

Official Journal

of the European Communities

ISSN 0378-6978

L 143

Volume 40

3 June 1997

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 991/97

of 2 June 1997

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2375/96⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 June 1997.

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

Done at Brussels, 2 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 2 June 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 35	212	61,9
	999	61,9
0709 90 77	052	55,7
	999	55,7
0805 30 30	052	97,2
	388	71,0
	528	63,0
0808 10 61, 0808 10 63, 0808 10 69	999	77,1
	060	43,5
	388	85,2
	400	88,0
	404	120,5
	508	83,3
	512	72,6
	528	68,9
	804	92,3
	999	81,8
0809 20 49	400	247,3
	999	247,3

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

COMMISSION REGULATION (EC) No 992/97
of 2 June 1997
amending the import duties in the cereals sector

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

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

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

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 966/97⁽⁵⁾;

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

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 966/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 966/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 June 1997.

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

Done at Brussels, 2 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 98, 15. 4. 1997, p. 2.

⁽⁵⁾ OJ No L 141, 30. 5. 1997, p. 3.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	9,49	0,00
1001 90 91	Common wheat seed	45,74	35,74
1001 90 99	Common high quality wheat other than for sowing ⁽¹⁾	45,74	35,74
	medium quality	53,86	43,86
	low quality	74,00	64,00
1002 00 00	Rye	77,14	67,14
1003 00 10	Barley, seed	77,14	67,14
1003 00 90	Barley, other ⁽³⁾	77,14	67,14
1005 10 90	Maize seed other than hybrid	92,02	82,02
1005 90 00	Maize other than seed ⁽³⁾	92,02	82,02
1007 00 90	Grain sorghum other than hybrids for sowing	77,14	67,14

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

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

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

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

ANNEX II

Factors for calculating duties

(for 30 May 1997)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	127,17	123,91	115,28	94,06	174,88 (¹)	107,23 (¹)
Gulf premium (ECU/tonne)	—	16,95	5,44	8,51	—	—
Great lake premium (ECU/tonne)	11,46	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 11,97 per tonne; Great Lakes — Rotterdam: ECU 22,31 per tonne.

3. Subsidy within the meaning of the third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne (HRW2)
-
- : ECU 0,00 per tonne (SRW2).

COMMISSION REGULATION (EC) No 993/97

of 2 June 1997

amending Regulation (EEC) No 584/92 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic

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

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic of the other part⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Whereas Council Decision No 3/96 of the Association Council, association between the European Communities and their Member States, of the one part and of the Republic of Hungary of the other part⁽⁵⁾ amends Protocol 4 to the Europe Agreement with effect from 1 July 1997;

whereas the new Protocol lays down that the proof of origin of products imported into the Community may be established by a declaration by the exporter under certain conditions as well as by the submission of the EUR. 1 certificate; whereas, therefore, Commission Regulation (EEC) No 584/92⁽⁶⁾, as last amended by Regulation (EC) No 528/97⁽⁷⁾, should be amended as regards the rules on the release for free circulation of products imported from the Republic of Hungary;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EEC) No 584/92 is hereby replaced by the following:

Article 8

The products shall be placed in free circulation on presentation of an EUR. 1 certificate issued by the exporting country in accordance with Protocol 4 to the Europe Agreements concluded with the said countries, or, in the case of products imported from the Czech Republic or from the Republic of Hungary, of a declaration by the exporter in accordance with the provisions of the said Protocol.'

Article 2

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

It shall apply from 1 July 1997.

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

Done at Brussels, 2 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁵⁾ OJ No L 92, 7. 4. 1997, p. 1.

⁽⁶⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽⁷⁾ OJ No L 82, 22. 3. 1997, p. 43.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 May 1997

setting out the arrangements for Community comparative tests of seed potatoes
pursuant to Article 14 of Council Directive 66/403/EEC

(97/335/EC)

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

Having regard to Council Directive 66/403/EEC on the marketing of seed potatoes⁽¹⁾, as last amended by Commission Decision 97/90/EC⁽²⁾ and in particular Article 14 (4) thereof,

Whereas Article 14 (4) of Directive 66/403/EEC provides for the carrying out of Community comparative tests of seed potatoes;

Whereas it is necessary for all Member States to participate in the Community comparative tests, in so far as seed potatoes are usually reproduced or marketed in their territories, in order to ensure that proper conclusions may be drawn therefrom;

Whereas the Commission is responsible for making the necessary arrangements for the Community comparative tests;

Whereas the arrangements for the tests should also cover, *inter alia*, certain harmful organisms which come within the scope of Directive 66/403/EEC as well as Council Directive 77/93/EEC of 21 December 1976, on protective measures against the introduction into Member States of organisms harmful to plants or plant products⁽³⁾, as last amended by Commission Directive 97/14/EC⁽⁴⁾ and Council Directive 93/85/EEC on the control of potato ring rot⁽⁵⁾;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Community comparative tests shall be carried out during 1997 on seed potatoes harvested in 1996.
2. All Member States shall participate in the Community comparative tests.

Article 2

1. The general arrangements for the carrying out of the Community comparative tests are set out in the Annex hereto.
2. Further detailed arrangements for the carrying out of the Community comparative tests shall be submitted to the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽²⁾ OJ No L 27, 30. 1. 1997, p. 49.

⁽³⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽⁴⁾ OJ No L 87, 2. 4. 1997, p. 17.

⁽⁵⁾ OJ No L 259, 18. 10. 1993, p. 1.

ANNEX

GENERAL ARRANGEMENTS FOR CARRYING OUT THE COMMUNITY COMPARATIVE TESTS OF SEED POTATOES IN 1997**1. Responsible body**

Ministeriet for Fødevarer, Landbrug og Fiskeri
Plantedirektoratet
Danemark

2. Number of samples

The total number is 325:

- (a) 295 samples shall be taken in the producer Member States;
- (b) 20 additional samples shall be taken from seed marketed by a producer Member State in a recipient Member State, in the recipient Member State;
- (c) 10 samples from Switzerland shall be taken under the Community equivalence arrangements mentioned in Article 15 (1) of Directive 66/403/EEC.

3. Sampling

In respect of samples taken under paragraph 2 (a), an official sampling procedure shall be ensured. The sampling of the lot shall be performed using an appropriate technique. For the purpose of taking the samples, persons shall be designated by the Commission services. These persons shall act under the responsibility of the Commission services. Sampling shall be carried out at the producers' holding, at the place of loading, in the sorting sheds or at any place where seed potatoes are stored.

In the case of all samples taken pursuant to paragraph 2 each sample shall consist of 320 tubers.

4. Assessment of the minimum conditions to be satisfied by seed potatoes in the direct progeny of the samples

Post-control tests on field plots shall be carried out and, where appropriate, confirmed by laboratory tests. The sample size shall be 100 tubers.

5. Assessment of freedom of seed potatoes from potato brown rot (*Pseudomonas solanacearum*) and potato ring rot (*Corynebacterium sepedonicum*)

Laboratory tests shall be carried out, in accordance with appropriate methods. The sample size shall be of 200 tubers.

6. Assessment of freedom of seed potatoes from potato spindle tuber viroid (PSTV)

Laboratory tests shall be carried out, in accordance with appropriate methods. The responsible body under paragraph 1 shall ensure that the sample size is that given in such methods, in so far as this specification exists.

7. Confidentiality

In relation to the assessments under paragraphs 5 and 6 above, each sample to be submitted to the laboratory tests shall have been previously coded by the responsible body under paragraph 1, under the responsibility of the commission services. In the case of samples confirmed to be contaminated by any of the relevant harmful organisms, the Commission shall ensure that the measures required pursuant to Directive 77/93/EEC or Directive 93/85/EEC or their implementing measures, as appropriate, are taken. This is without prejudice to the general conditions applicable to the examination of the annual reports on the confirmed results and conclusions of Community comparative tests.

COMMISSION DECISION

of 15 May 1997

approving a modification to the single programming document for Community structural measures for improving the processing and marketing conditions for agricultural products in Baden-Württemberg (Germany) in respect of Objective 5a, covering the period between 1994 and 1999

(Only the German text is authentic)

(97/336/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 10a thereof,

Whereas, on 23 December 1994, the Commission has adopted Decision 94/891/EC⁽²⁾, approving the single programming document for Community structural measures for improving the processing and marketing conditions for agricultural products in Baden-Württemberg (Germany) in respect of Objective 5a, covering the period between 1994 and 1999;

Whereas on 12 August 1996 the German Government submitted to the Commission a request for the modification of the Single Programming Document of the *Land* Baden-Württemberg approved, supplemented by additional information sent on 21 February 1997; whereas that document contains the plans designed to improve the structures relating to the various product sectors referred to in Article 2 (1) of Regulation (EEC) No 866/90 and the aid applications referred to in Article 10a of that Regulation;

Whereas the single programming document, as modified, meets the conditions of, and contains the information required in Article 1 (3) of Commission Regulation (EC) No 860/94 of 18 April 1994 on plans and applications, in the form of operational programmes, for aid from the Guidance Section of the European Agricultural Guidance and Guarantee Fund for investments for improving the processing and marketing conditions for agricultural and forestry products⁽³⁾;

Whereas the single programming document was drawn up in agreement with the Member State concerned under the partnership as defined in Article 4 of Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of

the Structural Funds and their effectiveness and on co-ordination of activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁴⁾, as last amended by Regulation (EC) No 3193/94⁽⁵⁾;

Whereas the second indent of Article 2 of Commission Regulation (EEC) No 1866/90 of 2 July 1990 on arrangements for using the ecu for the purposes of the budgetary management of the Structural Funds⁽⁶⁾, as amended by Regulation (EC) No 2745/94⁽⁷⁾, provides that in Commission decisions approving single programming documents, the Community assistance decided on for the entire period and the annual breakdown thereof are to be set out in ecus, at prices for the year in which the decision is taken, and are to be subject to indexation; whereas the annual breakdown must be compatible with the progressive increase in commitment appropriations as set out in Annex II to Regulation (EEC) No 2052/88 as amended; whereas the indexation is to be based on a single rate per year corresponding to the rates applied annually to the Community budget on the basis of the mechanisms for technical adjustment of the financial perspectives;

Whereas Article 1 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽⁸⁾, as last amended by Regulation (EC, Euratom, ECSC) No 2335/95⁽⁹⁾, provides that the legal commitments entered into for measures extending over more than one financial year are to contain a time limit for implementation which must be specified to the recipient in due form when the aid is granted;

Whereas, during the implementation of the single programming document, the Member State will ensure that the individual projects included therein will conform with the selection criteria for investments for improving the processing and marketing conditions for agricultural and forestry products currently in force, in application of Article 8 (1) of Regulation (EEC) No 866/90;

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 170, 3. 7. 1990, p. 36.

⁽⁷⁾ OJ No L 290, 11. 11. 1994, p. 4.

⁽⁸⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁹⁾ OJ No L 240, 7. 10. 1995, p. 12.

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 352, 31. 12. 1994, p. 124.

⁽³⁾ OJ No L 99, 19. 4. 1994, p. 7.

Whereas Article 9 (3) of Council Regulation (EEC) No 4253/88 of 19 December 1988, on implementation rules for Council Regulation (EEC) No 2052/88 in what concerns coordination between intervention of the different Structural Funds, on one side, and the European Investment Bank and other existing financial instruments, as last amended by Regulation (EC) No 3193/94⁽¹⁾, states that the Member States will supply the Commission with appropriate financial information to verify that the principle of additionality has been respected; that analysis of the information supplied by the German authorities shows that this principle has been taken into account; that, in addition, verification that this principle continues to be respected will be pursued in the framework of the partnership during the implementation of the single programming document; that these verifications are essential for the continuation of EAGGF (Guidance Section) aid to the measures concerned in the present Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

The modified single programming document for Community structural measures for improving the processing and marketing conditions for agricultural products in Baden-Württemberg (Germany), covering the period from 1 January 1994 to 31 December 1999, is hereby approved.

Article 2

The sectors included for joint action are:

- meat,
- poultry,
- fruit and vegetables,
- seeds.

Article 3

The assistance from the EAGGF (Guidance Section) granted in respect of that modified single programming document shall amount to a maximum of ECU 22 303 120.

The methods of approval of the financial assistance, included the EAGGF (Guidance Section) contribution to the sectors adopted for joint action, are specified within the implementation provisions and the financial plans annexed to the present decision⁽²⁾.

Article 4

For the purposes of indexation, the annual breakdown of the planned maximum overall allocation for assistance from the EAGGF shall be as follows:

<i>In ECU (prices indexed until 1997)</i>	
1994	3 501 000
1995	4 193 250
1996	3 171 858
1997	3 513 513
1998	3 817 507
1999	4 105 992

Article 5

The commitments for subsequent tranches shall be based on the financing plan for the single programming document and on progress made in implementation.

Article 6

The Community assistance shall relate only to expenditure connected with operations covered by this single programming document which have been the subject, in the Member State, of legally binding provisions and for which the necessary funds have been specifically committed by 31 December 1999 at the latest. The deadline for the entry in the accounts of expenditure on such measures shall expire on 31 December 2001.

Article 7

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 15 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽²⁾ Annex not published in the Official Journal.