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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 856/97****of 14 May 1997****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

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

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ No L 145, 27. 6. 1968, p. 12.

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 May 1997.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

*ANNEX*

**fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector**

| CN code                   | Amount of the representative price in ECU per 100 kg net of the product in question | Amount of the additional duty in ECU per 100 kg net of the product in question | Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup> |
|---------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1703 10 00 <sup>(1)</sup> | 8,32                                                                                | —                                                                              | 0,00                                                                                                                                                                                        |
| 1703 90 00 <sup>(1)</sup> | 12,17                                                                               | —                                                                              | 0,00                                                                                                                                                                                        |

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

<sup>(2)</sup> This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

## COMMISSION REGULATION (EC) No 857/97

of 14 May 1997

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 1 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar<sup>(3)</sup>, as amended by Regulation (EC) No 3290/94<sup>(4)</sup>; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector<sup>(5)</sup>; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 May 1997.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 89, 10. 4. 1968, p. 3.

<sup>(4)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(5)</sup> OJ No L 214, 8. 9. 1995, p. 16.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(7)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(8)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(9)</sup> OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

# ANNEX

to the Commission Regulation of 14 May 1997 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

| Product code    | Amount of refund                |
|-----------------|---------------------------------|
|                 | — ECU/100 kg —                  |
| 1701 11 90 9100 | 36,85 <sup>(1)</sup>            |
| 1701 11 90 9910 | 35,85 <sup>(1)</sup>            |
| 1701 11 90 9950 | <sup>(2)</sup>                  |
| 1701 12 90 9100 | 36,85 <sup>(1)</sup>            |
| 1701 12 90 9910 | 35,85 <sup>(1)</sup>            |
| 1701 12 90 9950 | <sup>(2)</sup>                  |
|                 | — ECU/1 % of sucrose × 100 kg — |
| 1701 91 00 9000 | 0,4006                          |
|                 | — ECU/100 kg —                  |
| 1701 99 10 9100 | 40,06                           |
| 1701 99 10 9910 | 40,04                           |
| 1701 99 10 9950 | 40,04                           |
|                 | — ECU/1 % of sucrose × 100 kg — |
| 1701 99 90 9100 | 0,4006                          |

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

<sup>(2)</sup> Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

**COMMISSION REGULATION (EC) No 858/97**  
**of 14 May 1997**

**fixing the maximum export refund for white sugar for the 38th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96**

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

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

Whereas Commission Regulation (EC) No 1464/96 of 25 July 1996 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1464/96 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 38th partial invitation to

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 38th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 43,042 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 15 May 1997.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 187, 26. 7. 1996, p. 42.

**COMMISSION REGULATION (EC) No 859/97****of 13 May 1997****establishing unit values for the determination of the customs value of certain perishable goods**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 16 May 1997.

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

Done at Brussels, 13 May 1997.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 17, 21. 1. 1997, p. 1.

<sup>(3)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(4)</sup> OJ No L 17, 21. 1. 1997, p. 28.

## ANNEX

| Code  | Description                                                                                                                                         | Amount of unit values per 100 kg |                                |                                   |                            |                        |                        |                        |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------|-----------------------------------|----------------------------|------------------------|------------------------|------------------------|
|       | Species, varieties, CN code                                                                                                                         | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK              | ATS<br>FRF<br>BEF/LUF             | DEM<br>IEP<br>GBP          | DKK<br>ITL             | GRD<br>NLG             | ESP<br>PTE             |
| 1.10  | New potatoes<br>0701 90 51<br>0701 90 59                                                                                                            | a)<br>b)<br>c)                   | 41,22<br>243,11<br>363,92      | 566,96<br>271,84<br>1 662,39      | 80,55<br>31,30<br>29,24    | 306,68<br>79 745,04    | 12 822,88<br>90,61     | 6 805,46<br>8 103,32   |
| 1.30  | Onions (other than seed)<br>0703 10 19                                                                                                              | a)<br>b)<br>c)                   | 41,34<br>243,82<br>364,98      | 568,62<br>272,63<br>1 667,23      | 80,79<br>31,40<br>29,32    | 307,57<br>79 977,19    | 12 860,21<br>90,87     | 6 825,28<br>8 126,91   |
| 1.40  | Garlic<br>0703 20 00                                                                                                                                | a)<br>b)<br>c)                   | 171,29<br>1 010,24<br>1 512,26 | 2 356,03<br>1 129,63<br>6 908,09  | 334,75<br>130,08<br>121,49 | 1 274,40<br>331 381,06 | 53 285,58<br>376,51    | 28 280,15<br>33 673,39 |
| 1.50  | Leeks<br>ex 0703 90 00                                                                                                                              | a)<br>b)<br>c)                   | 48,53<br>286,22<br>428,46      | 667,51<br>320,05<br>1 957,21      | 94,84<br>36,86<br>34,42    | 361,06<br>93 887,11    | 15 096,91<br>106,67    | 8 012,35<br>9 540,37   |
| 1.60  | Cauliflowers<br>0704 10 10<br>0704 10 05<br>0704 10 80                                                                                              | a)<br>b)<br>c)                   | 75,84<br>447,29<br>669,57      | 1 043,15<br>500,15<br>3 058,61    | 148,21<br>57,60<br>53,79   | 564,25<br>146 721,58   | 23 592,61<br>166,70    | 12 521,26<br>14 909,16 |
| 1.70  | Brussels sprouts<br>0704 20 00                                                                                                                      | a)<br>b)<br>c)                   | 53,71<br>316,77<br>171,19      | 738,76<br>354,21<br>2 166,11      | 104,96<br>40,79<br>38,09   | 399,60<br>103 908,44   | 16 708,32<br>118,06    | 8 867,57<br>10 558,69  |
| 1.80  | White cabbages and red cabbages<br>0704 90 10                                                                                                       | a)<br>b)<br>c)                   | 78,11<br>460,68<br>689,61      | 1 074,37<br>515,12<br>3 150,16    | 152,65<br>59,32<br>55,40   | 581,14<br>151 113,17   | 24 298,77<br>171,69    | 12 896,04<br>15 355,41 |
| 1.90  | Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck)<br>ex 0704 90 90 | a)<br>b)<br>c)                   | 105,95<br>624,88<br>935,40     | 1 457,30<br>698,72<br>4 272,94    | 207,05<br>80,46<br>75,15   | 788,27<br>204 972,99   | 32 959,35<br>232,89    | 17 492,45<br>20 828,39 |
| 1.100 | Chinese cabbage<br>ex 0704 90 90                                                                                                                    | a)<br>b)<br>c)                   | 64,57<br>380,82<br>570,07      | 888,13<br>425,83<br>2 604,10      | 126,19<br>49,04<br>45,80   | 480,40<br>124 918,41   | 20 086,69<br>141,93    | 10 660,57<br>12 693,62 |
| 1.110 | Cabbage lettuce (head lettuce)<br>0705 11 10<br>0705 11 05<br>0705 11 80                                                                            | a)<br>b)<br>c)                   | 90,53<br>533,93<br>799,26      | 1 245,20<br>597,03<br>3 651,06    | 176,92<br>68,75<br>64,21   | 673,54<br>175 141,15   | 28 162,43<br>198,99    | 14 946,59<br>17 797,02 |
| 1.120 | Endives<br>ex 0705 29 00                                                                                                                            | a)<br>b)<br>c)                   | 21,82<br>128,69<br>192,64      | 300,13<br>143,90<br>880,00        | 42,64<br>16,57<br>15,48    | 162,34<br>42 213,41    | 6 787,85<br>47,96      | 3 602,50<br>4 289,53   |
| 1.130 | Carrots<br>ex 0706 10 00                                                                                                                            | a)<br>b)<br>c)                   | 45,74<br>269,77<br>403,82      | 629,14<br>301,65<br>1 844,69      | 89,39<br>34,74<br>32,44    | 340,31<br>88 489,52    | 14 228,98<br>100,54    | 7 551,72<br>8 991,89   |
| 1.140 | Radishes<br>ex 0706 90 90                                                                                                                           | a)<br>b)<br>c)                   | 149,40<br>881,14<br>1 319,00   | 2 054,94<br>985,27<br>6 025,27    | 291,97<br>113,46<br>105,96 | 1 111,53<br>289 032,23 | 46 475,95<br>328,39    | 24 666,09<br>29 370,10 |
| 1.160 | Peas ( <i>Pisum sativum</i> )<br>0708 10 90<br>0708 10 20<br>0708 10 95                                                                             | a)<br>b)<br>c)                   | 481,83<br>2 841,76<br>4 253,92 | 6 627,38<br>3 177,59<br>19 432,11 | 941,62<br>365,92<br>341,74 | 3 584,81<br>932 157,95 | 149 889,60<br>1 059,11 | 79 550,61<br>94 721,51 |

| Code    | Description                                                                                                                    | Amount of unit values per 100 kg |                                   |                                    |                                |                          |                        |                          |
|---------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------------------|------------------------------------|--------------------------------|--------------------------|------------------------|--------------------------|
|         | Species, varieties, CN code                                                                                                    | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK                 | ATS<br>FRF<br>BEF/LUF              | DEM<br>IEP<br>GBP              | DKK<br>ITL               | GRD<br>NLG             | ESP<br>PTE               |
| 1.170   | Beans:                                                                                                                         |                                  |                                   |                                    |                                |                          |                        |                          |
| 1.170.1 | Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.)<br>ex 0708 20 90<br>ex 0708 20 20<br>ex 0708 20 95                           | a)<br>b)<br>c)                   | 111,74<br>659,03<br>986,52        | 1 536,94<br>736,91<br>4 506,45     | 218,37<br>84,86<br>79,25       | 831,34<br>216 174,44     | 34 760,53<br>245,61    | 18 448,39<br>21 966,63   |
| 1.170.2 | Beans ( <i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi)<br>ex 0708 20 90<br>ex 0708 20 20<br>ex 0708 20 95 | a)<br>b)<br>c)                   | 129,60<br>764,36<br>1 144,20      | 1 782,60<br>854,69<br>5 226,74     | 253,27<br>98,42<br>91,92       | 964,22<br>250 726,75     | 40 316,49<br>284,87    | 21 397,09<br>25 477,68   |
| 1.180   | Broad beans<br>ex 0708 90 00                                                                                                   | a)<br>b)<br>c)                   | 92,83<br>547,50<br>819,57         | 1 276,84<br>612,20<br>3 743,82     | 181,41<br>70,50<br>65,84       | 690,65<br>179 590,77     | 28 877,93<br>204,05    | 15 326,33<br>18 249,17   |
| 1.190   | Globe artichokes<br>0709 10 30                                                                                                 | a)<br>b)<br>c)                   | —<br>—<br>—                       | —<br>—<br>—                        | —<br>—<br>—                    | —<br>—<br>—              | —<br>—<br>—            | —<br>—<br>—              |
| 1.200   | Asparagus:                                                                                                                     |                                  |                                   |                                    |                                |                          |                        |                          |
| 1.200.1 | — green<br>ex 0709 20 00                                                                                                       | a)<br>b)<br>c)                   | 409,74<br>2 416,59<br>3 617,46    | 5 635,81<br>2 702,17<br>16 524,73  | 800,74<br>311,17<br>290,61     | 3 048,46<br>792 691,20   | 127 463,56<br>900,65   | 67 648,48<br>80 549,56   |
| 1.200.2 | — other<br>ex 0709 20 00                                                                                                       | a)<br>b)<br>c)                   | 524,24<br>3 091,89<br>4 628,34    | 7 210,71<br>3 457,27<br>21 142,49  | 1 024,50<br>398,13<br>371,82   | 3 900,34<br>1 014 205,19 | 163 082,68<br>1 152,33 | 86 552,55<br>103 058,77  |
| 1.210   | Aubergines (eggplants)<br>0709 30 00                                                                                           | a)<br>b)<br>c)                   | 108,71<br>641,16<br>959,76        | 1 495,26<br>716,92<br>4 384,25     | 212,45<br>82,56<br>77,10       | 808,80<br>210 312,54     | 33 817,94<br>238,95    | 17 948,13<br>21 370,97   |
| 1.220   | Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.)<br>ex 0709 40 00                                  | a)<br>b)<br>c)                   | 67,72<br>399,40<br>597,88         | 931,46<br>446,60<br>2 731,13       | 132,34<br>51,43<br>48,03       | 503,84<br>131 012,47     | 21 066,61<br>148,85    | 11 180,64<br>13 312,87   |
| 1.230   | Chantarelles<br>0709 51 30                                                                                                     | a)<br>b)<br>c)                   | 1 317,71<br>7 771,66<br>11 633,63 | 18 124,57<br>8 690,07<br>53 142,98 | 2 575,15<br>1 000,72<br>934,60 | 9 803,75<br>2 549 268,12 | 409 918,50<br>2 896,45 | 217 555,24<br>259 044,66 |
| 1.240   | Sweet peppers<br>0709 60 10                                                                                                    | a)<br>b)<br>c)                   | 209,59<br>1 212,54<br>1 815,09    | 2 827,81<br>1 355,83<br>8 291,40   | 401,78<br>156,13<br>145,82     | 1 529,59<br>397 738,53   | 63 955,76<br>451,91    | 33 943,11<br>40 416,32   |
| 1.250   | Fennel<br>0709 90 50                                                                                                           | a)<br>b)<br>c)                   | 73,55<br>433,79<br>649,35         | 1 011,65<br>485,05<br>2 966,26     | 143,74<br>55,86<br>52,17       | 547,21<br>142 291,30     | 22 880,23<br>161,67    | 12 143,18<br>14 458,97   |
| 1.270   | Sweet potatoes, whole, fresh (intended for human consumption)<br>0714 20 10                                                    | a)<br>b)<br>c)                   | 40,99<br>241,75<br>361,89         | 563,80<br>270,32<br>1 653,12       | 80,11<br>31,13<br>29,07        | 304,97<br>79 300,07      | 12 751,33<br>90,10     | 6 767,49<br>8 058,10     |
| 2.10    | Chestnuts ( <i>Castanea</i> spp.), fresh<br>ex 0802 40 00                                                                      | a)<br>b)<br>c)                   | 159,46<br>940,47<br>1 407,82      | 2 193,31<br>1 051,61<br>6 430,99   | 311,63<br>121,10<br>113,10     | 1 186,38<br>308 494,51   | 49 605,45<br>350,51    | 26 327,01<br>31 347,76   |
| 2.30    | Pineapples, fresh<br>ex 0804 30 00                                                                                             | a)<br>b)<br>c)                   | 72,33<br>426,59<br>638,58         | 994,87<br>477,00<br>2 917,05       | 141,35<br>54,93<br>51,30       | 538,13<br>139 931,06     | 22 500,71<br>158,99    | 11 941,76<br>14 219,14   |

| Code   | Description                                                                                                                                                    | Amount of unit values per 100 kg |                              |                                  |                            |                        |                     |                        |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------|----------------------------------|----------------------------|------------------------|---------------------|------------------------|
|        | Species, varieties, CN code                                                                                                                                    | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK            | ATS<br>FRF<br>BEF/LUF            | DEM<br>IEP<br>GBP          | DKK<br>ITL             | GRD<br>NLG          | ESP<br>PTE             |
| 2.40   | Avocados, fresh<br>ex 0804 40 90<br>ex 0804 40 20<br>ex 0804 40 95                                                                                             | a)<br>b)<br>c)                   | 101,23<br>597,04<br>893,73   | 1 392,38<br>667,59<br>4 082,59   | 197,83<br>76,88<br>71,80   | 753,15<br>195 841,58   | 31 491,03<br>222,51 | 16 713,17<br>19 900,50 |
| 2.50   | Guavas and mangoes, fresh<br>ex 0804 50 00                                                                                                                     | a)<br>b)<br>c)                   | 96,81<br>570,97<br>854,70    | 1 331,58<br>638,45<br>3 904,33   | 189,19<br>73,52<br>68,66   | 720,27<br>187 290,56   | 30 116,04<br>212,80 | 15 983,43<br>19 031,59 |
| 2.60   | Sweet oranges, fresh:                                                                                                                                          |                                  |                              |                                  |                            |                        |                     |                        |
| 2.60.1 | — Sanguines and semi-sanguines<br>0805 10 42<br>0805 10 51<br>0805 10 37                                                                                       | a)<br>b)<br>c)                   | —<br>—<br>—                  | —<br>—<br>—                      | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—         | —<br>—<br>—            |
| 2.60.2 | — Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins<br>0805 10 44<br>0805 10 55<br>0805 10 38 | a)<br>b)<br>c)                   | —<br>—<br>—                  | —<br>—<br>—                      | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—         | —<br>—<br>—            |
| 2.60.3 | — Others<br>0805 10 39<br>0805 10 46<br>0805 10 59                                                                                                             | a)<br>b)<br>c)                   | —<br>—<br>—                  | —<br>—<br>—                      | —<br>—<br>—                | —<br>—<br>—            | —<br>—<br>—         | —<br>—<br>—            |
| 2.70   | Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:                                                 |                                  |                              |                                  |                            |                        |                     |                        |
| 2.70.1 | — Clementines<br>0805 20 21                                                                                                                                    | a)<br>b)<br>c)                   | 107,10<br>631,66<br>945,55   | 1 473,12<br>706,31<br>4 319,32   | 209,30<br>81,34<br>75,96   | 796,82<br>207 197,80   | 33 317,10<br>235,42 | 17 682,32<br>21 054,47 |
| 2.70.2 | — Monreales and satsumas<br>0805 20 23                                                                                                                         | a)<br>b)<br>c)                   | 82,64<br>487,40<br>729,60    | 1 136,68<br>545,00<br>3 332,85   | 161,50<br>62,76<br>58,61   | 614,84<br>159 877,00   | 25 707,98<br>181,65 | 13 643,95<br>16 245,95 |
| 2.70.3 | — Mandarines and wilkings<br>0805 20 25                                                                                                                        | a)<br>b)<br>c)                   | 74,44<br>439,04<br>657,21    | 1 023,89<br>490,92<br>3 002,15   | 145,48<br>56,53<br>52,80   | 553,83<br>144 013,11   | 23 157,09<br>163,63 | 12 290,12<br>14 633,94 |
| 2.70.4 | — Tangerines and others<br>ex 0805 20 27<br>ex 0805 20 29                                                                                                      | a)<br>b)<br>c)                   | 35,51<br>209,43<br>313,51    | 488,43<br>234,18<br>1 432,11     | 69,40<br>26,97<br>25,19    | 264,19<br>68 698,36    | 11 046,59<br>78,05  | 5 862,74<br>6 980,80   |
| 2.85   | Limes ( <i>Citrus aurantifolia</i> ), fresh<br>ex 0805 30 90                                                                                                   | a)<br>b)<br>c)                   | 155,02<br>914,28<br>1 368,62 | 2 132,24<br>1 022,33<br>6 251,93 | 302,95<br>117,73<br>109,95 | 1 153,35<br>299 904,79 | 48 224,24<br>340,75 | 25 593,96<br>30 474,92 |

| Code    | Description                                                                                                                  | Amount of unit values per 100 kg |                   |                       |                   |            |            |            |
|---------|------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------|-----------------------|-------------------|------------|------------|------------|
|         | Species, varieties, CN code                                                                                                  | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK | ATS<br>FRF<br>BEF/LUF | DEM<br>IEP<br>GBP | DKK<br>ITL | GRD<br>NLG | ESP<br>PTE |
| 2.90    | Grapefruit, fresh:                                                                                                           |                                  |                   |                       |                   |            |            |            |
| 2.90.1  | — white                                                                                                                      | a)                               | 33,12             | 455,55                | 64,73             | 246,41     | 10 303,10  | 5 468,15   |
|         | ex 0805 40 90                                                                                                                | b)                               | 195,34            | 218,42                | 25,15             | 64 074,61  | 72,80      | 6 510,96   |
|         | ex 0805 40 20                                                                                                                | c)                               | 292,41            | 1 335,72              | 23,49             |            |            |            |
|         | ex 0805 40 95                                                                                                                |                                  |                   |                       |                   |            |            |            |
| 2.90.2  | — pink                                                                                                                       | a)                               | 46,73             | 642,75                | 91,32             | 347,67     | 14 536,96  | 7 715,17   |
|         | ex 0805 40 90                                                                                                                | b)                               | 275,61            | 308,18                | 35,49             | 90 404,79  | 102,72     | 9 186,51   |
|         | ex 0805 40 20                                                                                                                | c)                               | 412,56            | 1 884,61              | 33,14             |            |            |            |
|         | ex 0805 40 95                                                                                                                |                                  |                   |                       |                   |            |            |            |
| 2.100   | Table grapes                                                                                                                 | a)                               | 135,33            | 1 861,41              | 264,47            | 1 006,85   | 42 099,00  | 22 343,12  |
|         | 0806 10 21                                                                                                                   | b)                               | 798,16            | 892,48                | 102,78            | 261 812,12 | 297,47     | 26 604,12  |
|         | 0806 10 29                                                                                                                   | c)                               | 1 194,78          | 5 457,83              | 95,98             |            |            |            |
|         | 0806 10 61                                                                                                                   |                                  |                   |                       |                   |            |            |            |
|         | 0806 10 30                                                                                                                   |                                  |                   |                       |                   |            |            |            |
|         | 0806 10 69                                                                                                                   |                                  |                   |                       |                   |            |            |            |
| 2.110   | Water melons                                                                                                                 | a)                               | 46,75             | 643,03                | 91,36             | 347,82     | 14 543,18  | 7 718,47   |
|         | 0807 11 00                                                                                                                   | b)                               | 275,72            | 308,31                | 35,50             | 90 443,49  | 102,76     | 9 190,44   |
|         |                                                                                                                              | c)                               | 412,74            | 1 885,42              | 33,16             |            |            |            |
| 2.120   | Melons (other than water melons):                                                                                            |                                  |                   |                       |                   |            |            |            |
| 2.120.1 | — Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro | a)                               | 71,28             | 980,43                | 139,30            | 530,32     | 22 174,07  | 11 768,40  |
|         | ex 0807 19 00                                                                                                                | b)                               | 420,40            | 470,08                | 54,13             | 137 899,71 | 156,68     | 14 012,72  |
|         |                                                                                                                              | c)                               | 629,31            | 2 874,71              | 50,56             |            |            |            |
| 2.120.2 | — other                                                                                                                      | a)                               | 83,31             | 1 145,90              | 162,81            | 619,83     | 25 916,41  | 13 754,56  |
|         | ex 0807 19 00                                                                                                                | b)                               | 491,35            | 549,42                | 63,27             | 161 173,19 | 183,12     | 16 377,66  |
|         |                                                                                                                              | c)                               | 735,52            | 3 359,88              | 59,09             |            |            |            |
| 2.140   | Pears                                                                                                                        |                                  |                   |                       |                   |            |            |            |
| 2.140.1 | Pears — nashi ( <i>Pyrus pyrifolia</i> )                                                                                     | a)                               | 125,61            | 1 727,72              | 245,47            | 934,54     | 39 075,26  | 20 738,34  |
|         | ex 0808 20 41                                                                                                                | b)                               | 740,83            | 828,38                | 95,39             | 243 007,62 | 276,10     | 24 693,29  |
|         |                                                                                                                              | c)                               | 1 108,97          | 5 065,83              | 89,09             |            |            |            |
| 2.140.2 | Other                                                                                                                        | a)                               | 64,90             | 892,67                | 126,83            | 482,86     | 20 189,35  | 10 715,05  |
|         | ex 0808 20 41                                                                                                                | b)                               | 382,77            | 428,00                | 49,29             | 125 556,84 | 142,66     | 12 758,50  |
|         |                                                                                                                              | c)                               | 572,98            | 2 617,40              | 46,03             |            |            |            |
| 2.150   | Apricots                                                                                                                     | a)                               | 156,60            | 2 153,97              | 306,04            | 1 165,10   | 48 715,75  | 25 854,82  |
|         | 0809 10 10                                                                                                                   | b)                               | 923,60            | 1 032,75              | 118,93            | 302 961,49 | 344,22     | 30 785,52  |
|         | 0809 10 50                                                                                                                   | c)                               | 1 382,57          | 6 315,65              | 111,07            |            |            |            |
| 2.160   | Cherries                                                                                                                     | a)                               | 146,66            | 2 017,25              | 286,61            | 1 091,15   | 45 623,58  | 24 213,71  |
|         | 0809 20 11                                                                                                                   | b)                               | 864,98            | 967,20                | 111,38            | 283 731,37 | 322,37     | 28 831,45  |
|         | 0809 20 19                                                                                                                   | c)                               | 1 294,81          | 5 914,77              | 104,02            |            |            |            |
|         | 0809 20 21                                                                                                                   |                                  |                   |                       |                   |            |            |            |
|         | 0809 20 29                                                                                                                   |                                  |                   |                       |                   |            |            |            |
|         | 0809 20 71                                                                                                                   |                                  |                   |                       |                   |            |            |            |
|         | 0809 20 79                                                                                                                   |                                  |                   |                       |                   |            |            |            |
| 2.170   | Peaches                                                                                                                      | a)                               | 106,62            | 1 466,52              | 208,36            | 793,25     | 33 167,78  | 17 603,07  |
|         | 0809 30 19                                                                                                                   | b)                               | 628,83            | 703,14                | 80,97             | 206 269,18 | 234,36     | 20 960,11  |
|         | 0809 30 59                                                                                                                   | c)                               | 941,31            | 4 299,96              | 75,62             |            |            |            |
| 2.180   | Nectarines                                                                                                                   | a)                               | 100,60            | 1 383,71              | 196,60            | 748,46     | 31 295,05  | 16 609,16  |
|         | ex 0809 30 11                                                                                                                | b)                               | 593,32            | 663,44                | 76,40             | 194 622,77 | 221,13     | 19 776,65  |
|         | ex 0809 30 51                                                                                                                | c)                               | 888,16            | 4 057,18              | 71,35             |            |            |            |

| Code  | Description                                                                                | Amount of unit values per 100 kg |                   |                       |                   |              |            |            |
|-------|--------------------------------------------------------------------------------------------|----------------------------------|-------------------|-----------------------|-------------------|--------------|------------|------------|
|       | Species, varieties, CN code                                                                | a)<br>b)<br>c)                   | ECU<br>FIM<br>SEK | ATS<br>FRF<br>BEF/LUF | DEM<br>IEP<br>GBP | DKK<br>ITL   | GRD<br>NLG | ESP<br>PTE |
| 2.190 | Plums<br>0809 40 10<br>0809 40 40                                                          | a)                               | 173,05            | 2 380,23              | 338,18            | 1 287,49     | 53 833,09  | 28 570,73  |
|       |                                                                                            | b)                               | 1 020,62          | 1 141,24              | 131,42            | 334 785,99   | 380,38     | 34 019,38  |
|       |                                                                                            | c)                               | 1 527,80          | 6 979,07              | 122,74            |              |            |            |
| 2.200 | Strawberries<br>0810 10 10<br>0810 10 05<br>0810 10 80                                     | a)                               | 183,50            | 2 523,97              | 358,61            | 1 365,24     | 57 083,91  | 30 296,03  |
|       |                                                                                            | b)                               | 1 082,26          | 1 210,15              | 139,36            | 355 002,77   | 403,35     | 36 073,71  |
|       |                                                                                            | c)                               | 1 620,06          | 7 400,52              | 130,15            |              |            |            |
| 2.205 | Raspberries<br>0810 20 10                                                                  | a)                               | 1 173,21          | 16 137,03             | 2 292,76          | 8 728,67     | 364 966,86 | 193 698,14 |
|       |                                                                                            | b)                               | 6 919,42          | 7 737,12              | 890,98            | 2 269 715,53 | 2 578,82   | 230 637,83 |
|       |                                                                                            | c)                               | 10 357,88         | 47 315,32             | 832,11            |              |            |            |
| 2.210 | Fruit of the species <i>Vaccinium myrtillus</i><br>0810 40 30                              | a)                               | 1 428,23          | 19 644,73             | 2 791,13          | 10 626,02    | 444 299,50 | 235 802,20 |
|       |                                                                                            | b)                               | 8 423,49          | 9 418,93              | 1 084,66          | 2 763 082,32 | 3 139,38   | 280 771,45 |
|       |                                                                                            | c)                               | 12 609,37         | 57 600,23             | 1 012,98          |              |            |            |
| 2.220 | Kiwi fruit ( <i>Actinidia chinensis</i> Planch.)<br>0810 50 10<br>0810 50 20<br>0810 50 30 | a)                               | 111,24            | 1 530,06              | 217,39            | 827,62       | 34 604,98  | 18 365,84  |
|       |                                                                                            | b)                               | 656,08            | 733,61                | 84,48             | 215 207,13   | 244,52     | 21 868,34  |
|       |                                                                                            | c)                               | 982,10            | 4 486,29              | 78,90             |              |            |            |
| 2.230 | Pomegranates<br>ex 0810 90 85                                                              | a)                               | 124,96            | 1 718,77              | 244,20            | 929,70       | 38 873,06  | 20 631,02  |
|       |                                                                                            | b)                               | 737,00            | 824,09                | 94,90             | 241 750,12   | 274,67     | 24 565,51  |
|       |                                                                                            | c)                               | 1 103,23          | 5 039,61              | 88,63             |              |            |            |
| 2.240 | Khakis (including sharon fruit)<br>ex 0810 90 85                                           | a)                               | 293,76            | 4 040,55              | 574,08            | 2 185,57     | 91 384,04  | 48 500,07  |
|       |                                                                                            | b)                               | 1 732,55          | 1 937,30              | 223,09            | 568 313,97   | 645,71     | 57 749,40  |
|       |                                                                                            | c)                               | 2 593,51          | 11 847,28             | 208,35            |              |            |            |
| 2.250 | Lychees<br>ex 0810 90 30                                                                   | a)                               | 650,17            | 8 942,83              | 1 270,60          | 4 837,26     | 202 257,48 | 107 343,72 |
|       |                                                                                            | b)                               | 3 834,61          | 4 287,76              | 493,77            | 1 257 831,89 | 1 429,13   | 127 814,97 |
|       |                                                                                            | c)                               | 5 740,14          | 26 221,23             | 461,14            |              |            |            |

**COMMISSION REGULATION (EC) No 860/97**  
**of 14 May 1997**  
**amending Regulation (EEC) No 3046/92 with regard to the reporting of the value**  
**of goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States<sup>(1)</sup>, as amended by Regulation (EEC) No 3046/92<sup>(2)</sup>, and in particular Article 30 thereof,

Whereas Article 12 of Regulation (EEC) No 3046/92 lays down detailed rules concerning the value of goods;

Whereas the simplification of legislation for the internal market, as formulated in the SLIM initiative (Simpler Legislation for the Internal Market), improves enterprises' competitiveness and job creation potential; whereas the statistics relating to the trading of goods between Member States of the European Union (Intrastat) were chosen as a SLIM pilot project with a view to reducing the burden on providers of statistical information;

Whereas abolishing the statistical value in the data medium for small and medium-sized enterprises is a substantial simplification;

Whereas there are benefits in retaining the concept of statistical value for statistics on the trading of goods, national accounts and the balance of payments; whereas collecting this information solely for large enterprises provides an adequate basis for valuation; whereas the effects of this measure should be examined over a period of no more than two years' functioning;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on the statistics relating to the trading of goods between Member States,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 12 of Regulation (EEC) No 3046/92 is replaced by the following:

<sup>(1)</sup> OJ No L 316, 16. 11. 1991, p. 1.

<sup>(2)</sup> OJ No L 307, 23. 10. 1992, p. 27.

*Article 12*

1. The value of the goods referred to in Article 23 (1) (d) of the Basic Regulation, shall be reported in the statistical information medium on the conditions defined in paragraphs 2 and 3.

2. The value of the goods to be reported in the "invoiced amount" field in the statistical information medium shall be the taxable amount to be determined for taxation purposes in accordance with Directive 77/388/EEC. For products subject to excise duties, however, the amount of these duties should be excluded from the value of the goods.

Whenever the taxable amount does not have to be declared for taxation purposes, the value of the goods to be reported shall correspond to the invoice value, excluding VAT, or, failing this, to an amount which would have been invoiced in the event of any sale or purchase.

In the case of work under contract, the value of the goods to be reported, with a view to and following such operations, shall be the total amount to be invoiced in the event of any sale or purchase.

3. The statistical value of the goods, as defined in paragraph 5, shall also be reported in the field provided to this end in the statistical information medium by providers of information whose arrivals or dispatches exceed the annual limits set by each Member State.

The Member States shall set separate limits for arrivals and dispatches at such values that 95 % of providers of information are exempted from the requirement to provide the statistical value. The Member States may exempt more providers of information in so far as the statistical value collected covers at least 70 % of the total value of their dispatches or arrivals.

The limit of 95 % of providers of information exempted from providing the statistical value may be reduced to 90 % if the coverage rate of 70 % of the total value of their dispatches or arrivals is not reached.

The Member States shall calculate these limits from the last available results for their trade with the other Member States over a period of 12 months.

The Member States shall publish the information on the introduction of these limits by 31 October 1997 at the latest.

The Member States may adapt their limits every calendar year provided that the conditions set out at 2 above continue to be obtained. The Member States concerned shall publicize changes to the limits by 31 October of the year preceding such changes.

4. In derogation from paragraph 3, the Member States may exempt providers of information from reporting the statistical value of goods.

In this case, the Member States concerned shall calculate the statistical value of goods, as defined in paragraph 5, by kinds of goods.

5. The statistical value shall be based of the goods reported by the providers of information pursuant to paragraph 2. It shall include only incidental expenses, such as transport and insurance costs, referring to the part of the route which:

- for dispatches, is within the statistical territory of the Member State of dispatch,
- for arrivals, is within the statistical territory of the Member State of arrival.

6. The value of the goods defined in the preceding paragraphs shall be expressed in each national

currency, whereupon the exchange rate to be applied shall be:

- that applicable for determining the taxable amount for taxation purposes, when this is established,
- otherwise, the official rate of exchange at the time of completing the declaration or that applicable to calculating the value for customs purposes, in the absence of any special provisions decided by the Member States.

7. In accordance with Article 26 of the Basic Regulation, the value of the goods given in the results to be transmitted to the Commission shall be the statistical value defined in paragraph 5.

8. At the Commission's request, the Member States shall provide it with the information enabling it to assess the application of paragraph 3.

9. By 1 January 2000, the Commission shall examine the application of this Article, and paragraph 3 thereof in particular, and shall propose amendments to the rules governing the reporting of value, if necessary.'

#### *Article 2*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1998.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Yves-Thibault DE SILGUY

*Member of the Commission*

## COMMISSION REGULATION (EC) No 861/97

of 14 May 1997

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(5)</sup>, as last amended by Regulation (EC) No 150/95<sup>(6)</sup>, 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<sup>(7)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(8)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 May 1997.

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

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 78, 31. 3. 1972, p. 1.

<sup>(4)</sup> OJ No L 348, 30. 12. 1977, p. 53.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(7)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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ANNEX

to the Commission Regulation of 14 May 1997 fixing the export refunds on olive oil

| (ECU/100 kg)    |                                 |
|-----------------|---------------------------------|
| Product code    | Amount of refund <sup>(1)</sup> |
| 1509 10 90 9100 | 26,50                           |
| 1509 10 90 9900 | 0,00                            |
| 1509 90 00 9100 | 30,00                           |
| 1509 90 00 9900 | 0,00                            |
| 1510 00 90 9100 | 2,00                            |
| 1510 00 90 9900 | 0,00                            |

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

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

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## COMMISSION REGULATION (EC) No 862/97

of 14 May 1997

fixing the maximum export refunds for olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refunds for olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 May 1997.

*Article 2*

This Regulation shall enter into force on 15 May 1997.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 279, 31. 10. 1996, p. 17.

## ANNEX

to the Commission Regulation of 14 May 1997 fixing the maximum export refunds for olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

*(ECU/100 kg)*

| Product code    | Amount of refund |
|-----------------|------------------|
| 1509 10 90 9100 | 28,00            |
| 1509 10 90 9900 | —                |
| 1509 90 00 9100 | 31,80            |
| 1509 90 00 9900 | —                |
| 1510 00 90 9100 | 2,15             |
| 1510 00 90 9900 | —                |

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

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## COMMISSION REGULATION (EC) No 863/97

of 14 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<sup>(1)</sup>, as last amended by Regulation (EC) No 2375/96<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, 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 15 May 1997.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ No L 325, 14. 12. 1996, p. 5.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 14 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 <sup>(1)</sup> | Standard import value |
| ex 0707 00 20                      | 052                               | 113,9                 |
|                                    | 999                               | 113,9                 |
| 0709 90 75                         | 052                               | 88,7                  |
|                                    | 999                               | 88,7                  |
| 0805 10 21, 0805 10 25, 0805 10 29 | 052                               | 64,7                  |
|                                    | 204                               | 39,2                  |
|                                    | 212                               | 59,8                  |
|                                    | 448                               | 27,6                  |
|                                    | 600                               | 48,1                  |
|                                    | 624                               | 42,8                  |
|                                    | 625                               | 37,4                  |
|                                    | 999                               | 45,7                  |
|                                    | 0805 30 20                        | 388                   |
|                                    | 528                               | 61,9                  |
| 0808 10 61, 0808 10 63, 0808 10 69 | 999                               | 54,0                  |
|                                    | 999                               | 58,0                  |
|                                    | 060                               | 53,1                  |
|                                    | 388                               | 80,7                  |
|                                    | 400                               | 88,0                  |
|                                    | 404                               | 71,1                  |
|                                    | 508                               | 82,3                  |
|                                    | 512                               | 78,4                  |
|                                    | 528                               | 76,3                  |
|                                    | 804                               | 100,1                 |
|                                    | 999                               | 78,8                  |

<sup>(1)</sup> 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 864/97**  
**of 14 May 1997**  
**fixing the import duties in the rice sector**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice<sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector<sup>(2)</sup>, as amended by Regulation (EC) No 703/97<sup>(3)</sup>, and in particular Article 4 (1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import duties in the rice sector referred to in Article 11 (1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

*Article 2*

This Regulation shall enter into force on 15 May 1997.

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

Done at Brussels, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No L 189, 30. 7. 1996, p. 71.

<sup>(3)</sup> OJ No L 104, 22. 4. 1997, p. 12.

## ANNEX I

## to the Commission Regulation of 14 May 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

| CN code    | Duties <sup>(1)</sup>                                                           |                                                                                  |                                                 |                      |
|------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-------------------------------------------------|----------------------|
|            | Third countries<br>(except ACP and<br>Bangladesh) <sup>(2)</sup> <sup>(3)</sup> | ACP<br>Bangladesh<br><sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup> | Basmati<br>India<br>and Pakistan <sup>(5)</sup> | Egypt <sup>(6)</sup> |
| 1006 10 21 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 23 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 25 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 27 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 92 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 94 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 96 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 10 98 | (7)                                                                             | 140,81                                                                           |                                                 | 217,73               |
| 1006 20 11 | (7)                                                                             | 177,31                                                                           |                                                 | 272,48               |
| 1006 20 13 | (7)                                                                             | 177,31                                                                           |                                                 | 272,48               |
| 1006 20 15 | (7)                                                                             | 177,31                                                                           |                                                 | 272,48               |
| 1006 20 17 | 262,40                                                                          | 126,86                                                                           | 12,40                                           | 196,80               |
| 1006 20 92 | (7)                                                                             | 177,31                                                                           |                                                 | 272,48               |
| 1006 20 94 | (7)                                                                             | 177,31                                                                           |                                                 | 272,48               |
| 1006 20 96 | (7)                                                                             | 177,31                                                                           |                                                 | 272,48               |
| 1006 20 98 | 262,40                                                                          | 126,86                                                                           | 12,40                                           | 196,80               |
| 1006 30 21 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 23 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 25 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 27 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 42 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 44 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 46 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 48 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 61 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 63 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 65 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 67 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 92 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 94 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 96 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 30 98 | (7)                                                                             | 271,09                                                                           |                                                 | 429,00               |
| 1006 40 00 | (7)                                                                             | 84,38                                                                            |                                                 | 132,00               |

<sup>(1)</sup> Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

<sup>(2)</sup> In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

<sup>(3)</sup> The import levy on rice entering the overseas department of Réunion is specified in Article 11 (3) of Regulation (EC) No 3072/95.

<sup>(4)</sup> The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ No L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

<sup>(5)</sup> No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ No L 263, 19. 9. 1991, p. 1).

<sup>(6)</sup> For husked rice of the Basmati variety originating in India and Pakistan, a reduction of ECU 250 per tonne applies (Article 4a of amended Regulation (EC) No 1503/96).

<sup>(7)</sup> Duties fixed in the Common Customs Tariff.

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

## ANNEX II

## Calculation of import duties for rice

|                            | Paddy            | Indica rice |        | Japonica rice |        | Broken rice      |
|----------------------------|------------------|-------------|--------|---------------|--------|------------------|
|                            |                  | Husked      | Milled | Husked        | Milled |                  |
| 1. Import duty (ECU/tonne) | ( <sup>1</sup> ) | 262,40      | 572,00 | 363,30        | 572,00 | ( <sup>1</sup> ) |

## 2. Elements of calculation:

|                                |   |        |        |           |           |   |
|--------------------------------|---|--------|--------|-----------|-----------|---|
| (a) Arag cif price (ECU/tonne) | — | 377,61 | 319,79 | 286,97    | 330,45    | — |
| (b) fob price (ECU/tonne)      | — | —      | —      | 256,97    | 300,45    | — |
| (c) Sea freight (ECU/tonne)    | — | —      | —      | 30,00     | 30,00     | — |
| (d) Source                     | — | USDA   | USDA   | Operators | Operators | — |

(<sup>1</sup>) Duties fixed in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 865/97**  
**of 14 May 1997**  
**fixing an export tax on cereal products**

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<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>, and in particular Article 16 thereof,

Whereas Article 16 of Regulation (EC) No 1766/92 provides that where quotations or prices on the world market for certain products reach the level of Community prices and such situation is likely to continue and deteriorate thereby disturbing or threatening to disturb the Community market, appropriate measures may be taken; whereas Article 15 of Commission Regulation (EC) No 1501/95<sup>(3)</sup>, as last amended by Regulation (EC) No 95/96<sup>(4)</sup>, provides that where such conditions are met, an export tax may be fixed and may vary according to the destination;

Whereas prices on the world market for common wheat and durum wheat have reached the level of those in the Community and the trend in those prices is that they will increase; whereas this situation is likely to lead to an excessive export of common wheat, flour of common wheat and spelt and flour of meslin, groats and meal of

common wheat and spelt, as well as durum wheat, flour of durum wheat and groats and meal of durum wheat from the Community; whereas it has therefore been decided to apply an export tax to these products at a level which will avoid disturbance to the Community market;

Whereas Commission Regulation (EEC) No 120/89<sup>(5)</sup>, as last amended by Regulation (EC) No 2194/96<sup>(6)</sup>, and in particular Article 3 thereof, is applicable;

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 tax referred to in Article 15 of Regulation (EC) No 1501/95 is fixed at the level set out in the Annex to this Regulation.

*Article 2*

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, 14 May 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ No L 147, 30. 6. 1995, p. 7.

<sup>(4)</sup> OJ No L 18, 24. 1. 1996, p. 10.

<sup>(5)</sup> OJ No L 16, 20. 1. 1989, p. 19.

<sup>(6)</sup> OJ No L 293, 16. 11. 1996, p. 3.

## ANNEX

| CN code    | Level of export tax<br>in ECU/tonne |
|------------|-------------------------------------|
| 1001 10 00 | 10,00                               |
| 1001 90 99 | 15,00                               |
| 1101 00 11 | 15,00                               |
| 1101 00 15 | 20,00                               |
| 1101 00 90 | 20,00                               |
| 1103 11 10 | 15,00                               |
| 1103 11 90 | 20,00                               |

**CORRIGENDA**

**Corrigendum to Council Regulation (EC) No 2488/96 of 20 December 1996 temporarily suspending entirely or in part the autonomous Common Customs Tariff duties on certain fishery products (1997)**

*(Official Journal of the European Communities No L 338, 28 December 1996)*

Page 10, fifth entry, 'Description' column, Annex:

*for:* 'Hard fish roes, fresh or chilled',

*read:* 'Hard fish roes, fresh, chilled or frozen'.

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**Corrigendum to Commission Regulation (EC) No 659/97 of 16 April 1997 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards intervention arrangements in the fruit and vegetables sector**

*(Official Journal of the European Communities No L 100 of 17 April 1997)*

Page 35, Annex III, 43, the title:

*for:* 'As provided for in Article 6 (2) ...',

*read:* 'As provided for in Article 7 (2) ...'.

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**Corrigendum to Commission Regulation (EC) No 661/97 of 16 April 1997 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of quotas for processed tomato products**

*(Official Journal of the European Communities No L 100 of 17 April 1997)*

Page 43, Article 11:

*for:* 'Regulation (EEC) No 1749/93 ...',

*read:* 'Regulation (EEC) No 1794/93 ...'.

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