for the import licences referred to in Article 1 shall be natural or legal persons who, at the time when applications are submitted, can prove to the satisfaction of the competent authorities of the Member States that they have been active in trade with third countries in the pigmeat sector for at least the preceding twelve months: however, retail establishments or restaurants selling their products to final consumers shall be excluded from this system.

2. The licence application may mention only one of the group numbers defined in Annex I hereto; it may involve several products covered by different CN codes. In such cases, all the CN codes shall be indicated in section 16 and their description in section 15 of the licence application.

A licence application must relate to at least 200 kilograms and to a maximum of 10 % of the quantity available for the group concerned and the period as specified in Article 2.

3. Section 8 of licence applications and licences shall indicate the country of origin; licences shall entail an obligation to import from the country indicated.

4. Section 20 of licence applications and licences shall show one of the following:

Reglamento (CE) n° 571/97

Forordning (EF) nr. 571/97

Verordnung (EG) Nr. 571/97

Κανονισμός (ΕΚ) αριθ. 571/97

Regulation (EC) No 571/97

Règlement (CE) n° 571/97

Regolamento (CE) n. 571/97

Verordening (EG) nr. 571/97

Regulamento (CE) n° 571/97

Asetus (EY) N:o 571/97

Förordning (EG) nr 571/97.

5. Section 24 of licences shall show one of the following:

Import duty reduced by 80 %:

Reglamento (CE) n° 571/97

Forordning (EF) nr. 571/97

Verordnung (EG) Nr. 571/97

Κανονισμός (ΕΚ) αριθ. 571/97

Regulation (EC) No 571/97

Règlement (CE) n° 571/97

Regolamento (CE) n. 571/97

Verordening (EG) nr. 571/97

Regulamento (CE) n° 571/97

Asetus (EY) N:o 571/97

Förordning (EG) nr 571/97.

Article 4

1. Licence applications may be submitted only during the first 10 days of each period specified in Article 2.

However, as far as 1997 is concerned, licence applications for the quantities available for the periods referred to in the first two indents of Article 2 may be submitted only during the first 10 days of April 1997.

2. Licence applications shall be admissible only where the applicant declares in writing that he has not submitted and undertakes not to submit any applications, in respect of the current period, concerning products in the same group in the Member State in which his application is lodged, or in other Member States.

Where the same applicant submits more than one application relating to products in the same group, all applications from that person shall be inadmissible.

3. A security of ECU 30 per 100 kilograms shall be lodged for import licence applications for all products referred to in Article 1.

4. Member States shall notify the Commission on the third working day following the end of the application submission period of applications submitted for each of the products in the group. Such notification shall include a list of applicants and a statement of the quantities applied for in each group.

All notifications, including nil returns, shall be made by telex or fax on the working day stipulated, using the model in Annex II in cases where no application has been submitted and the models in Annexes II and III in cases where applications have been submitted.

5. The Commission shall decide as quickly as possible to what extent the applications referred to in Article 3 may be granted.

If quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix as single acceptance rate as a percentage of quantities applied for.

6. Licences shall be issued as quickly as possible after the Commission has taken its decision.

7. Licences may be used only for products complying with all the veterinary requirements in force in the Community.

Article 5

For the purposes of Article 21 (2) of Regulation (EEC) No 3719/88, import licences shall be valid for 150 days from the date of actual issue.

Import licences issued pursuant to this Regulation shall not be transferable.

Article 6

Regulation (EEC) No 3719/88 shall apply without prejudice to the provisions of this Regulation.

Notwithstanding Article 8 (4) of that Regulation, the quantity imported under this Regulation may not exceed that shown in sections 17 and 18 of the import licence. The figure '0' shall accordingly be entered in section 19 of licences.

Article 7

The products shall benefit from the customs duties listed in Annex I upon presentation of a movement certificate EUR 1 issued by the exporting country in accordance with Protocol No 4 annexed to the Interim Agreement.

Article 8

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

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX I***80 % reduction in duty fixed by the Common Customs Tariff**

(in tonnes)

Group No	CN code	1997	1998	1999	2000	2001	2002
23	0210 11 31	50	55	60	65	70	75
24	1601 00 91 1601 00 99	100	110	120	130	140	150

ANNEX II

Application of Regulation (EC) No 571/97

SLOVENIA

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI.D.3 — PIGMEAT SECTOR

Application for import licences with a reduction in the duty fixed by the Common Customs
Tariff

Date: Period:

Member State:

Sender:

Responsible contact person:

Telephone:

Fax:

Addressee: DG VI.D.3 — Fax: (32 2) 296.62.79 or 296.12.27

(tonnes)

Group No	Quantity applied for
23	
24	

ANNEX III

Application of Regulation (EC) No 571/97

SLOVENIA

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI.D.3 — PIGMEAT SECTOR

Application for import licences with a reduction in the duty fixed by the Common Customs Tariff

Date: Period:

Member State:

(in tonnes)

Group No	CN code	Applicant (Name and address)	Quantity
		Total in tonnes by group number	

COMMISSION REGULATION (EC) No 572/97
of 26 March 1997

**amending Regulations (EEC) No 3478/92 and (EC) No 1066/95 in the tobacco
sector as regards certain deadlines**

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

Having regard to Council Regulation (EEC) No 2075/92
 of 30 June 1992 on the common organization of the
 market in raw tobacco ⁽¹⁾, as last amended by Regulation
 (EC) No 2444/96 ⁽²⁾, and in particular Articles 7 and 11
 thereof,

Whereas one Member State is having unexpected ad-
 ministrative difficulties which prevent it from meeting the
 deadlines laid down by Commission Regulation (EEC) No
 3478/92 of 1 December 1992 laying down detailed rules
 for the application of the premium system for raw
 tobacco ⁽³⁾, as last amended by Regulation (EC) No
 1350/96 ⁽⁴⁾, and by Commission Regulation (EC) No
 1066/95 of 12 May 1995 laying down detailed rules for
 the application of Council Regulation No 2075/92 as
 regards the raw tobacco quota system for the 1995, 1996
 and 1997 harvests ⁽⁵⁾, as last amended by Regulation (EC)
 No 1286/96 ⁽⁶⁾; whereas derogation should therefore be
 made from those deadlines for the 1997 harvest;

Whereas the measures concerned should be applied as
 soon as possible;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation (EEC) No 3478/92 is amended as
 follows:

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

Done at Brussels, 26 March 1997.

1. The second subparagraph of paragraph 1 is replaced by
 the following:

‘For the 1997 harvest, Greece may allow contracts
 concluded on 31 May at the latest and, in the case of
 contracts concluded as a result of the allocation of
 additional quantities pursuant to Article 11 (3) of
 Commission Regulation (EC) No 1066/95 ^(*), before 15
 July, to benefit from the premium.

(*) OJ No L 108, 13. 5. 1995, p. 5.’

2. The second subparagraph of paragraph 2 is replaced by
 the following:

‘For the 1997 harvest, Greece may allow contracts
 submitted for registration before 8 June, and in the
 case of contracts concluded as a result of the allocation
 of additional quantities pursuant to Article 11 (3) of
 Regulation (EEC) No 1066/95, before 31 July, to
 benefit from the premium.’

Article 2

The second subparagraph of Article 11 (3) of Regula-
 tion (EC) No 1066/95 is replaced by the following:

‘For the 1997 harvest, Greece is authorized to
 extend the deadline referred to in the first subpara-
 graph until 30 June.’

Article 3

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

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 70.

⁽²⁾ OJ No L 333, 21. 12. 1996, p. 4.

⁽³⁾ OJ No L 351, 2. 12. 1992, p. 17.

⁽⁴⁾ OJ No L 174, 12. 7. 1996, p. 15.

⁽⁵⁾ OJ No L 108, 13. 5. 1995, p. 5.

⁽⁶⁾ OJ No L 165, 4. 7. 1996, p. 23.

COMMISSION REGULATION (EC) No 573/97

of 26 March 1997

amending Regulation (EC) No 1382/96 opening and providing for the administration of an import tariff quota for frozen beef intended for processing

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 (1) thereof,

Whereas Commission Regulation (EC) No 1382/96⁽²⁾ provides for the opening of a tariff quota of 50 700 tonnes of frozen beef intended for processing from 1 July 1996 to 30 June 1997; whereas, following the conclusion of the GATT XXIV.6 negotiations on 1 January 1996, the quota should be increased by 350 tonnes not yet taken into account;

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

Article 1

The following paragraph 2a is added to Article 1 of Regulation (EC) No 1382/96:

'2a. An additional quantity of 350 tonnes bone-in equivalent of frozen beef shall be added to the quantity referred to in paragraph 1. It shall be allocated in accordance with Article 6.'

Article 2

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

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽²⁾ OJ No L 179, 18. 7. 1996, p. 12.

COMMISSION REGULATION (EC) No 574/97
of 26 March 1997

**providing for reallocation of import rights under Regulation (EC) No 1382/96
opening and providing for the administration of an import tariff quota for
frozen beef intended for processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1382/96 of 17 July 1996 opening and providing for the administration of an import tariff quota for frozen beef intended for processing⁽¹⁾, as amended by Regulation (EC) No 573/97⁽²⁾, and in particular Article 6 (2) thereof,

Whereas Regulation (EC) No 1382/96 provides for the opening of a tariff quota for 51 050 tonnes of frozen beef intended for processing from 1 July 1996 to 30 June 1997; whereas Article 6 of that Regulation provides for the reallocation of unused import rights on the basis of the actual utilization of import rights for A-products and B-products respectively by the end of February 1997,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities referred to in Article 6 (1) of Regulation (EC) No 1382/96 amount to 28 096 tonnes.
2. The breakdown referred to in Article 6 (2) of Regulation (EEC) No 1382/96 shall be as follows:
 - 27 996 tonnes intended for A-products,
 - 100 tonnes intended for B-products.

Article 2

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

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

Done at Brussels, 26 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 179, 18. 7. 1996, p. 12.

⁽²⁾ See page 62 of this Official Journal.

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 55/96

of 28 October 1996

**amending Protocol 31 to the EEA Agreement, on cooperation in specific fields
outside the four freedoms**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 54/96⁽¹⁾;

Whereas the third medium-term Community action programme on equal opportunities for women and men (1991 to 1995) has come to an end;

Whereas it was the intention of the Contracting Parties to strengthen cooperation in the framework of Community activities resulting from, *inter alia*, the third medium-term Community action programme on equal opportunities for women and men; whereas such cooperation, for various reasons, has taken place to a lesser extent than foreseen;

Whereas cooperation in the field of equal opportunities should be revitalized under the medium-term Community action programme on equal opportunities for men and women for the period 1 January 1996 to 31 December 2000 as set out in Council Decision 95/593/EC⁽²⁾;

Whereas Article 5 of Protocol 31 to the Agreement should therefore be amended to allow for such continued cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

In Article 5 of Protocol 31 the following indent shall be inserted in paragraph 2 after the indent relating to the Council resolution of 21 May 1991 on the third medium-term Community action programme on equal opportunities for women and men (1991 to 1995):

⁽¹⁾ OJ No L 21, 23. 1. 1997, p. 9.

⁽²⁾ OJ No L 335, 30. 12. 1995, p. 37.

— 395 D 0593: Council Decision 95/593/EC of 22 December 1995 on a medium-term Community action programme on equal opportunities for men and women (1996 to 2000) (OJ No L 335, 30. 12. 1995, p. 37).

The EFTA States shall participate in this Community action programme in accordance with the provisions laid down in Appendix 2 to this Protocol.'

Article 2

An Appendix shall be added to Protocol 31 as set out in the Annex hereto.

Article 3

This Decision shall enter into force on 1 November 1996, provided that all the notifications pursuant to Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 28 October 1996.

For the EEA Joint Committee

The President

H. HAFSTEIN

ANNEX

'Appendix 2 to Protocol 31

1. The EFTA States shall participate in the medium-term Community action programme on equal opportunities for men and women (1 January 1996 to 31 December 2000).
 2. The EFTA States shall contribute financially to the programme in accordance with Article 82 (1) (a) of the Agreement.
 3. The EFTA States shall participate fully in the EC committees which assist the Commission in the management, development and implementation of the action programme referred to in paragraph 1.'
-

DECISION OF THE EEA JOINT COMMITTEE

No 1/97

of 30 January 1997

**amending Annex II (Technical regulations, standards, testing and certification)
to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 76/96⁽¹⁾;

Whereas Directive 95/28/EC of the European Parliament and of the Council of 24 October 1995 relating to the burning behaviour of materials used in the interior construction of certain categories of motor vehicle⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 45s (Directive 95/1/EC of the European Parliament and of the Council) in Chapter I of Annex II to the Agreement:

'45t. **395 L 0028:** Directive 95/28/EC of the European Parliament and of the Council of 24 October 1995 relating to the burning behaviour of materials used in the interior construction of certain categories of motor vehicle (OJ No L 281, 23. 11. 1995, p. 1).'

Article 2

The texts of Directive 95/28/EC in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 February 1997, provided that all the notifications pursuant to Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 30 January 1997.

For the EEA Joint Committee

The President

C. DAY

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ No L 281, 23. 11. 1995, p. 1.

DECISION OF THE EEA JOINT COMMITTEE
No 2/97
of 10 February 1997
amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 78/96 ⁽¹⁾;

Whereas Recommendation No 20 of 31 May 1996 concerning improvement of the administration and settlement of reciprocal claims, adopted by the Administrative Commission of the European Communities on social security for migrant workers ⁽²⁾, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 47a (Recommendation No 19) in Annex VI to the Agreement:

'47b. **396 X 0592:** Recommendation No 20 of 31 May 1996 concerning improvement of the administration and settlement of reciprocal claims (OJ No L 259, 12. 10. 1996, p. 19).'

Article 2

The texts of Recommendation No 20 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 1 March 1997, provided that all the notifications pursuant to Article 103 (1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 10 February 1997.

For the EEA Joint Committee

The President

C. DAY

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ No L 259, 12. 10. 1996, p. 19.