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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EC) No 722/97****of 22 April 1997****on environmental measures in developing countries in the context of sustainable development**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Acting in accordance with the procedure referred to in Article 189c of the Treaty ⁽³⁾,

- (1) Whereas it is necessary to implement sustainable development by contributing to the genuine integration of an environmental dimension into the development process;
- (2) Whereas the creation of suitable instruments and the implementation of experimental schemes will be the cornerstones of that integration in all the fields concerned;
- (3) Whereas the European Parliament adopted a Resolution on 14 May 1992 on the environment and development cooperation;
- (4) Whereas the Community and its Member States were signatories to the Rio Declaration and the Agenda 21 action programme;
- (5) Whereas the Community and its Member States ratified the Conventions on Biological Diversity and on Climate Change, and have signed the Convention on Desertification; whereas they are thus committed to

take into account the common but differing responsibilities of developed parties and developing parties on the subject;

- (6) Whereas the Resolution of the Council and the Representatives of the Governments of the Member States of 1 February 1993 is concerned with a Community policy and action programme on the environment and sustainable development;
- (7) Whereas, since resources are limited, information campaigns and pilot projects conducted in close cooperation with local experts are likely to have the maximum multiplier effect;
- (8) Whereas it is important to integrate the internal and external aspects of the European Community's environment policy in order to have a coherent answer to the problems set out by the United Nations Conference on Environment and Development (UNCED), in particular as regards the effects of global environmental changes on the state of the environment within the Community;
- (9) Whereas it is necessary, in the project management cycle, for any proposal for a development cooperation project to be evaluated for its environmental impact by specific, appropriate procedures;
- (10) Whereas, in particular where climate change and the conservation of biological and genetic diversity and resources (including the seas, coasts and soils) are concerned, local effects have undeniable consequences for the whole earth and for future generations and consequently for the well-being, health and security of the citizens of the Community, notably as far as access to genetic resources is concerned;
- (11) Whereas the financial instruments available to the Community for conservation and sustainable development could be usefully supplemented;
- (12) Whereas measures need to be taken to finance the activities covered by this Regulation;

⁽¹⁾ OJ No C 20, 24. 1. 1996, p. 4.

⁽²⁾ OJ No C 82, 19. 3. 1996, p. 18.

⁽³⁾ Opinion of the European Parliament of 9 May 1996 (OJ No C 152, 27. 5. 1996, p. 56), Council Common Position of 27 June 1996 (OJ No C 264, 11. 9. 1996, p. 28) and Decision of the European Parliament of 12 November 1996 (OJ No C 362, 2. 12. 1996, p. 33).

- (13) Whereas detailed rules for implementation, and in particular the form of action, the recipients of the aid and the decision-making procedure should be laid down;
- (14) 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⁽¹⁾, is included in this Regulation for the entire duration of the programme, without thereby affecting the powers of the regulatory authority as they are defined by the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community shall provide financial assistance and technical expertise for activities conducted in developing countries which enable the people in these countries to integrate environmental protection and sustainable development concepts more easily into their daily life.
2. The assistance provided under this Regulation shall complement and reinforce assistance provided under other instruments of development cooperation with a view to fully taking into account environmental considerations in Community programmes.

Article 2

1. The activities to be carried out under this Regulation shall centre on:

- assisting developing countries in designing and implementing national strategies for sustainable and equitable development, including global environmental issues and strategies arising from international conventions,
- improving policies and practices for management and conservation of ecosystems, sustainable use of renewable natural resources and for environmentally sensitive use of non-renewable natural resources,
- preserving biological diversity:
 - by the promotion and the development of methods designed to ensure sustainable and equitable use of biodiversity resources,
 - through the conservation of the ecosystems and habitats necessary for maintaining species diversity and for the survival of endangered species,
 - by identifying and assessing biodiversity resources,
- preserving areas of high environmental pressure and/or transregional ecosystems such as marine ecosystems and coastal areas, watersheds, river/lake

basins, underground water, by preventing pollution and reducing sources of pollution and supporting initiatives for their sustainable management,

- improving practices for soil conservation and management in agriculture, livestock farming, forestry and the fight against desertification,
 - improving the environment and regional planning through urban development planning and the implementation of technologically adapted plans and pilot projects for transport, waste, waste water, the provision of drinking water and air pollution,
 - applying and transferring technologies adapted to local environmental constraints and needs, especially in the field of energy and more particularly the field of renewable energies bearing in mind the long-term effects on the environment and adaptation to the traditional life of each region,
 - activities aimed at avoiding emissions harmful to the climate,
 - facilitating the adaptation of production processes in developing countries and making economic agents and social operators aware of the environmental constraints that may have an impact on trade (for example, standards, labels, certification),
 - making local populations more aware of the notion of sustainable development, in particular through assisting information campaigns,
 - initiatives aimed at protecting ecosystems and habitats and maintaining biological diversity.
2. Projects eligible for financing include:
 - pilot schemes in the field likely to contribute to sustainable development, environmental protection and long-term management of natural resources,
 - establishment of guidelines and operational instruments aimed at promoting sustainable development and environmental integration, particularly in the form of plans and integrated management programmes and economic instruments,
 - environmental impact studies on sustainable development projects, programmes, strategies and policies, and assessment of their repercussions on social and economic development,
 - inventory, accounting and statistical work, in order to improve environmental data and indicators.
 3. Particular attention will be given to:
 - projects arising from local initiatives and low-cost projects involving innovative measures aimed at sustainable management,

⁽¹⁾ OJ No C 102, 4. 4. 1996, p. 4.

- schemes to build up the operational and institutional capacities of developing countries at national, regional and local level, with the support also of non-governmental organizations (NGOs),
- prior consultation of the local populations, including the indigenous communities, and to their involvement and support in identifying, planning and implementing projects. In particular, the role and specific situation of women shall be taken into account,
- regional activities or activities which contribute to the strengthening of regional cooperation in the field of sustainable development.

Article 3

Aid recipients and cooperation partners shall include not only States and regions but also decentralized departments, regional bodies, public agencies, traditional and local communities, private operators and industries, including cooperatives and NGOs and associations representing local people.

Article 4

1. The instruments to be employed in the course of the activities referred to in Article 2 shall include studies, technical assistance, education, training or other services, supplies and works, as well as audits and evaluation and monitoring missions.

2. Community financing may cover both investment, with the exception of the purchase of buildings, and, since the project must, if possible, aim at medium-term viability, recurring expenditure (including administrative, maintenance and operating expenditure).

However, apart from training, education and research programmes, such expenditure may as a general rule be covered only during the start-up period and the cover shall decrease gradually.

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 providers of funds, especially with Member States and the international organizations concerned, such as the Global Environmental Facility.

5. The necessary measures shall be taken to emphasize the Community character of the aid provided under this Regulation.

6. In order to attain the objectives of consistency and complementarity laid down in the Treaty and with the aim of guaranteeing optimum efficiency for the totality of these operations, the Commission may take all coordination measures necessary, including in particular:

- (a) the establishment of a system for the systematic exchange and analysis of information on operations financed or being considered for financing by the Community and the Member States;
- (b) on-the-spot coordination of these operations by means of regular meetings and exchange of information between the representatives of the Commission and Member States in the beneficiary country, and the representatives of the beneficiary countries.

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.

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 for the period 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 operations covered by this Regulation according to the budgetary and other procedures in force, and 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 under the procedure laid down in Article 8.

The Commission shall inform the Committee referred to in Article 8 succinctly of any financing decisions 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 seeking the opinion of the Committee referred to in Article 8, any extra commitments needed for covering any expected or real cost overruns in connection with the operations, provided that 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 of 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 country, 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.

7. Supplies shall originate in the Member States, the recipient country or other developing countries. In exceptional cases, where circumstances warrant, 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.

Article 8

1. The representative of 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 implementing of this Regulation over that period.

The summary shall in particular provide information both about the quality and quantity of the projects financed, the outcome of the projects carried out and about those with whom contracts have been concluded. The report shall also include a quantified summary of the external assessments carried out, if any, regarding specific activities.

2. The Commission shall regularly assess operations financed by the Community with a view to establishing whether the objectives aimed at by those operations have been achieved and to providing 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 may, if appropriate, be examined by the Committee. The assessment reports shall be 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 that have been approved, stating their cost and nature, the recipient country and partners.

4. The financial guide specifying the guidelines and criteria applicable to the selection of projects shall be published and communicated to the interested parties by the Commission offices including Commission delegations in beneficiary countries.

Article 11

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

It shall be applicable until 31 December 1999.

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

Done at Luxembourg, 22 April 1997.

For the Council

The President

J. VAN AARTSEN

COUNCIL REGULATION (EC) No 723/97

of 22 April 1997

on the implementation of Member States' action programmes on control of
EAGGF Guarantee Section expenditure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Article 8 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾ lays down that Member States are to take the measures necessary to satisfy themselves that transactions financed by the European Agricultural Guidance and Guarantee Fund, (EAGGF) are actually carried out and are executed correctly, prevent and deal with irregularities and recover sums lost as a result of irregularities or negligence;

Whereas the part-financing introduced by Council Regulation (EEC) No 307/91 of 4 February 1991 of reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund ⁽⁴⁾ lapsed at the end of the 1995 financial year for the first twelve Member States and will do so at the end of the 1997 financial year for the three new Member States;

Whereas the Commission has sent a report to the Council on the implementation of Regulation (EEC) No 307/91 during the period 1991 to 1993, expressing the view that the Member States should continue to receive financial assistance for the monitoring of expenditure chargeable to the EAGGF Guarantee Section, in view of the Community financial interest at stake;

Whereas provision should be made, for a certain period and within the limit of the appropriations available, for Community financing for Member States' action programmes in the field of control of expenditure involving measures to amend or improve their monitoring structures or make them more effective;

Whereas the programmes must have a number of features enabling the Commission, with full knowledge of the facts, to evaluate the measures proposed by the Member States;

Whereas the programmes may be of a multiannual nature; whereas, it is appropriate therefore that information re-

lating to the annual instalments to be presented by Member States each year should be specified;

Whereas provision should be made for consultation of the Fund committee on the annual instalments which may qualify for Community financing;

Whereas it should be specified that the Commission is to set the maximum amount of the Community contribution for each annual instalment;

Whereas systems of control and direct electronic information exchange between the Member States and the Commission covering the control of certain expenditure should be maintained and developed;

Whereas it should be laid down that the financing provided for in this Regulation cannot be combined with other Community financing;

Whereas, since the provisions laid down in this Regulation concern the EAGGF, Guarantee Section, the expenditure covered by Community co-financing should be regarded as intervention within the meaning of Article 3 of Regulation (EEC) No 729/70,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community shall contribute towards the costs incurred by Member States in implementing new action programmes, arising out of new Community obligations, approved by the Commission and aimed at improving the structures or effectiveness of EAGGF Guarantee Section expenditure controls.

2. The measures provided for in the programmes referred to in paragraph 1 may cover initial expenditure on the creation or reorganization of inspection services, including the redeployment or recruitment of inspectors and their assignments, the purchase or hire of equipment and facilities required for the performance of controls, the organization of training and briefing and any other appropriate means of reinforcing the effectiveness of controls.

Article 2

1. Member States shall submit the action programmes for which they wish to receive Community financing to

⁽¹⁾ OJ No C 336, 14. 12. 1995, p. 3.

⁽²⁾ OJ No C 117, 22. 4. 1996, p. 51.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ No L 125, 8. 6. 1995, p. 1).

⁽⁴⁾ OJ No L 37, 9. 2. 1991, p. 5. Regulation as amended by Regulation (EC) No 3235/94 (OJ No L 338, 28. 12. 1994, p. 16).

the Commission not later than 1 June of the calendar year preceding that of the start of their implementation. Programmes presented after 1 June cannot be considered.

However, for programmes relating to the first year of application of this Regulation, the time limit for submission of action programmes to the Commission shall be the end of the second month following the date of entry into force of the implementing Regulation.

2. Programmes may be multiannual and must include the following information:

- description and analysis of the situation at the outset as regards inspectors and equipment,
- objectives of the planned action,
- schedule for implementation of measures,
- detailed description of the work for which financing is requested,
- estimate of costs of each type of action and, additionally, in the case of multiannual programmes, annual financial estimates,
- cost/benefit analysis of the measure.

3. The Commission shall examine the programmes presented by the Member States. It may request any additional information it deems necessary for assessing the programmes.

Article 3

1. From the second year onwards, Member States having presented action programmes in accordance with Article 2 shall communicate to the Commission before 1 June information regarding the annual instalment which is to be implemented for the following year, and in particular:

- (a) a detailed description of the work planned for the year concerned and a detailed estimate of costs;
- (b) a preliminary assessment of the measures implemented during the previous year and, where appropriate, a proposal to amend the initial programme.

2. The annual instalment of the action programme shall be implemented between 1 January and 31 December of each year.

Article 4

1. The Community financial contribution shall be granted per calendar year, for a period of five consecutive years, starting from 1997.

It shall be granted within the limit of the annual appropriations authorized by the budget authority in the light of the financial perspective.

2. After consulting the Fund Committee referred to in Article 11 of Regulation (EEC) No 729/70, the Commission shall, for each annual instalment, set the maximum

amount of the Community financial contribution having regard to the appropriations and on the basis of the information supplied by the Member State.

When the annual amounts as referred to in the first subparagraph are set, preference shall be given to multi-annual programmes which have already received Community part-financing pursuant to this Regulation, with particular account being taken of the extent to which previous annual instalments have been utilized.

Subject to the fourth subparagraph, the Community's financial participation rate shall be 50 % of payments made by the Member States in the financial year towards eligible expenditure within the meaning of Article 1.

If the total eligible expenditure exceeds the financial resources available, the Community's financial participation rate referred to in the third subparagraph shall be reduced accordingly.

3. The Commission may undertake work for the maintenance and development of systems of control and direct electronic information exchange between the Member States and itself.

Article 5

Expenditure which is eligible for Community financing under other Regulations and in particular:

- Council Regulation (EC) No 165/94 of 24 January 1994 concerning the co-financing by the Community of remote sensing checks and amending Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes ⁽¹⁾,

and, as regards the three new Member States:

- Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC ⁽²⁾,
- Regulation (EEC) No 307/91,
- Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes ⁽³⁾,

shall not be eligible under this Regulation.

⁽¹⁾ OJ No L 24, 29. 1. 1994, p. 6. Regulation as amended by Regulation (EC) No 3235/94 (OJ No L 338, 28. 12. 1994, p. 16).

⁽²⁾ OJ No L 388, 30. 12. 1989, p. 18. Regulation as amended by Regulation (EC) No 3235/94 (OJ No L 338, 28. 12. 1994, p. 16).

⁽³⁾ OJ No L 355, 5. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 3072/95 (OJ No L 329, 30. 12. 1995, p. 18).

Article 6

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 7

As from the second year of application of this Regulation, an annual assessment shall be included in the annual financial report referred to in Article 10 of Regulation (EEC) No 729/70.

After the fifth year, the Commission shall report to the Council on the results of the application of this Regulation, on the basis of assessment reports prepared by the

Member States and containing information on the effectiveness of the programmes implemented.

Article 8

Expenditure subject to Community financing shall be deemed to be intervention within the meaning of Article 3 (1) of Regulation (EEC) No 729/70.

Article 9

This Regulation shall enter into force on the seventh 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 Luxembourg, 22 April 1997.

For the Council

The President

J. VAN AARTSEN

COUNCIL REGULATION (EC) No 724/97**of 22 April 1997****determining measures and compensation relating to appreciable revaluations
that affect farm incomes**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

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⁽¹⁾, and in particular Article 9 thereof,

Whereas appreciable revaluations have occurred for the Irish pound, the pound sterling and the Italian lira; whereas it is necessary to take steps at Community level to prevent distortions in the implementation of the common agricultural policy due to monetary causes;

Whereas Article 9 of Regulation (EEC) No 3813/92 provides for the Council to take all necessary measures in the event of an appreciable revaluation, which, primarily to comply with obligations under the GATT Agreement and budgetary discipline, may involve derogations from the provisions of the said Regulation concerning aid and the amount by which the monetary gaps are dismantled, without, however, resulting in the threshold being extended; whereas the measures provided for in Articles 7 and 8 of the said Regulation cannot be applied as they stand;

Whereas compensation for appreciable reductions in the agricultural conversion rates before 1 January 1997 was regulated by Regulations (EC) No 1527/95⁽²⁾ and (EC) No 2990/95⁽³⁾; whereas equality of treatment requires that new cases should be dealt with in the same way, while taking account of experience; whereas, on the basis of the information available, it is impossible to know what the situation will be for more than twelve months ahead;

Whereas problems could arise, in particular upon the introduction of the euro, if the agricultural conversion rates applicable to the amounts referred to in Article 7 of Regulation (EEC) No 3813/92 were to be maintained until 1 January 1999, the planned date for the implementation of the third stage of Economic and Monetary

Union; whereas the monetary gap for the agricultural conversion rate applicable to the amounts in question should consequently be limited for all the currencies for which it has proved possible to show an appreciable revaluation;

Whereas the rules for granting compensatory aid should be amplified on the basis of experience; whereas the amplification should involve taking account of currency developments in the months following appreciable revaluation, and introducing a threshold below which the grant of aid makes little economic sense;

Whereas the amount of compensatory aid should be established in each case as a function of the latest known economic and financial data; whereas this amount should be determined by the Commission by the management committee procedure, on the basis of the methods devised and applied under Regulations (EC) No 1527/95 and (EC) No 2990/95; whereas these methods lead to calculation, on a flat-rate basis, of a toward estimate of annual income loss related to the appreciable revaluation, with a deduction for budgetary purposes;

Whereas the appreciable revaluation of the Irish pound on 8 November 1996 did not lead to the granting of compensatory aid; whereas aid should be authorized in this case in accordance with the conditions of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply in the event of appreciable revaluations occurring from 1 January 1997 until the end of the twelfth month following that of its publication.

This Regulation shall apply also during the said period in cases where the agricultural conversion rate referred to in the second subparagraph of Article 3 (1) is reduced.

2. For the purposes of this Regulation, an appreciable revaluation shall mean a reduction in the agricultural conversion rate leading to the application of Articles 7 and 8 of Regulation (EEC) No 3813/92, and any other reduction as defined in Article 1 (e) of that Regulation.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EC) No 150/95 (OJ No L 22, 31. 1. 1995, p. 1).

⁽²⁾ OJ No L 148, 30. 6. 1995, p. 1.

⁽³⁾ OJ No L 312, 23. 12. 1995, p. 7. Regulation as amended by Regulation (EC) No 1451/96 (OJ No L 187, 26. 7. 1996, p. 1).

3. The appreciable revaluation shall be deemed to have occurred:

- where applicable, on the date of the appreciable reduction in the agricultural conversion rate, as defined in Article 1 (e) of Regulation (EEC) No 3813/92, or
- in other cases, on the earliest date on which all the conditions for applying Articles 7 or 8 of Regulation (EEC) No 3813/92, with the exception of the request from the Member State concerned, are fulfilled.

Article 2

Articles 7 and 8 of Regulation (EEC) No 3813/92 shall not be applicable in cases of revaluation as referred to in Article 1.

Article 3

1. The agricultural conversion rate applied to one of the amounts referred to in Article 7 of Regulation (EEC) No 3813/92, on the day preceding that on which the conditions for applying that Article are fulfilled, except for the request from the Member State concerned, shall remain unchanged until 1 January 1999.

However, where the agricultural conversion rate referred to in the first subparagraph or in Article 3 of Regulations (EC) No 1527/95 or (EC) No 2990/95 exceeds by more than 11,5 % the agricultural conversion rate which it replaces, the former of the said rates shall be adjusted so as to be equal to the rate replaced, plus 11,5 %.

2. The agricultural conversion rate referred to in paragraph 1 shall apply to the amount in question and to any additions or changes to the value of that amount decided up to 1 January 1999.

Article 4

1. The Member State affected may make compensatory payments to farmers in three successive tranches lasting twelve months each, starting with the month following the appreciable revaluation.

These compensatory payments shall not take the form of aid linked to production, other than production during a stipulated, prior period. They shall not favour any particular type of production or be dependent on production subsequent to the period stipulated.

2. The maximum amount of the first tranche of compensatory aid shall be established, for the Member State concerned as a whole, by multiplying:

- the appreciable part of the revaluation, as a percentage, determined in accordance with Article 5, by
- the flat-rate income loss for each percentage point of appreciable revaluation, determined in accordance with Article 6.

The sum resulting from the calculation referred to in the first subparagraph shall be increased by the part of the aid referred to in Article 7 of Regulation (EEC) No 3813/92 for which the agricultural conversion rate has been reduced in accordance with Article 3 of this Regulation.

3. The maximum amount referred to in paragraph 2 shall be reduced or cancelled if necessary as a function of the effect on income of the development of agricultural conversion rates recorded during a certain observation period.

The observation period shall expire at the end of the sixth month following that of appreciable revaluation. However, where revaluation occurs in the course of the observation period for an earlier appreciable revaluation, the entire observation period shall expire at the end of the third month following that of the last revaluation.

However, no aid shall be granted when the amount calculated in accordance with paragraph 2 and the first subparagraph of this paragraph corresponds to less than 0,5 % of appreciable revaluation.

4. The amounts paid out under the second and third tranches shall each be reduced, vis-à-vis the level of the previous tranche, by at least a third of the amount paid out in the first tranche.

The amounts paid out under the second and third tranches of compensatory aid shall be reduced or cancelled as a function of the effect on incomes of the development of agricultural conversion rates recorded until the beginning of the month preceding the first month of the relevant tranche.

5. The Community contribution to financing the compensatory aid shall be 50 % of the amounts that may be paid out.

For the purposes of the financing of the common agricultural policy, this contribution shall be considered to form part of the assistance designed to stabilize agricultural markets. The Member State may withdraw from national participation in financing the aid.

Article 5

1. The appreciable part of the revaluation, expressed as a percentage, referred to in the first indent of Article 4 (2) shall:

- (a) in cases of appreciable reduction of the agricultural conversion rate within the meaning of Article 1 (e) of Regulation (EEC) No 3813/92, be equal to the difference between, on the one hand, the threshold beyond which a reduction becomes appreciable and, on the other, the new agricultural conversion rate, expressed as a percentage of that threshold;
- (b) in other cases, be equal to the highest, over the six months following that of the appreciable reduction, of the reductions in average agricultural conversion rates below the thresholds triggering the possible application of Article 8 of Regulation (EEC) No 3813/92,

such reductions shall be established on the first day of each month concerned and expressed as a percentage of the said thresholds; for the calculation of the reductions in question, the rates applicable at the time of the appreciable revaluation shall also apply to the following months.

2. Where several successive appreciable revaluations occur, the reductions in the agricultural conversion rates taken into account for determining the appreciable part leading to the grant of aid may not be taken into account more than once.

Article 6

1. The flat-rate income loss referred to in the second indent of Article 4 (2) shall be equal to:

(a) the sum of 1 %:

— of final agricultural production of cereals including rice, sugar beet, milk and milk products and beef and veal,

and

— of the value of the quantities of products supplied under a contract imposing, in accordance with Community rules, a minimum price to the producer, for products not referred to in the first indent,

and

— of aid or premiums paid to farmers, with the exception of those referred to in Article 7 of Regulation (EEC) No 3813/92;

(b) after subtraction of:

— 0,5 % of the value of intermediate consumption in the form of animal feed,

and

— the impact on tax of the reduction in gross value added at market prices resulting from the operations concerning point (a) and the preceding indent,

and

— a deduction corresponding to 1 % of forecast EAGGF expenditure on the following items:

— the full amount of flat-rate per hectare aid,

— half the amount of structural or environmental aid, and

— 130 % of sheepmeat and goatmeat premiums.

2. The amounts referred to in the second and third indents of paragraph 1 (a) shall not be taken into account when their sum is less than 0,01 % of the final agricultural production of the relevant Member State in the product sector concerned.

For the purposes of this Regulation, the product sectors shall be those set out in the Annex.

3. The flat-rate income loss shall be determined on the basis of information relating to:

(a) economic accounts for agriculture available from Eurostat for the last calendar year ending before the date of appreciable revaluation, for the first indent of paragraph 1 (a) and the first and second indents of paragraph 1 (b);

(b) the budget outturn, or, failing that, the budgets or draft budgets or preliminary draft budgets relating to:

— income for the year referred to in (a), for the second and third indents of paragraph 1 (a),

— the budget year beginning during the marketing year for cereals in which the appreciable revaluation occurred, for the third indent of paragraph 1 (b).

For the purposes of applying paragraph 2 in marginal cases, consideration of the information referred to in point (a) above shall take account of the relevant figures for the preceding two years also.

The increase referred to in the second subparagraph of Article 4 (2) shall be calculated as a function of the data referred to in the first indent of point (b) above.

Article 7

The Commission shall, in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 3813/92, adopt detailed rules for applying this Regulation, and in particular the amounts of the aid tranches referred to in Article 4 and the factors for calculating them referred to in Articles 5 and 6.

Article 8

Before the end of the third period during which the compensatory aid is granted, the Commission shall examine the effects on income of the appreciable revaluation concerned.

Where it is found that income losses are likely to continue, the Commission may, in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 3813/92, extend the possibility of granting compensatory aid as provided for in Article 4 of this Regulation by a maximum of two additional 12-month tranches, the maximum amount per tranche being equal to that granted in the third tranche.

Article 9

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

Articles 4 to 8 shall apply to the reduction in the agricultural conversion rate of the Irish pound that occurred on 8 November 1996.

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

Done at Luxembourg, 22 April 1997.

For the Council

The President

J. VAN AARTSEN

ANNEX

The production sectors correspond to the statistical aggregates identified in the economic accounts for agriculture, drawn up by Eurostat, or to their groups of aggregates, as listed below:

1. Cereals and rice
 2. Sugar beet
 3. Milk and milk products
 4. Beef and veal
 5. Oilseeds and olive oil
 6. Fresh fruit and vegetables
 7. Potatoes
 8. Wines and musts
 9. Flowers and nursery plants
 10. Pigmeat
 11. Sheepmeat and goatmeat
 12. Eggs and poultry
 13. Other
-

COUNCIL REGULATION (EC) No 725/97

of 22 April 1997

amending Regulation (EEC) No 1789/81 laying down general rules concerning the system of minimum stocks in the sugar sector

THE COUNCIL OF THE EUROPEAN UNION,

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⁾, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1789/81 of 30 June 1981 laying down general rules concerning the system of minimum stocks in the sugar sector⁽²⁾ defines the factors for determining the amount to be levied in the event of disposal by sugar manufacturers of quantities of sugar forming part of the minimum stock under conditions other than those laid down; whereas one of those factors is the threshold price which was abolished with effect from 1 July 1995;

Whereas the aforementioned amount should henceforth be set as a flat-rate amount fixed at the overall level resulting from the application of the same method as that applicable during the last marketing year of application of

the threshold price for white sugar 1994/95; whereas, however, provision should also be made for it to be possible to reduce that flat-rate amount to take account of any major reduction of the intervention price for white sugar in the future,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 6 of Regulation (EEC) No 1789/81 the second subparagraph shall be replaced by the following:

'That amount shall be ECU 12,70 per 100 kilograms. The amount may be reduced in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81, taking account of the amount of any reduction in the intervention price for white sugar.'

*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 Luxembourg, 22 April 1997.

*For the Council**The President*

J. VAN AARTSEN

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4. Regulation as last amended by Regulation (EC) No 1599/96 (OJ No L 206, 16. 8. 1996, p. 43).

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 39. Regulation as last amended by Regulation (EC) No 260/96 (OJ No L 34, 13. 2. 1996, p. 16).

COMMISSION REGULATION (EC) No 726/97**of 24 April 1997****determining the extent to which applications lodged in April 1997 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 can be accepted**

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

Having regard to Commission Regulation (EC) No 1474/95⁽¹⁾ opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1219/96⁽²⁾, and in particular Article 5 (5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin⁽³⁾, and in particular Article 5 (5) thereof,

Whereas the applications for import licences lodged for the second quarter of 1997 are, in the case of all products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other

products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to 30 June 1997 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in the Annex.

Article 2

This Regulation shall enter into force on 25 April 1997.

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

Done at Brussels, 24 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 19.

⁽²⁾ OJ No L 161, 29. 6. 1996, p. 55.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 136.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 1997
E1	—
E2	67,35
E3	100,00
P1	—
P2	5,51
P3	4,52
P4	10,99

COMMISSION REGULATION (EC) No 727/97

of 24 April 1997

establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station

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

Having regard to Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station ⁽¹⁾, as amended by Regulation (EC) No 686/95 ⁽²⁾, and in particular Article 6 thereof,

Whereas, in accordance with Regulation (EEC) No 737/90, the Commission shall adopt a list of products excluded from its application;

Whereas most agricultural products currently imported from third countries are free of radioactive contamination from the Chernobyl accident or so slightly contaminated as to present a negligible risk to health;

Whereas the list of products excluded from the application of Regulation (EEC) No 737/90, established by Commission Regulation (EC) No 3034/94 ⁽³⁾, has to be extended to take this into account;

Whereas the measures provided in this Regulation are in accordance with the opinion of the *ad hoc* Committee instituted by Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3034/94 is hereby repealed.

Article 2

All products other than those listed in the Annex are excluded from the scope of Regulation (EEC) No 737/90.

Article 3

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, 24 April 1997.

For the Commission

Ritt BJERREGAARD

Member of the Commission

⁽¹⁾ OJ No L 82, 29. 3. 1990, p. 1.

⁽²⁾ OJ No L 71, 31. 3. 1995, p. 15.

⁽³⁾ OJ No L 321, 14. 12. 1994, p. 25.

ANNEX

List of products to which Regulation (EEC) No 737/90 is applicable

CN code	Description
0101 19 10	(Live horses, asses, mules and hinnies): (horses): for slaughter
0102 90	(Live bovine animals): (other): domestic species
0103 91	(Live swine): (other): weighing less than 50 kg
0103 92	(Live swine): (other): weighing 50 kg or more
0104 10	(Live sheep and goats): (sheep) (except pure-bred breeding animals, CN code 0104 10 10)
0104 20 90	(Live sheep and goats): (goats): other
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls
0106 00	Other live animals
Chapter 2	Meat and edible meat offal
Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included (except products of CN codes 0408 11 20, 0408 19 20, 0408 91 20 and 0408 99 20)
0709 51	(Other vegetables, fresh or chilled): mushrooms (except of the genus <i>Agaricus</i> , CN code 0709 51 10)
0710 80 69	[Vegetables (uncooked or cooked by steaming or boiling in water), frozen]: (other vegetables): (mushrooms): other
0711 90 60	[Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions) but unsuitable in that stage for immediate consumption]: (other vegetables; mixtures of vegetables): (mushrooms): other
0712 30 00	(Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared): mushrooms and truffles
0810 40	(Other fruit, fresh): cranberries, bilberries and other fruits of the genus <i>Vaccinium</i>
0811 90 50	(Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter): (other): fruit of the species <i>Vaccinium myrtillus</i>
0811 90 70	(Fruit and nuts, uncooked or cooked by steaming or boiling, in water, frozen, whether or not containing added sugar or other sweetening matter): (other): fruit of the species <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i>
0812 90 40	[Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption]: (other): fruit of the species <i>Vaccinium myrtillus</i>
0902	Tea, whether or not flavoured
0910 40	(Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices): thyme; bay leaves
1601 00	Sausages and similar products, of meat, offal or blood; food preparations based on these products

CN code	Description
1602	Other prepared or preserved meat, meat offal or blood
1603 00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
2001 90 50	(Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid): (other): mushrooms
2003 10 80	(Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid): other: (mushrooms)
2101 20	(Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof): extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates, or with a basis of tea or maté

COMMISSION REGULATION (EC) No 728/97

of 24 April 1997

redistributing unused portions of the 1996 quantitative quotas for certain products originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas⁽¹⁾, as last amended by Regulation (EC) No 138/96⁽²⁾, and in particular Articles 2 (5) and Articles 14 and 24 thereof,

Whereas Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83⁽³⁾, as last amended by Regulation (EC) No 1897/96⁽⁴⁾, introduced annual quantitative quotas for certain products originating in the People's Republic of China listed in Annex II to that Regulation; whereas the provisions of Regulation (EC) No 520/94 are applicable to those quotas;

Whereas the Commission accordingly adopted Regulation (EC) No 738/94⁽⁵⁾, as amended by Regulation (EC) No 983/96⁽⁶⁾, laying down general rules for the implementation of Regulation (EC) No 520/94; whereas these provisions apply to the administration of the above quotas subject to the provisions of this Regulation;

Whereas, in accordance with Article 20 of Regulation (EC) No 520/94, the competent authorities of the Member States notified the Commission of the quantities of quotas assigned in 1996 and not used;

Whereas the unused quantities could not be redistributed in time to be used before the end of the 1996 quota year;

Whereas examination of the data received for each of the products in question indicates that the quantities not used in the 1996 quota year should be redistributed in 1997,

up to a limit of the amounts set out in Annex I to this Regulation;

Whereas, the different administrative methods provided for by Regulation (EC) No 520/94 have been considered, the method based on traditional trade flows should be adopted; whereas under this method quota tranches are divided into two portions, one of which is reserved for traditional importers and the other for other applicants;

Whereas this has proved to be the best way of ensuring the continuity of business for the Community importers concerned and avoiding any disturbance of trade flows;

Whereas quantities redistributed under this Regulation should be divided using the same criteria as for the allocation of the 1997 quotas;

Whereas the reference period used for the apportionment of the 1997 quotas, consisting of the year 1994, should again be applied to the allocation of the share set aside for traditional importers, since it continues to reflect the normal trend of trade flows for the products in question; whereas, therefore, traditional importers must prove that they imported products originating in China subject to the relevant quotas in the course of 1994;

Whereas it is necessary to simplify the formalities to be fulfilled by traditional importers who already hold import licences issued when the 1997 Community quotas were allocated; whereas the competent administrative authorities already possess the requisite evidence of 1994 imports for all traditional importers; whereas the latter need therefore only enclose a copy of their previous licences with their new licence applications;

Whereas measures should be taken to provide the best conditions for the allocation of that portion of the quota reserved for non-traditional importers with a view to optimum use of quotas, particularly as examination of the data received from the competent authorities of the Member States reveals that non-traditional importers made less use of the quotas; whereas, to this end, it is appropriate to provide for that portion to be allocated in proportion to the quantities requested, on the basis of a simultaneous examination of import licence applications

⁽¹⁾ OJ No L 66, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 21, 27. 1. 1996, p. 6.

⁽³⁾ OJ No L 67, 10. 3. 1994, p. 89.

⁽⁴⁾ OJ No L 250, 2. 10. 1996, p. 1.

⁽⁵⁾ OJ No L 87, 31. 3. 1994, p. 47.

⁽⁶⁾ OJ No L 131, 1. 6. 1996, p. 47.

actually lodged, and grant access only to importers who can prove that they obtained and made use of at least 80 % of an import licence for the product in question during the 1996 quota year and to importers who did not obtain an import licence for the product in question during the 1996 quota year; whereas the amount that any non-traditional importer may request should also be restricted to a set volume or value;

Whereas for the purposes of quota allocation, a time limit must be set for the submission of licence applications by traditional and other importers;

Whereas with a view to optimum use of quotas, licence applications for imports of footwear under quotas which refer to several CN codes must specify the quantities required for each code;

Whereas the Member States must inform the Commission of the import licence applications received, in accordance with the procedure laid down in Article 8 of Regulation (EC) No 520/94; whereas the information about traditional importers' previous imports must be broken down by reference year and expressed in the same units as the quota in question; whereas if the quota is set in ecus, the counter-value of the currency in which previous imports are expressed must be calculated in accordance with Article 18 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, as last amended by Regulation (EC) No 82/97⁽²⁾;

Whereas in view of the special nature of transactions concerning products subject to quota, in particular the time needed for transport, and also the need to prevent any excessive accumulation of imports, the import licences should expire on 30 November 1997;

Whereas these measures are in accordance with the opinion of the Committee for the administration of quotas set up under Article 22 of Regulation (EC) No 520/94,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down specific provisions for the redistribution in 1997 of portions of the quantitative quotas referred to in Annex II to Council Regulation (EC) No 519/94 which were not used in the 1996 quota year.

The quantities not used in the 1996 quota year shall be redistributed up to the limit of the volumes or values set out in Annex I to this Regulation.

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 17, 21. 1. 1997, p. 1.

Regulation (EC) No 738/94 laying down general rules for the implementation of Regulation (EC) No 520/94 shall apply, subject to the specific provisions of this Regulation.

Article 2

1. The quantitative quotas referred to in Article 1 shall be allocated using the method based on traditional trade flows, referred to in Article 2 (2) (a) of Regulation (EC) No 520/94.

2. The portions of each quantitative quota set aside for traditional importers and other importers are set out in Annex II to this Regulation.

3. The portion set aside for non-traditional importers shall be apportioned using the method based on allocation in proportion to quantities requested; the volume/value requested by a single importer may not exceed that shown in Annex III. Only importers who can prove that they imported at least 80 % of the volume/value of the product for which they were granted an import licence pursuant to Commission Regulations (EC) No 2319/95⁽³⁾ and/or (EC) No 899/96⁽⁴⁾ and importers who declare that they did not obtain an import licence pursuant to Commission Regulations (EC) No 2319/95 and/or (EC) No 899/96 shall be entitled to apply for import licences.

Article 3

Applications for import licences shall be lodged from the day following the day of publication of this Regulation in the *Official Journal of the European Communities* to 24 May 1997 at 3 p.m., Brussels time, with the competent authorities listed in Annex I to Regulation (EC) No 738/94.

Article 4

1. For the purposes of allocating the portion of each quota set aside for traditional importers, 'traditional' importers shall mean importers who can show that they have imported goods in the calendar year 1994.

2. The evidence referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release for free circulation during calendar year 1994 of products originating in the People's Republic of China which are covered by the quota in respect of which the application is made.

⁽³⁾ OJ No L 234, 3. 10. 1995, p. 16.

⁽⁴⁾ OJ No L 121, 21. 5. 1996, p. 8.

3. Instead of the evidence referred to in the first indent of Article 7 of Regulation (EC) No 520/94:

- applicants may enclose with their licence applications documents drawn up and certified by the competent national authorities on the basis of available customs information as evidence of the imports of the product in question during calendar year 1994 carried out by themselves or, where applicable, by the operator whose activities they have taken over,
- applicants already holding import licences issued for 1997 under Commission Regulation (EC) No 1657/96⁽¹⁾, for products covered by the licence application may enclose a copy of their previous licences with their licence applications. In that case they shall indicate in their licence application the aggregate value of imports of the product in question during the reference period year.

4. Article 18 of Regulation (EEC) No 2913/92 shall apply where evidence is expressed in national currencies.

Article 5

Member States shall inform the Commission no later than 7 June 1997 at 10 a.m., Brussels time, of the number and

aggregate quantity of import licence applications and, in the case of applications from traditional importers, of the volume of previous imports carried out by traditional importers during the year of the reference period referred to in Article 4 (1) of this Regulation.

Article 6

No later than 12 June 1997 the Commission shall adopt the quantitative criteria to be used by the competent national authorities for the purpose of meeting importers' applications.

Article 7

Import licences shall be valid up to 30 November 1997. The validity shall not be extendable.

Article 8

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

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

Done at Brussels, 24 April 1997.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ No L 210, 20. 8. 1996, p. 12.

ANNEX I

Volumes/values of quantities to be redistributed

Product description	HS/CN code	Quantities redistributed
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	9 242 791 pairs
	6403 51 6403 59	1 337 516 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	2 928 143 pairs
	ex 6404 11 ⁽²⁾	6 804 272 pairs
	6404 19 10	16 239 641 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	10 756,07 tonnes
Ceramic tableware, kitchenware, other than of porcelain or china falling within HS/CN code	6912 00	7 823,54 tonnes
Glassware of a kind used for table, kitchen, toilet, etc., falling within HS/CN code	7013 ⁽³⁾	5 863,69 tonnes
Toys falling within HS/CN codes	9503 41 9503 49 9503 90	ECU 319 850 908

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has a provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

⁽³⁾ Excluding glass-fronted clip-frames, consisting of a mechanically-gathered glass sheet with worked edges, a printed paper sheet and a piece of hardboard to support the picture, held together by clips of base metal.

ANNEX II

Allocation of the quotas

Product description	HS/CN code	Portion reserved for traditional importers	Portion reserved for other importers
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	7 856 372 pairs (85 %)	1 386 419 pairs (15 %)
	6403 51 6403 59	1 136 889 pairs (85 %)	200 627 pairs (15 %)
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	2 488 922 pairs (85 %)	439 221 pairs (15 %)
	ex 6404 11 ⁽²⁾	5 783 631 pairs (85 %)	1 020 641 pairs (15 %)
	6404 19 10	13 803 695 pairs (85 %)	2 435 946 pairs (15 %)
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	9 142,66 tonnes (85 %)	1 613,41 tonnes (15 %)
Ceramic tableware, kitchenware, other than of porcelain or china falling within HS/CN code	6912 00	6 650,01 tonnes (85 %)	1 173,53 tonnes (15 %)
Glassware of a kind used for table, kitchen, toilet, etc., falling within HS/CN code	7013 ⁽³⁾	4 984,14 tonnes (85 %)	879,55 tonnes (15 %)
Toys falling within HS/CN codes	9503 41 9503 49 9503 90	ECU 255 880 727 (80 %)	ECU 63 970 182 (20 %)

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has a provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

⁽³⁾ Excluding glass-fronted clip-frames, consisting of a mechanically-gathered glass sheet with worked edges, a printed paper sheet and a piece of hardboard to support the picture, held together by clips of base metal.

ANNEX III

Maximum quantity which may be requested by each importer other than traditional

Product description	HS/CN code	Predetermined maximum quantity
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	4 000 pairs
	6403 51 6403 59	4 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	4 000 pairs
	ex 6404 11 ⁽²⁾	4 000 pairs
	6404 19 10	4 000 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	4 tonnes
Ceramic tableware, kitchenware, other than of porcelain or china falling within HS/CN code	6912 00	4 tonnes
Glassware of a kind used for table, kitchen, toilet, etc. falling within HS/CN code	7013 ⁽³⁾	3 tonnes
Toys falling within HS/CN codes	9503 41 9503 49 9503 90	ECU 90 000

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

⁽³⁾ Excluding glass-fronted clip-frames, consisting of a mechanically-gathered glass sheet with worked edges, a printed paper sheet and a piece of hardboard to support the picture, held together by clips of base metal.

COMMISSION REGULATION (EC) No 729/97
of 24 April 1997
amending Regulation (EC) No 658/96 on certain conditions for granting
compensatory payments under the support system for producers of certain
arable crops

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EC) No 1598/96⁽²⁾, and in particular Article 11 (1) thereof,

Whereas Commission Regulation (EC) No 658/96⁽³⁾, as last amended by Regulation (EC) No 1647/96⁽⁴⁾, restricts the producers of rapeseed eligible for the compensatory payments to those producers sowing seed of specified qualities and varieties;

Whereas additional varieties of rapeseed which meet the eligibility criteria are now also available to producers; whereas these varieties should also be added to the list;

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

Article 1

The following varieties shall be added to the list in Annex II of Regulation (EC) No 658/96:

'45W32, 46A75, Acropolis, Agenor, Alice, Amador, Amica, Amor, Andy, Artus, Attila, Bolero, Canyon, Casanova, CCW 08, CCW 09, CCW 10, Columbus, Colvert, Contact, Corrida, CSH 07, CSH 08, CSHP 001, Ebony, Ebro, Elena, Emeraude, Eperon, Espace, Etalon, Everest, Everest VA 75, Explorer, Fabiola, Fornax, Herald, Horizont, Huron, Hymac, Hyola 38, Hyola 401, Hyola 420, Hysyn 100, Hysyn 110, Kansas, Liconti, Licord, Licrown, Liga, Lightning, Lila, Linfort, Lipton, Lorenz, Maestrol, Maplus, Master, Mentor, Merit, Meteor, Milord, Monsun, Obulus, Olara, Orakel, Orient, Orkan, Panther, Plato, Président, Progress, Pronto, Rapid, Riina, Salut, Sheyenne, SPE 410, Summit, Superol, Tempo, Tivoli, Tracia, Tritop'.

Article 2

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

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

Done at Brussels, 24 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 41.

⁽³⁾ OJ No L 91, 12. 4. 1996, p. 46.

⁽⁴⁾ OJ No L 207, 17. 8. 1996, p. 6.

COMMISSION REGULATION (EC) No 730/97
of 24 April 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 25 April 1997.

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

Done at Brussels, 24 April 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 24 April 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	0406 10 20 9300	037	—
0404 90 23 9933	+	17,00		039	—
0404 90 23 9935	+	20,66		099	9,820
0404 90 23 9937	+	24,43		400	8,246
0404 90 23 9939	+	25,54		...	14,73
0404 90 29 9110	+	107,83			
0404 90 29 9115	+	108,54			
0404 90 29 9120	+	109,89			
0404 90 29 9130	+	117,46			
0404 90 29 9135	+	120,05			
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				...	18,82
	037	—	0406 30 31 9730	037	—
	039	—		039	—
	099	33,07		099	18,41
	400	38,41		400	12,89
0406 10 20 9630	...	49,60		...	27,62
	037	—	0406 30 31 9910	037	—
	039	—		039	—
	099	36,91		099	12,55
	400	43,37		400	8,785
0406 10 20 9640	...	55,37		...	18,82
	037	—	0406 30 31 9930	037	—
	039	—		039	—
	099	54,25		099	18,41
	400	50,89		400	12,89
0406 10 20 9650	...	81,37		...	27,62
	037	—	0406 30 31 9950	037	—
	039	—		039	—
	099	45,21		099	26,79
	400	26,78		400	18,75
0406 10 20 9660	...	67,81		...	40,18
	+	—	0406 30 39 9500	037	—
	037	—		039	—
	039	—		099	18,41
	099	16,77		400	12,89
0406 10 20 9830	400	14,08		...	27,62
	...	25,15	0406 30 39 9700	037	—
	037	—		039	—
	039	—		099	26,79
	099	20,33		400	18,75
0406 10 20 9850	400	17,07		...	40,18
	...	30,49	0406 30 39 9930	037	—
	+	—		039	—
	+	—		099	26,79
	+	—		400	18,75
0406 10 20 9870	037	—		...	40,18
	039	—	0406 30 39 9950	037	—
	099	37,49		039	—
	400	33,25		099	30,29
	...	56,24		400	22,25
0406 20 90 9915				...	45,43
	037	—	0406 30 90 9000	037	—
	039	—		039	—
	099	49,48		099	31,78
	400	44,34		400	22,25
0406 20 90 9917	...	74,22		...	47,66
	037	—	0406 40 50 9000	037	—
	039	—		039	—
	099	52,57		099	57,42
	400	47,10		400	34,72
0406 20 90 9919	...	78,86		...	86,13
	037	—			
	039	—			
	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 731/97

of 24 April 1997

altering the rate of refunds applicable for certain products of the cereals and rice
sectors 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular the fourth subparagraph of Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas the rates of the refunds applicable from 18 April 1997 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EC) No 678/97⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EC) No 678/97 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 678/97 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 April 1997.

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

Done at Brussels, 24 April 1997.

For the Commission

Martin BANGEMANN

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 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ No L 101, 18. 4. 1997, p. 28.

ANNEX

to the Commission Regulation of 24 April 1997 altering the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	— — —
1002 00 00	Rye	3,607
1003 00 90	Barley	2,008
1004 00 00	Oats	2,157
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed)	1,627 2,200 1,077 1,650 2,200
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	1,627 2,200
1006 20	Husked rice: — round grain — medium grain — long grain	19,763 17,595 17,595
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	25,500 25,500 25,500
1006 40 00	Broken rice used in the form of: — starch of CN code 1108 19 10: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed)	2,196 2,800 2,800

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	2,008
1101 00	Wheat or meslin flour:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—
1102 10 00	Rye flour	4,942
1103 11 10	Groats and durum wheat meal:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—
1103 11 90	Common wheat groats and spelt:	
	— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	— in other cases	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ No L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ No L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 732/97
of 24 April 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 25 April 1997.

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

Done at Brussels, 24 April 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 24 April 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 20	052	123,5
	204	84,2
	212	96,5
	999	101,4
0707 00 15	052	93,8
	068	123,8
	999	108,8
0709 90 75	052	96,9
	999	96,9
0805 10 11, 0805 10 15, 0805 10 19	052	36,2
	204	41,2
	212	61,8
	220	32,9
	400	38,0
	448	27,1
	600	49,7
	624	45,3
	625	36,3
	999	40,9
0805 30 20	400	73,6
	600	67,3
	999	70,5
0808 10 61, 0808 10 63, 0808 10 69	052	56,7
	060	57,0
	388	81,4
	400	98,7
	404	98,5
	508	73,4
	512	72,4
	524	70,0
	528	74,8
	804	102,5
	999	78,5
0808 20 37	388	69,1
	512	69,4
	528	74,5
	999	71,0

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

COMMISSION REGULATION (EC) No 733/97
of 24 April 1997

**fixing the maximum export refund on wholly milled long grain rice in
connection with the invitation to tender issued in Regulation (EC) No 530/97**

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⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 530/97 ⁽²⁾;

Whereas, Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 530/97 is hereby fixed on the basis of the tenders submitted from 18 to 24 April 1997 at ECU 390 per tonne.

Article 2

This Regulation shall enter into force on 25 April 1997.

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

Done at Brussels, 24 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 82, 22. 3. 1997, p. 48.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 734/97
of 24 April 1997

**concerning tenders submitted in response to the invitation to tender for the
export of husked long grain rice to the island of Réunion referred to in
Regulation (EC) No 531/97**

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⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No
2692/89 of 6 September 1989 laying down detailed rules
for exports of rice to Réunion ⁽²⁾, and in particular Article
9 (1) thereof,

Whereas Commission Regulation (EC) No 531/97 ⁽³⁾
opens an invitation to tender for the subsidy on rice
exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows
the Commission to decide, in accordance with the pro-
cedure laid down in Article 22 of Regulation (EC) No
3072/95 and on the basis of the tenders submitted, to
make no award;

Whereas on the basis of the criteria laid down in Articles
2 and 3 of Regulation (EEC) No 2692/89, a maximum
subsidy should not be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders submitted from
18 to 24 April 1997 in response to the invitation to
tender referred to in Regulation (EC) No 531/97 for the
subsidy on exports to Réunion of husked long grain rice
falling within CN code 1 006 20 98.

Article 2

This Regulation shall enter into force on 25 April 1997.

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

Done at Brussels, 24 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 261, 7. 9. 1989, p. 8.

⁽³⁾ OJ No L 82, 22. 3. 1997, p. 50.

COMMISSION REGULATION (EC) No 735/97

of 24 April 1997

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 95/96⁽⁴⁾;

Whereas export possibilities exist for a quantity of 70 000 tonnes of maize to certain destinations; whereas the procedure laid down in Article 7 (4) of Commission Regulation (EC) No 1162/95⁽⁵⁾, as last amended by Regulation (EC) No 1527/96⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of

cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 April 1997.

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

Done at Brussels, 24 April 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 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁶⁾ OJ No L 190, 31. 7. 1996, p. 23.

ANNEX

**to the Commission Regulation of 24 April 1997 fixing the export refunds on cereals and on wheat
or rye flour, groats and meal**

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
0709 90 60	—	—	1101 00 11 9000	—	—
0712 90 19	—	—	1101 00 15 9100	—	—
1001 10 00 9200	—	—	1101 00 15 9130	—	—
1001 10 00 9400	—	—	1101 00 15 9150	—	—
1001 90 91 9000	—	—	1101 00 15 9170	—	—
1001 90 99 9000	—	—	1101 00 15 9180	—	—
1002 00 00 9000	01	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	01	0	1102 10 00 9500	01	30,00
1004 00 00 9200	—	—	1102 10 00 9700	—	—
1004 00 00 9400	—	—	1102 10 00 9900	—	—
1005 10 90 9000	—	—	1103 11 10 9200	—	— ⁽²⁾
1005 90 00 9000	03	10,00 ⁽³⁾	1103 11 10 9400	—	— ⁽²⁾
	04	25,00 ⁽³⁾	1103 11 10 9900	—	—
	02	—	1103 11 90 9200	—	— ⁽²⁾
1007 00 90 9000	—	—	1103 11 90 9800	—	—
1008 20 00 9000	—	—			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland and Liechtenstein,
- 04 Slovenia, Czech Republic, Slovakia and Poland.

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

(3) Refund fixed under the procedure laid down in Article 7 (4) of Regulation (EC) No 1162/95 in respect of a quantity of 70 000 tonnes of maize.

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 736/97

of 24 April 1997

fixing the export refunds 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 the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market 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;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 95/96⁽⁴⁾;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EC) No 1501/95;

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

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

Done at Brussels, 24 April 1997.

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 refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas in follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 April 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 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽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.

ANNEX

to the Commission Regulation of 24 April 1997 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 9000	—
1107 10 99 9000	—
1107 20 00 9000	—

COMMISSION REGULATION (EC) No 737/97

of 24 April 1997

amending representative prices and additional duties for the import of certain products in the sugar sector

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

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 1127/96 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1195/96 ⁽⁵⁾, as last amended by Regulation (EC) No 719/97 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 April 1997.

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

Done at Brussels, 24 April 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 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 150, 25. 6. 1996, p. 12.

⁽⁵⁾ OJ No L 161, 29. 6. 1996, p. 3.

⁽⁶⁾ OJ No L 106, 24. 4. 1997, p. 17.

ANNEX

to the Commission Regulation of 24 April 1997 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,85	3,87
1701 11 90 ⁽¹⁾	24,85	9,11
1701 12 10 ⁽¹⁾	24,85	3,70
1701 12 90 ⁽¹⁾	24,85	8,68
1701 91 00 ⁽²⁾	27,06	11,70
1701 99 10 ⁽²⁾	27,06	7,18
1701 99 90 ⁽²⁾	27,06	7,18
1702 90 99 ⁽³⁾	0,27	0,38

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 738/97

of 24 April 1997

derogating temporarily from Regulation (EC) No 1445/95 on rules of application
for import and export licences in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 2222/96 ⁽²⁾, and in particular Articles 9 and 13 thereof,

Whereas Article 10 (1) of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽³⁾, as last amended by Regulation (EC) No 266/97 ⁽⁴⁾, provides that export licences are to be issued on the fifth working day following that on which the application is lodged, provided that no specific action is taken by the Commission in the meantime;

Whereas, in view of the small quantity still available until 30 June 1997 for which licences can be issued and the small number of days on which the *Official Journal* is to be published in the first 10 days of May 1997, that period for reflection of five days is too short to ensure sound

management of the market and should be increased temporarily to six days;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 10 (1) of Regulation (EC) No 1445/95, applications for licences lodged from 28 April to 7 May 1997 shall be issued on the sixth working day following that on which the application is lodged, provided that no specific action as referred to in paragraph 2 of that Article is taken by the Commission in the meantime.

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, 24 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽⁴⁾ OJ No L 45, 15. 2. 1997, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 April 1997

on protective measures with regard to fishery products originating in Kenya

(Text with EEA relevance)

(97/272/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 19 thereof,

Whereas the presence of salmonellae has been confirmed in Nile perch fillets originating in Kenya on several occasions on their importation into the Community;

Whereas, pending the application by the competent Kenyan authorities of health measures preventing the contamination of Nile perch fillets and on-the-spot inspections by Commission experts to verify that the measures are being properly applied, Nile perch fillets originating in Kenya should be systematically checked for salmonellae on importation;

Whereas, under Article 4 (7) of Directive 90/675/EEC, all expenditure incurred in such checks for salmonellae is to be chargeable to the consignor, the consignee or their agent, without reimbursement by the Member State conducting the checks;

Whereas such a measure must be transitional in nature pending a decision establishing the specific conditions for the importation of fishery products originating in Kenya;

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to whole fish, gutted or not, and fillets, slices and minced flesh of the species *Lates niloticus* (Nile perch), fresh or frozen, originating in Kenya.

Article 2

Member States shall, using a suitable sampling plan, subject each consignment of the products indicated at Article 1 imported into the Community to a test for the presence of salmonellae.

Article 3

Member States shall not authorize the importation into their territory or the consignment to another Member State of the products referred to in Article 1 unless the results of the checks referred to in Article 2 confirm the absence of salmonellae.

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 162, 1. 7. 1996, p. 1.

Article 4

All expenditure incurred by the application of this Decision shall be chargeable to the consigner, the consignee or their agent.

Article 5

This Decision shall apply until 30 June 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 4 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 4 April 1997

on protective measures with regard to fishery products originating in Uganda

(Text with EEA relevance)

(97/273/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Directive 96/43/EC⁽²⁾, and in particular Article 19 thereof,

Whereas the presence of salmonellae has been confirmed in Nile perch fillets originating in Uganda on several occasions on their importation into the Community;

Whereas, pending the application by the competent Ugandan authorities of health measures preventing the contamination of Nile perch fillets and on-the-spot inspections by Commission experts to verify that the measures are being properly applied, Nile perch fillets originating in Uganda should be systematically checked for salmonellae on importation;

Whereas, under Article 4 (7) of Directive 90/675/EEC, all expenditure incurred in such checks for salmonellae is to be chargeable to the consignor, the consignee or their agent, without reimbursement by the Member State conducting the checks;

Whereas such a measure must be transitional in nature pending a decision establishing the specific conditions for the importation of fishery products originating in Uganda;

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to whole fish, gutted or not, and fillets, slices and minced flesh of the species *Lates niloticus* (Nile perch), fresh or frozen, originating in Uganda.

Article 2

Member States shall, using a suitable sampling plan, subject each consignment of the products indicated at Article 1 imported into the Community to a test for the presence of salmonellae.

Article 3

Member States shall not authorize the importation into their territory or the consignment to another Member State of the products referred to in Article 1 unless the results of the checks referred to in Article 2 confirm the absence of salmonellae.

Article 4

All expenditure incurred by the application of this Decision shall be chargeable to the consignor, the consignee or their agent.

Article 5

This Decision shall apply until 30 June 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 4 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 162, 1. 7. 1996, p. 1.

COMMISSION DECISION

of 4 April 1997

on protective measures with regard to fishery products originating in Tanzania

(Text with EEA relevance)

(97/274/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 19 thereof,

Whereas the presence of salmonellae has been confirmed in Nile perch fillets originating in Tanzania on several occasions on their importation into the Community;

Whereas, pending the application by the competent Tanzanian authorities of health measures preventing the contamination of Nile perch fillets and on-the-spot inspections by Commission experts to verify that the measures are being properly applied, Nile perch fillets originating in Tanzania should be systematically checked for salmonellae on importation;

Whereas, under Article 4 (7) of Directive 90/675/EEC, all expenditure incurred in such checks for salmonellae is to be chargeable to the consignor, the consignee or their agent, without reimbursement by the Member State conducting the checks;

Whereas such a measure must be transitional in nature pending a decision establishing the specific conditions for the importation of fishery products originating in Tanzania;

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to whole fish, gutted or not, and fillets, slices and minced flesh of the species *Lates niloticus* (Nile perch), fresh or frozen, originating in Tanzania.

Article 2

Member States shall, using a suitable sampling plan, subject each consignment of the products indicated at Article 1 imported into the Community to a test for the presence of salmonellae.

Article 3

Member States shall not authorize the importation into their territory or the consignment to another Member State of the products referred to in Article 1 unless the results of the checks referred to in Article 2 confirm the absence of salmonellae.

Article 4

All expenditure incurred by the application of this Decision shall be chargeable to the consignor, the consignee or their agent.

Article 5

This Decision shall apply until 30 June 1997.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 4 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 162, 1. 7. 1996, p. 1.

COMMISSION DECISION

of 9 April 1997

amending Decision 93/25/EEC approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods

(Text with EEA relevance)

(97/275/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by Directive 96/23/EC⁽²⁾, and in particular Chapter IV (IV) (2) of the Annex thereto,

Whereas Commission Decision 93/25/EEC of 11 December 1993 approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods⁽³⁾ introduced three types of heat treatment adequate to ensure the health of the products;

Whereas the Netherlands has suggested an alternative to the processes set out in the Annex to Decision 93/25/EEC;

Whereas this treatment has been examined and approved by the Standing Veterinary Committee;

Whereas the Annex to Decision 93/25/EEC needs to be amended to include this treatment;

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

Article 1

The Annex to Decision 93/25/EEC of 11 December 1993 approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods is hereby amended as follows.

The following is added under B:

‘3. — steaming under pressure in an enclosed space where:

- the requirements relating to cooking time and the internal temperature of the mollusc flesh referred to at 1 above are met,
- the uniform distribution of heat in the enclosed space is guaranteed by validated methodology in the framework of the own-checks programme.’

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 125, 23. 5. 1996, p. 10.

⁽³⁾ OJ No L 16, 25. 1. 1993, p. 22.

COMMISSION DECISION

of 11 April 1997

amending Decision 93/437/EEC laying down special conditions governing imports of fishery products originating in Argentina

(Text with EEA relevance)

(97/276/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, as last amended by Directive 96/23/EC⁽²⁾, and in particular Article 11 (4) (a) thereof,Whereas Commission Decision 93/437/EEC of 30 June 1993 laying down special conditions governing imports of fishery products originating in Argentina⁽³⁾, as last amended by Decision 96/262/EC⁽⁴⁾, lays down the model health certificate to accompany fishery products originating in Argentina with the exception of bivalve molluscs, echinoderms, tunicates and marine gastropods in any form;Whereas Article 3 of Commission Decision 97/20/EC of 17 December 1996 establishing the list of third countries fulfilling the equivalence conditions for the production and placing on the market of bivalve molluscs, echinoderms, tunicates and marine gastropods⁽⁵⁾ provides that adductor muscles of pectinidae other than aquaculture animals, completely separated from the viscera and gonads, may be imported from third countries not appearing on the list in the Annex thereto;

Whereas Argentina has officially requested authorization from the Commission to export adductor muscles of pectinidae other than aquaculture animals, completely separated from the viscera and gonads, to the territory of the European Community;

Whereas for Argentina to enjoy the possibility provided for in Article 3 of Decision 97/20/EC, Article 2 of De-

cision 93/437/EEC and the model health certificate in Annex A thereto must be amended;

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

HAS ADOPTED THIS DECISION:

Article 1

The introductory part of Article 2 of Decision 93/437/EEC is hereby replaced by the following:

'Fishery products originating in Argentina must meet the following conditions:'.

Article 2

Annex A to Decision 93/437/EEC is hereby replaced by the Annex hereto.

Article 3

This Decision shall apply from 1 May 1997.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 11 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.⁽²⁾ OJ No L 125, 23. 5. 1996, p. 10.⁽³⁾ OJ No L 202, 12. 8. 1993, p. 42.⁽⁴⁾ OJ No L 89, 10. 4. 1996, p. 36.⁽⁵⁾ OJ No L 6, 10. 1. 1997, p. 46.

ANNEX

ANNEX A

HEALTH CERTIFICATE

for fishery/aquaculture products originating in Argentina and intended for export to the European Community

Reference No:

Country of dispatch: ARGENTINA

Competent authority: Servicio nacional de Sanidad Animal (Senasa)

Inspection department: Servicio de Inspección de Productos de Origen Animal (SIPA)

I. Details identifying the products

Description of fishery/aquaculture product⁽¹⁾:

— Species (scientific name):

— Presentation of product and type of treatment⁽²⁾:

Code number (where available):

Type of packaging:

Number of packages:

Net weight:

Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval number(s) of establishment(s) or factory ship(s) approved by Senasa for export to the European Community:

.....
.....
.....
.....
.....

III. Destination of products

The products are dispatched

from:
(Place of dispatch)

to:
(Country and place of destination)

by the following means of transport:

Name and address of dispatcher:
.....
.....

Name of consignee and address at place of destination:
.....
.....

⁽¹⁾ Delete as appropriate.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved.

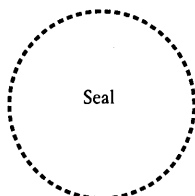
IV. Health attestation

The undersigned official inspector hereby certifies that the fishery or aquaculture products specified above:

1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC or, where they come from a factory ship, in accordance with the health rules laid down in Chapter I of the Annex to Directive 91/493/EEC;
2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
5. do not come from toxic species or species containing biotoxins;
6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the decisions implementing the latter;
7. in the case of adductor muscles of pectinidae, are not from aquaculture animals and are completely separated from the viscera and gonads.

The undersigned official inspector further declares that he is acquainted with the provisions of Directives 92/48/EEC and 91/493/EEC and of the decisions implementing the latter.

Done at on
(Place) (Date)



.....
Signature of official inspector
(Name in capital letters, capacity and qualifications of person signing)

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 503/97 of 19 March 1997 amending Regulation (EC) No 1600/95 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products

(Official Journal of the European Communities No L 78 of 20 March 1997)

On page 12, in Article 1 (2), new Article 22 (a) (3) (a):

for: ‘--Article 22bis of Regulation (EC) No 1600/95’,

read: ‘--Article 22a of Regulation (EC) No 1600/95’.
