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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 802/97

of 29 April 1997

terminating the anti-dumping proceeding concerning imports of ball bearings with a greatest external diameter exceeding 30 mm originating in Japan and repealing the anti-dumping measures imposed on such imports

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Article 9 and Article 11 (3) thereof,

Having regard to the proposal submitted by the Commission after consultations within the Advisory Committee,

Whereas:

to counteract the dumping which is causing injury as both dumping and injury resulting therefrom were alleged to have increased.

(3) Considering that there was sufficient evidence to warrant the initiation of an interim review under Article 11 (3) of Council Regulation (EC) No 3283/94 of 22 December 1994 on protection against dumped imports from countries not members of the European Community⁽²⁾ the Commission published on 23 March 1995⁽³⁾ a notice of initiation of an interim review of the anti-dumping measures applicable to imports of LBBs originating in Japan.

(4) The Commission officially advised the Community producers, the importers and the Japanese producers known to be concerned as well as the representatives of Japan of the opening of the investigation and gave the parties concerned the opportunity to make known their views in writing and to request a hearing.

A. PROCEDURE

(1) In June 1994, the Commission received a request for an interim review of the definitive anti-dumping measures imposed by Council Regulation (EEC) No 2849/92 of 28 September 1992 modifying the definitive anti-dumping duty on imports of ball bearings with a greatest external diameter exceeding 30 mm (hereinafter referred to as 'LBBs') originating in Japan imposed by Regulation (EEC) No 1739/85⁽²⁾. This request was lodged by the Federation of European Bearing Manufacturers' Association (FEBMA) on behalf of Community producers whose collective output was stated to constitute a major proportion of total Community production of LBBs.

(2) The request asserted that the anti-dumping measures in force are not or are no longer sufficient

(5) The Commission sought and verified all information it deemed to be necessary for the purpose of its determination.

(6) The investigation period applied in the present proceeding was from 1 January 1994 to 31 December 1994. For the analysis of the trends of the factors examined for the purposes of establishing whether the Community industry suffered injury caused by the imports in question the period from 1 January 1991 to 31 December 1994 was used.

(7) For the analysis of injury and in order to ensure comparability of the data collected for the period mentioned in Recital 6, data pertaining to the

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1. Regulation as amended by Regulation (EC) No 2331/96, (OJ No L 317, 6. 12. 1996, p. 1).

⁽²⁾ OJ No L 286, 1. 10. 1992, p. 2.

⁽³⁾ OJ No L 349, 31. 12. 1994, p. 1, replaced by Regulation (EC) No 384/96.

⁽⁴⁾ OJ No C 71, 23. 3. 1995, p. 3.

Community of Fifteen was applied even for the period prior to the enlargement of the Community to include Sweden, Finland and Austria.

- (8) The investigation has exceeded the normal time period because of the complexity of the assessment of the injury and causality aspects of the proceeding, which were mainly caused by the high number and degree of diversity of the types within the product investigated.
- (9) The Community industry, on behalf of which the request for an interim review was lodged, consists of the following producers:
- SKF France SA (France),
 - SKF Industrie SpA (Italy),
 - SKF Espanola SA (Spain),
 - SKF Deutschland GmbH (Germany),
 - SKF (UK) Ltd (United Kingdom),
 - FAG Kugelfischer (Germany),
 - FAG Cuscinetti SpA (Italy),
 - Umbra Cuscinetti SpA (FAG) (Italy),
 - ROL Rolamentos Portugueses SARL (Portugal), and
 - SNR Roulements (France).
- (10) During the investigation period, the following companies exported LBBs from Japan to the European Community and cooperated with the Commission in the review investigation:
- Sapporo Precision Ltd,
 - NTN Corporation Ltd,
 - Nankai Seiko Co., Ltd,
 - Nachi-Fujikoshi Corp.,
 - Koyo Seiko Ltd,
 - NSK Ltd,
 - Inoue Jikuu Kogyo Ltd,
 - Izumoto Seiko Co., Ltd,
 - Nakai Bearings Co., Ltd,
 - Tottori Yamakei Bearing Seisakusho Ltd,
 - Wada Seiko Ltd,
 - Fujino Iron Works Ltd, and
 - NSK Micro Precision Ltd.
- (11) The following unrelated importer cooperated with the Commission in the present investigation: ISO Import Standard Office (France).
- (12) In addition, numerous end-users submitted their comments which were taken into account to the extent that they were substantiated by supporting evidence.

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

- (13) The product under consideration is ball bearings with a greatest external diameter exceeding 30 mm falling within CN code No 84821090 originating in Japan. The principal application for LBBs is as intermediary products used in the assembly of products such as motor vehicles, electrical equipment, machine tools, construction, aerospace, farming and military equipment.
- (14) In Japan and in the Community, LBBs are mainly sold to two categories of customers, namely industrial users and distributors.
- (15) It was found that LBBs produced in Japan, sold domestically and exported to the Community and LBBs produced by the Community producers and sold on the Community market are alike in their physical characteristics and uses. They were therefore considered as a like product in accordance with Article 1 (4) of Regulation (EC) No 384/96.

C. DEFINITION OF THE COMMUNITY INDUSTRY

- (16) For the purposes of this Regulation, in the same way as for Regulation (EEC) No 2849/92 (Recitals 24 and 25), the Japanese owned companies producing in the Community are not considered part of the Community industry within the meaning of Article 4 (1) (a) of Regulation (EC) No 384/96. This approach was considered justified as the companies are related to exporters from Japan of the product under investigation. The companies sell all their production to the sales subsidiaries located in the Community and equally related to exporters from Japan and which are also involved in selling imported LBBs originating in Japan. It is considered that in those circumstances the producing companies located in the Community might therefore benefit from any unfair business practices. In such circumstances, the producers were not considered to be behaving as normal Community producers, but rather as a complementary source of supply for exporters accused of practising dumping.
- (17) One of the Community producers mentioned above did not submit a response to the Commission's questionnaire within the deadline set by the Commission. In view of this non-cooperation on the part of the company in question, it was excluded from the Community industry as determined by the complaint and thus from the Commission's injury determination in connection

with the present investigation. For the remainder of this analysis, the term Community industry refers to the cooperating Community producers which supported the complaint, whose collective output of LBBs constitutes a major proportion of total Community production within the meaning of Article 4 (1) of Regulation (EC) No 384/96.

D. INJURY

Consumption

- (18) Between 1991 and 1994, the consumption of LBBs in the European Community of fifteen increased from around 409 million pieces to around 513 million pieces, i.e. by around 25 %. The above expansion of the market is the result of the influence of the general business cycle on the LBB market during which the size of the LBB market varies according to the general level of activity on the part of the users of LBBs.

Volume and market share of imports

- (19) Between 1991 and the investigation period, imports of LBBs originating in Japan, in tonnes, decreased from 10 225 tonnes to 7 872 tonnes, i.e. by 23 %. The sales in the Community of LBBs originating in Japan, measured in pieces, decreased from 30,6 million pieces to 29,8 million pieces, i.e. by 2,3 % in the same period.
- (20) In line with this decrease in sales and contrary to the allegations by the Community industry, the resulting market share of the imports under consideration decreased steadily. The decrease was from a 7,7 % market in 1991 to a 5,9 % market share in 1994.

Prices of imports

- (21) The prices charged for certain types by a representative selection of the Japanese producers that had submitted data on sales prices were compared with the prices charged for identical types by the Community producers, by category of customer in four Member States (Germany, the United Kingdom, France and Italy). Given their overall size and in line with past investigations concerning ball or roller bearings, these markets were considered as being representative for the situation in the entire Community. Based on this analysis, it was found that there is a certain amount of undercutting by Japanese imports as was determined in Regulation (EEC) No 2849/92 (Recital 28).

However, it was not considered appropriate to draw any conclusions from this analysis due to the fact that the Japanese companies involved sell only a limited number of types which are identical or directly comparable to those manufactured by the Community producers in sufficient quantities to render meaningful a comparison with European producers. Under these conditions, as in Regulation (EEC) No 2849/92, no individual margins for price undercutting have been established for each company involved.

The situation of the Community industry

Sales and market shares

- (22) The sales of LBBs manufactured in the Community by the Community industry increased from 190 million pieces to 200 million pieces between 1991 and the investigation period, thus by 5,3 %. The resulting market share of the Community industry decreased in the same period from 46,6 % to 39,1 % reflecting the strong increase in consumption.

Prices

- (23) The Community industry has claimed that the undercutting or lower price offers on the part of the Japanese exporters has had the effect of imposing pressure on prices which forced the Community LBB producers to follow the prices downwards in order to defend their market shares at great financial expense. According to the Community industry, this undercutting has prevented it from obtaining price increases during 1994 which was a period of up-turn after a period of recession.
- (24) With regard to the evolution of prices between 1991 and the end of the investigation period (1994) in the Community of the LBBs sold by the Community producers, this was analysed in detail per category of customer in Germany, the United Kingdom, France and Italy for types the turnover of which represented 50 % of their total turnover in the Community. On this basis, it was found that, between 1991 and 1994, prices decreased on average (sales to all categories of customers) by 1,74 %. Between 1993 and 1994, prices decreased by 0,17 %. On a per category of customer basis, for sales to large industrial manufacturers, which represent a majority of total turnover of the Community producers, the decrease between 1991 and 1994 was of 1,49 % and by 0,16 % between 1993 and 1994. For sales to distributors, there was a price decrease between 1991 and 1994 of 2,33 % and 0,18 % between 1993 and 1994.

- (25) Given the fact that the Community industry's sales volumes increased, thus reducing its cost of production, the stable prices benefited the Community industry. In any way, it is considered that the very limited price undercutting did not exert a materially downward price pressure on the Community industry. In support thereof the Commission found that the weighted average price of LBBs of Japanese origin sold in the Community increased notably during the period under investigation of the determination of injury.

Profitability

- (26) According to the Community industry, the price undercutting and the price evolution caused thereby had significant effects on its financial results. However, an analysis of the data submitted by the Community producers in connection with the present review shows that, on the contrary, the profitability specifically relating to the product under investigation, net of any extraordinary income or cost item, developed from a loss of 12 % in 1991 to a profit of 4 % in 1994, thus showing a recovery in 1994.

Production, capacity and capacity utilization

- (27) Between 1991 and 1994, production of the Community industry increased from 216 million pieces to 262 million pieces, i.e. by 20 %. In the same period, the capacity of the Community industry, expressed in tonnes, decreased by 4,6 % and capacity utilization, also when expressed in tonnes, decreased slightly from 76,9 % to 76,2 %.

Employment

- (28) Between 1991 and the investigation period, employment in the Community industry decreased from 9 238 to 6 482 employees, i.e. by 30 %. It should be noted that during the investigation it appeared that significant restructuring efforts had been undertaken by most of the Community producers during the period under consideration to increase productivity in general. Further to public statements made by major Community producers, it is considered that this restructuring was necessary to overcome structural deficiencies and to increase productivity in the long term. A comparison of the development of capacity, capacity utilization and production shows that this was accomplished — a fact which is reflected in the improved profitability.

Conclusion on injury

- (29) An analysis of the abovementioned injury factors such as the Community industry's profitability, production, and sales shows that these demonstrate

a positive trend whilst factors such as employment, capacity and capacity utilization show a negative development. As to profitability, the described trend shows a certain recovery of the Community industry. It illustrates, however, that the Community industry has not yet fully recovered from the past precarious situation.

E. CAUSALITY

- (30) The Community industry has argued that the imports from Japan have had an injurious impact on its results, i.e. that these allegedly would have been better if it had not been forced to align its prices downwards in order to meet the competition of those of the Japanese exporters.
- (31) In accordance with the provisions of Regulation (EC) No 384/96, the Commission therefore investigated whether the volumes and prices of the imports concerned were responsible for the situation of the Community industry and had an impact thereon to a degree which enables it to be classified as material within the meaning of Article 3 (6) of Regulation (EC) No 384/96. In this investigation, care was taken to ensure that any impact on the Community industry caused by other factors was not attributed to the imports concerned.
- (32) In this regard, firstly, the detailed analysis of the prices applied by the Community producers over the period under consideration, as outlined above, demonstrates that the imports in question did not have any material effects on the prices applied by the Community producers and thus not on their financial results nor on any of the other factors listed above.
- (33) Secondly, it should be recalled that imports from Japan have decreased both in absolute terms and in terms of market share during the period under investigation. It is acknowledged that the market share of the Community industry also decreased, but the decrease in the market share of the Japanese imports was steeper in percentage terms than that of the Community industry. It is therefore concluded that, contrary to the allegations of the Community industry, it did not lose any market share to Japanese imports.

- (34) Thirdly, the entire period of investigation was characterized by significant imports from countries other than Japan, the market share of which increased from a market share of 25 % in 1991 to a market share of 33,4 % in 1994.

(35) Fourthly, the share of Japanese companies producing in the Community and affiliated to the exporters concerned by the present proceeding was significant throughout the period increasing from 19 % in 1991 to 20,9 % in 1994 and substantially higher than the imports concerned.

third country imports and Japanese production in the Community.

F. LIKELY EFFECTS OF THE REPEAL OF THE MEASURES IN FORCE

(36) Fifthly, the Community industry has argued that, weakened by past dumping, the Community industry was unable, in a period of economic up-turn, to meet the demand of its customers and that in order to invest in new capacity, the Community industry would require a substantial higher return on sales than what was registered during the investigation. However, it is considered as normal business behaviour to reduce costs and this all the more so when the industry is in an economic recession. On the other hand, during a booming market, it may also be normal to increase capacity and to finance this by normal financial resources. This capacity restriction should therefore not be attributed to the imports in question, and this the more so as the volume of these imports decreased more than the capacity restriction of the Community industry.

(39) As was demonstrated above, the facts established show that the measures under review have reduced the injurious impact of the imports in question below the degree of material within the meaning of Article 3 (6) of Regulation (EC) No 384/96.

(40) The Community industry has submitted that if the measure currently in force were to be repealed it is likely that material injury caused by the imports in question would recur. The Community industry bases its arguments on the following considerations: firstly, that imports from Japan increased, in absolute terms, after the investigation period and that these were further depressing or suppressing prices. In spite of the data submitted by the Community industry, it cannot be concluded on the basis of the facts available that any increased import volumes will affect the trend in the development of market shares and prices of the Community industry to a material extent. Secondly, that the imports in question will have a continuing detrimental impact irrespective of their relatively low market share and the significant market shares of the Japanese producers located in the Community. In this respect, it should be recalled that, firstly, there is a decreasing market share of Japanese imports, secondly, there are increasing imports from countries other than Japan and, thirdly, a significant and stable market share of Japanese production facilities is located in the Community.

(37) Finally, regarding the decrease in employment, it should be noted that during the investigation it appeared that significant restructuring efforts had been undertaken to increase productivity in general by most of the Community producers during the period under consideration. Further to public statements made by major Community producers, it is considered that this restructuring was necessary to overcome structural deficiencies and to increase productivity in the long term. A comparison of the development of capacity, capacity utilization and production shows that this was accomplished — a fact which is reflected in the improved profitability.

(41) Given these economic trends and the above conclusion that the impact of Japanese imports on the situation of the Community industry during the period under investigation was not material and that the Community industry has experienced a certain recovery in its financial results, it is the position of the Commission that it is not likely that the repeal of the anti-dumping measures currently in force would create a situation in which a materially injurious impact of these imports would recur.

Conclusion on causation

(38) Given the above findings, it is concluded that the imports in question did not, in isolation, have a materially injurious impact on the situation of the Community industry and the allegations set forth in the request for an interim review submitted by the Community industry that the measures in force were insufficient to offset increased injury are therefore refuted. The precarious situation of the Community industry may rather stem from other

(42) As to the circumstances of the exporters, official statistics demonstrate that production capacity for bearings in Japan remained stable from 1990 to 1994 and increased subsequently in relation to the recovery of demand world-wide thus supporting the above conclusion.

- (43) With regard to the market conditions it should be reiterated the situation for the Community industry during 1994 showed a certain recovery in the market for LBBs. This led to increased profitability. This development was sustained and further improved after the investigation period as illustrated by general results of the major Community producers published for 1995. It is not considered as likely that this situation would change as a result of the repeal of the current measures.

G. DUMPING

- (44) In view of the above conclusion, it was not considered necessary to analyse whether the imports in question were dumped, and if so, if the dumping margin thereof had increased or not since this would not have any relevance on the above analysis and would consequently not alter the conclusions reached.

H. CONCLUSION

- (45) Given the above findings, it is considered that the result of the interim review of the anti-dumping measures in force with respect to imports of LBBs originating in Japan is that the anti-dumping proceeding concerning the abovementioned

imports should be terminated and that the anti-dumping measures in force should be repealed.

- (46) The Commission informed the interested parties, including the Community industry, of its findings. After having been informed by the Commission of the above facts, findings and conclusions, representatives of the Community industry made further representations, both in writing and orally, concerning the impact of the Japanese imports in question on the Community industry. However, it is considered that these representations could not reverse its conclusions as mentioned above. Certain Member States raised objections to this course of action,

HAS ADOPTED THIS REGULATION:

Article 1

The anti-dumping proceeding concerning imports of ball bearings with a greatest external diameter exceeding 30 mm falling within CN code No 84821090 originating in Japan is hereby terminated and the anti-dumping measures imposed by Regulation (EEC) No 2849/92 on such imports are hereby repealed.

Article 2

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

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

Done at Luxembourg, 29 April 1997.

For the Council

The President

H. VAN MIERLO

COMMISSION REGULATION (EC) No 803/97
of 2 May 1997
amending the import duties in the cereals sector

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

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as amended by Regulation (EC) No 641/97⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 788/97⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 788/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 788/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 May 1997.

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

Done at Brussels, 2 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 98, 15. 4. 1997, p. 2.

⁽⁵⁾ OJ No L 114, 1. 5. 1997, p. 13.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	4,90	0,00
1001 90 91	Common wheat seed	24,01	14,01
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	24,01	14,01
	medium quality	29,45	19,45
	low quality	46,82	36,82
1002 00 00	Rye	78,87	68,87
1003 00 10	Barley, seed	78,87	68,87
1003 00 90	Barley, other ⁽³⁾	78,87	68,87
1005 10 90	Maize seed other than hybrid	83,10	73,10
1005 90 00	Maize other than seed ⁽³⁾	83,10	73,10
1007 00 90	Grain sorghum other than hybrids for sowing	78,87	68,87

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

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

- ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

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

ANNEX II

Factors for calculating duties

(period from 30 April 1997 to 1 May 1997)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	144,39	147,96	137,03	102,39	177,08 (1)	103,11 (1)
Gulf premium (ECU/tonne)	—	17,16	10,32	8,69	—	—
Great Lakes premium (ECU/tonne)	13,58	—	—	—	—	—

(1) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,12 per tonne; Great Lakes — Rotterdam: ECU 24,70 per tonne.

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

COMMISSION REGULATION (EC) No 804/97
of 2 May 1997
on the supply of white sugar as food aid

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 2 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 225/96
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma [tel.: (39 6) 579 71; telex: 626675 WFP I]
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (V.A(1))
8. **Total quantity (tonnes)**: 400
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁹⁾ ⁽⁶⁾: see OJ No C 267, 13. 9. 1996, p. 1 (11.2, A(1)(b) and B(4))
see OJ No C 114, 29. 4. 1991, p. 1 (V.A(3))
language to be used for the marking: Portuguese
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
A or B sugar (points (a) and (b))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 16. 6 — 6. 7. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 19. 5. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 2. 6. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 30. 6 — 20. 7. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (tlx: 25670 AGREC B; fax: (32 2) 296 70 03/296 70 04 (exclusively))
25. **Refund payable on application by the successful tenderer** ^(*): periodic refund applicable to white sugar on 23. 4. 1997, fixed by Commission Regulation (EC) No 657/97 (OJ No L 100, 17. 4. 1997, p. 3)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
 - (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
 - (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
 - (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
 - (⁵) Notwithstanding OJ No C 114, point V.A (3) (c) is replaced by the following: 'the words "European Community"'.
 - (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
 - (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
 - (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
 - health certificate.
-

COMMISSION REGULATION (EC) No 805/97

of 2 May 1997

laying down detailed rules for compensation relating to appreciable revaluations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 724/97 of 22 April 1997 determining measures and compensation relating to appreciable revaluations that affect farm incomes⁽¹⁾, and in particular Article 7 thereof,

Whereas Regulation (EC) No 724/97 allows Member States to grant compensation to farmers who have suffered the effects of an appreciable revaluation; whereas part of that compensation relates specifically to certain actual reductions in the aid referred to in Article 7 of 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⁽²⁾, as last amended by Regulation (EC) No 150/95⁽³⁾; whereas Regulation (EC) No 724/97 lays down certain conditions for granting compensatory aid and its staging over time, and indicates the method for determining the maximum amount that may be allocated by a Member State; whereas the compensation concerned is financed, entirely or in part, by the Community budget;

Whereas it is necessary to define the operative event which determines the agricultural conversion rate used to convert amounts expressed in ecus into the national currencies of the Member States; whereas, to facilitate financial management, the payment of more than one annual compensation tranche in the same budget year should be avoided; whereas, to take account of the European Community's international commitments, and in the interests of administrative transparency, the procedures to be followed by Member States wishing to grant compensation should be laid down;

Whereas, in order to fulfil its purpose, the compensation must be granted directly to the beneficiaries, in principle farmers, within a fixed period and for amounts not exceeding the income losses concerned; whereas, in particular, the part of the compensation granted to offset reductions in the aids referred to in Article 7 of Regulation (EEC) No 3813/92 should supplement the amounts allocated for those aids; whereas, however, to avoid administrative complications arising from the grant of small amounts to beneficiaries, simplified procedures may be used in certain cases;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down the detailed rules for granting compensatory aid under Regulation (EC) No 724/97 without prejudice to the methodology and criteria to be used for examination under Article 8 of that Regulation of the effects on agricultural income of reductions in the agricultural conversion rates.

2. Each tranche of compensatory aid shall consist of a principal amount and, where the conversion rate referred to in the first subparagraph of Article 3 (1) of Regulation (EC) No 724/97 or in Article 3 of Regulation (EC) No 1527/95⁽⁴⁾ or (EC) No 2990/95⁽⁵⁾ is reduced during the period 1 January 1997 to 30 April 1998, one or more supplementary amounts.

The maximum levels of the abovementioned amounts shall be determined in accordance with Article 4 of Regulation (EC) No 724/97 and, in particular, with the first subparagraph as far as the principal amount is concerned or, with the second subparagraph as far as supplementary amounts are concerned, of its paragraph 2.

Article 2

1. Without prejudice to Article 4:

- (a) Member States may grant compensatory aid only by means of payments to beneficiaries and without conditions relating to its use, and
- (b) compensatory aid may be granted only to agricultural holdings, the definition of an agricultural holding being established by the Member State concerned on the basis of objective criteria.

The supplementary amounts of compensatory aid shall be granted on the basis of the aid concerned, as referred to in Article 7 of Regulation (EEC) No 3813/92 and allocated for the twelve-month period preceding the respective application of the reduced agricultural conversion rate.

⁽¹⁾ OJ No L 108, 25. 4. 1997, p. 9.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁴⁾ OJ No L 148, 30. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 312, 23. 12. 1995, p. 7.

2. The maximum level of the principal amount of compensatory aid shall be converted into national currency using the agricultural conversion rate valid immediately before the revaluation concerned. The maximum level of any supplementary amount of compensatory aid shall be converted using the agricultural conversion rate concerned valid immediately before the reduction which gave rise to that supplementary amount.

3. The payment of an annual tranche of compensatory aid shall be made after the observation period referred to in Article 4 (3) of Regulation (EC) No 724/97 and after the beginning of the first month of the tranche concerned. Furthermore, payment of any supplementary amount of compensatory aid shall be made after the date of and in proportion to the actual reduction in the amounts referred to in Article 7 of Regulation (EEC) No 3813/92 which are concerned.

Payment to the same beneficiary of the principal amount or of one of the supplementary amounts of a compensatory aid tranche may not be made during the same budget year as payment of the corresponding amount of another tranche.

Article 3

1. The principal amount of compensatory aid granted to the beneficiary shall be linked to the size of the holding during a period to be stipulated in each case, according to the criteria laid down in the second subparagraph of Article 4 (1) of Regulation (EC) No 724/97.

In determining the size of the holding, account shall be taken only of the types of production referred to in Article 6 (1) (a) of the said Regulation.

Member States may set minimum holding sizes only to the extent necessary to facilitate administration of the compensatory aid.

2. The total amount of compensatory aid that may be granted for a production sector may not exceed, at macro-economic level, that proportion of the total loss which affects the sector in question in the Member State concerned.

In all cases, the compensatory aid must be in conformity with the international commitments of the Community.

Article 4

Where the principal amount of compensatory aid which is to be granted for any annual tranche divided by the estimated number of agricultural holdings concerned is below ECU 400, that amount may be granted for all beneficiaries and for the tranche concerned for measures concerning the agricultural sector:

- which are of collective and of general interest, and/or
- where Community provisions allow Member States to grant national aid, provided the intensities under the State aid policy are respected.

The implementation of the measures in question may not exceed the duration of the three annual tranches and shall be completed within the following six months.

To be eligible for Community finance the measures shall be additional either by their nature and/or in terms of aid intensity, to those which the Member State would have applied in the absence of the aid, and shall not benefit from other Community financing.

Article 5

1. The application for authorization to grant compensatory aid shall be submitted to the Commission by the Member State concerned before the end of the twelfth month following that in which the appreciable revaluation concerned occurred. However, in the case of supplementary amounts of compensatory aid, the application may be supplemented up to the end of the sixth month following the reduction of the agricultural conversion rate in question. The application must include sufficient information for the Commission to check the compatibility of the measure with the rules as provided in paragraph 2.

2. In accordance with the procedure laid down in Article 93 (3) of the Treaty and the provisions of this Regulation, the Commission shall check the compatibility of the aid applications with the rules in force concerning compensation for appreciable revaluations.

3. The Commission may take up to two months from the date of receipt of the application referred to in paragraph 1 to approve the compensatory aid. If the Commission has not delivered an opinion within that period, the measures planned may be implemented provided that the Member State gives the Commission prior notification of its intention so to act.

4. Any Member State intending to grant compensatory aid shall adopt the necessary national measures within one year of the date of the Commission decision or the prior notification by the Member State provided for in paragraph 3.

Article 6

Every year the Member State concerned shall submit to the Commission a report on the implementation of the compensatory aid measures, giving details of the amounts paid out. The first of these reports shall be submitted not later than eighteen months after the decision or the notification by the Member State referred to in Article 5 (3).

Article 7

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, 2 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 806/97

of 2 May 1997

fixing the maximum amounts of compensatory aid relating to appreciable revaluations of the Irish pound, the pound sterling and the Italian lira occurring prior to 31 March 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 724/97 of 22 April 1997 determining measures and compensation relating to appreciable revaluations that effect farm incomes⁽¹⁾, and in particular Article 7 thereof,

Whereas Regulation (EC) No 724/97 stipulates that the Member States can grant aid to farmers to offset appreciable revaluations; whereas such compensatory aid is to be granted on the terms laid down in that Regulation and in Commission Regulation (EC) No 805/97 of 2 May 1997 laying down detailed rules for compensation relating to appreciable revaluations⁽²⁾;

Whereas the compensatory aid is to be determined in accordance with Articles 4, 5 and 6 of Regulation (EC) No 724/97 and is to comprise a principal amount and, where applicable, supplementary amounts pursuant to the second subparagraph of Article 3 (2) of that Regulation;

Whereas, in particular to facilitate the preparation of its grant, the ceiling for the principal amount of the first tranche of the compensatory aid should be fixed on the basis of the latest data available for the appreciable revaluations that occurred on 8 November 1996, 11 January and 29 March 1997 as regards the Irish pound, 21 January and 29 March 1997 as regards the pound sterling and 1 March 1997 as regards the Italian lira; whereas these ceilings are established without prejudice to a reduction or cancellation in the case of an agricultural conversion rate increase during the examination period referred to in Article 4 (3) of Regulation (EC) No 724/97 and without prejudice to the possibility of granting supplementary amounts pursuant to the second subparagraph of Article 3 (2) of the said Regulation;

Whereas, for the purposes of applying Regulation (EC) No 805/97, the period referred to in Article 3 (1) of that Regulation should be specified so as to link the aid to previous production;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

Article 1

The principal amount of the first tranche of compensatory aid for Ireland pursuant to Article 1 (2) of Regulation (EC) No 805/97 shall not exceed:

- ECU 8,10 million for the appreciable revaluation that occurred on 8 November 1996, plus ECU 105,20 million for the appreciable revaluation that occurred on 11 January 1997,
- ECU 65,16 million for the appreciable revaluation that occurred on 29 March 1997.

Article 2

The principal amount of the first tranche of compensatory aid for the United Kingdom pursuant to Article 1 (2) of Regulation (EC) No 805/97 shall not exceed:

- ECU 161,08 million for the appreciable revaluation that occurred on 21 January 1997,
- ECU 160,20 million for the appreciable revaluation that occurred on 29 March 1997.

Article 3

The principal amount of the first tranche of compensatory aid for Italy pursuant to Article 1 (2) of Regulation (EC) No 805/97 shall not exceed ECU 247,32 million for the appreciable revaluation that occurred on 1 March 1997.

Article 4

1. The amounts fixed in the present Regulation are established without prejudice to the consequences of Article 4 (3) of Regulation (EC) No 724/97.

2. For the purposes of granting compensatory aid the maximum amounts of which are fixed in this Regulation, the period referred to in Article 3 (1) of Regulation (EC) No 805/97 shall end on 31 March 1997 at the latest.

Article 5

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

⁽¹⁾ OJ No L 108, 25. 4. 1997, p. 9.

⁽²⁾ See page 13 of this Official Journal.

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

Done at Brussels, 2 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 807/97**of 2 May 1997****on the issuing of A1 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Commission Regulation (EC) No 687/97⁽³⁾ sets the quantities for which A1 export licences, other than those requested in the context of food aid, may be issued;

Whereas Article 2 of Regulation (EC) No 2190/96 sets the conditions under which special measures may be taken by the Commission with a view to avoiding an overrun of the quantities for which A1 licences may be issued;

Whereas the Commission has received information which indicates that those quantities, reduced or increased by the quantities referred to in Article 2 (3) of Regulation (EC) No 2190/96, would be exceeded if A1 licences were issued without restriction for tomatoes, lemons, apples and peaches and nectarines in response to applications

submitted since 29 April 1997; whereas, therefore, a percentage should be fixed for the issuing of licences for quantities applied for on 29 April 1997 and applications for A1 licences submitted later in that application period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

A1 export licences for tomatoes, lemons, apples and peaches and nectarines for which applications are submitted on 29 April 1997 pursuant to Article 1 of Regulation (EC) No 687/97 shall be issued at the percentage for quantities applied for indicated in the Annex to this Regulation.

Applications for A1 export licences submitted after 29 April 1997 and before 24 June 1997 for those products shall be rejected.

Article 2

This Regulation shall enter into force on 3 May 1997.

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

Done at Brussels, 2 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ No L 93, 8. 4. 1997, p. 11.

⁽³⁾ OJ No L 102, 19. 4. 1997, p. 4.

ANNEX

Products	Percentage of licences issued for quantities applied for
Tomatoes	9,93 %
Lemons	1,30 %
Apples	45,13 %
Peaches and nectarines	39,00 %

COMMISSION REGULATION (EC) No 808/97**of 2 May 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 778/97 ⁽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 3 May 1997.

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

Done at Brussels, 2 May 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 112, 29. 4. 1997, p. 32.

ANNEX

to the Commission Regulation of 2 May 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⁾	23,55	4,52
1701 11 90 ⁽¹⁾	23,55	9,76
1701 12 10 ⁽¹⁾	23,55	4,33
1701 12 90 ⁽¹⁾	23,55	9,33
1701 91 00 ⁽²⁾	26,90	11,78
1701 99 10 ⁽²⁾	26,90	7,26
1701 99 90 ⁽²⁾	26,90	7,26
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 809/97

of 2 May 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 3 May 1997.

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

Done at Brussels, 2 May 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 2 May 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 25	052	90,5
	212	108,7
	999	99,6
ex 0707 00 20	052	93,9
	999	93,9
0709 90 75	052	92,9
	999	92,9
0805 10 21, 0805 10 25, 0805 10 29	052	64,9
	204	39,9
	212	58,1
	400	57,1
	448	26,0
	600	47,4
	624	42,7
	625	36,7
	999	46,6
	600	60,7
0805 30 20	999	60,7
	600	49,4
0808 10 61, 0808 10 63, 0808 10 69	388	83,8
	400	96,4
	404	80,1
	508	79,0
	512	72,7
	524	69,9
	528	74,2
	804	106,7
	999	79,1

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 April 1997

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(97/286/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 589/96 of 2 April 1996 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽³⁾, in particular Article 4 thereof,

Whereas Article 1 of Regulation (EC) No 589/96 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 April 1997, expressed in terms of

boned meat, in accordance with Regulation (EC) No 589/96, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the quantities, in respect of which licences may be applied for from 1 May 1997, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 April 1997 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 89, 10. 4. 1996, p. 1.

⁽³⁾ OJ No L 84, 3. 4. 1996, p. 22.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28.

Germany:

- 50 tonnes originating in Botswana,
- 60 tonnes originating in Madagascar,

United Kingdom:

- 1 500 tonnes originating in Botswana,
- 700 tonnes originating in Zimbabwe,
- 400 tonnes originating in Namibia.

- Botswana: 15 106 tonnes,
- Kenya: 142 tonnes,
- Madagascar: 7 369 tonnes,
- Swaziland: 3 263 tonnes,
- Zimbabwe: 7 833 tonnes,
- Namibia: 11 400 tonnes.

Article 3

This Decision is addressed to the Member States.

Article 2

Done at Brussels, 18 April 1997.

Licence applications may be submitted, pursuant to Article 3 (3) of Regulation (EC) No 589/96 during the first 10 days of May 1997 for the following quantities of boned beef and veal:

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 753/97 of 25 April 1997 determining the extent to which applications lodged in April 1997 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with Bulgaria and Romania can be accepted

(Official Journal of the European Communities No L 110 of 26 April 1997)

On page 34, in Annex II against the entry for Group No 17:

for: '7 235,00',

read: '10 852,50'.
