

Official Journal

of the European Communities

ISSN 0378-6978

L 157

Volume 40

14 June 1997

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1080/97**of 13 June 1997****fixing, for May 1997, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector**

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

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

Having regard to 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⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 July 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector⁽⁵⁾, as last amended by Regulation (EC) No 59/97⁽⁶⁾, and in particular Article 1 (3) thereof,

Whereas Article 1 (2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural

conversion rates applicable during the month of storage; whereas that specific rate must be fixed each month for the previous month;

Whereas application of these provisions will lead to the fixing, for May 1997, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for May 1997 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 June 1997.

It shall apply with effect from 1 May 1997.

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

Done at Brussels, 13 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 206, 16. 8. 1996, p. 43.
⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.
⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 94.
⁽⁶⁾ OJ No L 14, 17. 1. 1997, p. 25.

ANNEX

to the Commission Regulation of 13 June 1997 fixing, for May 1997, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

Agricultural conversion rates		
ECU 1 =	40,4268	Belgian and Luxembourg francs
	7,49997	Danish kroner
	1,95925	German marks
	311,841	Greek drachmas
	165,571	Spanish pesetas
	6,61023	French francs
	0,757473	Irish punt
	1 973,93	Italian lire
	2,20377	Dutch guilders
	13,7905	Austrian schillings
	198,202	Portuguese escudos
	6,02811	Finnish marks
	8,87709	Swedish kroner
	0,742320	Pound sterling

COMMISSION REGULATION (EC) No 1081/97
of 13 June 1997
fixing the import duties in the cereals sector

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

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

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

Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question;

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

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

1766/92 for the 1996/97 marketing year as regards import duties in the cereals sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 June 1997.

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

Done at Brussels, 13 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.

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⁾	8,87	0,00
1001 90 91	Common wheat seed	41,18	31,18
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	41,18	31,18
	medium quality	54,90	44,90
	low quality	72,42	62,42
1002 00 00	Rye	77,73	67,73
1003 00 10	Barley, seed	77,73	67,73
1003 00 90	Barley, other ⁽³⁾	77,73	67,73
1005 10 90	Maize seed other than hybrid	91,68	81,68
1005 90 00	Maize other than seed ⁽³⁾	91,68	81,68
1007 00 90	Grain sorghum other than hybrids for sowing	77,73	67,73

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 30 May 1997 to 12 June 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)	128,11	124,01	116,24	94,48	176,06 ⁽¹⁾	107,20 ⁽¹⁾
Gulf premium (ECU/tonne)	—	15,69	5,94	8,43	—	—
Great Lakes premium (ECU/tonne)	15,64	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 12,08 per tonne; Great Lakes — Rotterdam: ECU 21,75 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 1082/97
of 13 June 1997**

**fixing the maximum buying-in price and the quantities of beef to be bought in
under the 183rd partial invitation to tender as a general intervention measure
pursuant to Regulation (EEC) No 1627/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef⁽³⁾, as last amended by Regulation (EC) No 545/97⁽⁴⁾, an invitation to tender was opened pursuant to Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EC) No 921/97⁽⁶⁾;

Whereas, in accordance with Article 13 (1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 14 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in paragraph 1 of that Article, are to be accepted;

Whereas, once tenders submitted in respect of the 183rd partial invitation to tender have been considered and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughtering, the maximum buying-in price and the quantities which may be bought in should be fixed;

Whereas, following the buying in of forequarters, the price of such products should be defined on the basis of carcass prices;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate, depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be

applied to the quantities which may be bought in in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the 183rd partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be ECU 269,99 per 100 kg of carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcass price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 8 717 tonnes,
- the quantities offered at a price greater than ECU 255 and less than or equal to ECU 267 shall be multiplied by a coefficient of 30 % in accordance with Article 13 (3) of Regulation (EEC) No 2456/93 and those offered at a price greater than ECU 267 shall be multiplied by a coefficient of 15 %;

(b) for category C:

- the maximum buying-in price shall be ECU 269,99 per 100 kg of carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcass price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 3 061 tonnes,
- the quantities offered at a price greater than ECU 255 and less than or equal to ECU 267 shall be multiplied by a coefficient of 30 %, in accordance with Article 13 (3) of Regulation (EEC) No 2456/93, and those offered at a price greater than ECU 267 shall be multiplied by a coefficient of 15 %.

Article 2

This Regulation shall enter into force on 16 June 1997.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 84, 26. 3. 1997, p. 11.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 131, 23. 5. 1997, p. 26.

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

Done at Brussels, 13 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1083/97
of 13 June 1997
on the supply of milk products as food aid

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

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

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

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

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

Whereas, for a given lot, given the large number of destinations of the supplies, provision should be made for

the possibility for tenderers to indicate two ports of loading, where necessary not belonging to the same port area,

HAS ADOPTED THIS REGULATION:

Article 1

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

For lot A, notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.

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

Article 2

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

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

Done at Brussels, 13 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 284/96 (A1); 285/96 (A2); 286/96 (A3)
2. **Programme**: 1996
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel.: (31-70) 330 57 57; fax: 364 17 01; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: A1: Dominican Republic; A2: Pakistan; A3: Uganda
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (3): see OJ No C 114, 29. 4. 1991, p. 1 (I.B.(1))
8. **Total quantity (tonnes)**: 465
9. **Number of lots**: one in three parts (A1: 45 tonnes; A2: 120 tonnes; A3: 300 tonnes)
10. **Packaging and marking** (7) (6): see OJ No C 267, 13. 9. 1996, p. 1 (6.3 A and B.2)
see OJ No C 114, 29. 4. 1991, p. 1 (I.B.(3))
Language to be used for the marking: A1: Spanish; A2 and A3: English
Supplementary markings: 'Expiry date ...' (A3)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment (6)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 28. 7 to 17. 8. 1997
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 30. 6. 1997
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 14. 7. 1997
 - (b) period for making the goods available at the port of shipment: 11 to 31. 8. 1997
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1):
Bureau de l'aide alimentaire, Attn Mr T. Vestergaard
Bâtiment Loi 130, bureau 7/46
Rue de la Loi/Wetstraat 200, B-1049 Brussels
Telex: 2 56 70 AGREC B; fax: (32-2) 296 70 03 / 296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** (4): refund applicable on 9. 6. 1997, fixed by Commission Regulation (EC) No 867/97 (OJ No L 124, 16. 5. 1997, p. 2)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- health certificate issued by an official entity stating that the product was processed under excellent sanitary conditions which are supervised by qualified technical personnel. The certificate must state the temperature and duration of the pasteurization, the temperature and duration in the spray-drying-tower and the expiry date for consumption,
 - veterinary certificate issued by an official entity stating that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.
- (⁶) Notwithstanding Article 7 (3) (d) of Regulation (EEC) No 2200/87, the tender may indicate two ports of shipment not necessarily belonging to the same port area.
- (⁷) Notwithstanding OJ No C 114, point I.A.3 (c) is replaced by the following: 'the words "European Community"'.
- (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL each containing 15 tonnes net. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The supplier has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each operation number as specified in the invitation to tender.

The supplier has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), the number of which is to be provided to the beneficiary's forwarder.

COMMISSION REGULATION (EC) No 1084/97

of 13 June 1997

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel

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

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 592/97⁽⁴⁾, opened and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

- (a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;
- or
- (b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 989/97⁽⁵⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (standard) carnations originating in Israel, whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 January 1997 to 31 December 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 14 June 1997.

It shall apply until 31 December 1997 at the latest.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 89, 4. 4. 1997, p. 1.

⁽⁵⁾ OJ No L 141, 31. 5. 1997, p. 71.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ 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, 13 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1085/97
of 13 June 1997
amending Council Regulation (EC) No 2505/96 regarding an increase of the
autonomous tariff quota for discs (wafers) of silicon

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

Having regard to Council Regulation (EC) No 2505/96 of 20 December 1996 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products and amending Regulation (EC) No 3059/95 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products (first series 1996), and in particular Article 6 thereof governing the extension or adjustment of quotas ⁽¹⁾,

Whereas the quota for doped silicon wafers (order number 09.2946) is insufficient to meet the needs of the Community industry; whereas, consequently, the quantity should be increased by the 50 % maximum provided for in Article 6 (2) of Regulation (EC) No 2505/96; whereas that Regulation should be amended accordingly, with effect from 1 January 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the order number 09.2946 in the table in Annex I of Regulation (EC) No 2505/96, the quota amount of 30 000 units shall become 45 000 units for the period from 1 January to 31 December 1997.

Article 2

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

It shall apply from 1 January 1997.

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

Done at Brussels, 13 June 1997.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 345, 31. 12. 1996, p. 1.

COMMISSION REGULATION (EC) No 1086/97

of 13 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 14 June 1997.

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

Done at Brussels, 13 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 13 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
0709 90 77	052	81,4
	999	81,4
0805 30 30	388	75,9
	528	66,9
	999	71,4
	388	87,9
0808 10 61, 0808 10 63, 0808 10 69	400	86,0
	404	112,5
	508	80,6
	512	71,5
	524	72,9
	528	72,5
	804	87,2
	999	83,9
	052	227,4
	064	213,6
0809 20 49	400	220,8
	999	220,6

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 May 1997

amending Decision 89/471/EEC authorizing methods for grading pig carcasses in Germany

(Only the German text is authentic)

(97/369/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽¹⁾, as last amended by Regulation (EC) No 3513/93⁽²⁾, and in particular Article 5 (2) thereof,

Whereas the Commission, by Decision 89/471/EEC⁽³⁾, as last amended by Decision 94/459/EC⁽⁴⁾, has authorized different methods for grading pig carcasses in Germany;

Whereas the German Government has requested the Commission to authorize the use of a new method for grading pig carcasses and the use of new formulae for calculating the lean meat content of carcasses under the existing grading methods 'SSD 256' and 'ZP'; whereas the authorization of the new method should not be based on the national calibration procedure provided for in Article 1 (2) of Decision 89/471/EEC, but on the provisions laid down in Article 2 (3) of Regulation (EEC) No 3220/84 and in compliance with a maximum tolerated statistical error as defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses⁽⁵⁾, as amended by Regulation (EC) No 3127/94⁽⁶⁾, in order to allow the full use of the huge amount of information provided by this apparatus;

⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 5.

⁽³⁾ OJ No L 233, 10. 8. 1989, p. 30.

⁽⁴⁾ OJ No L 189, 23. 7. 1994, p. 86.

⁽⁵⁾ OJ No L 285, 25. 10. 1985, p. 39.

⁽⁶⁾ OJ No L 330, 21. 12. 1994, p. 43.

Whereas, the information required pursuant to Article 3 of Regulation (EEC) No 2967/85 has been submitted; whereas evaluation of the request has shown the conditions for authorizing the said method of grading and the new formulae to be fulfilled;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/471/EEC is hereby amended as follows:

1. the following Article is added:

Article 1a

By derogation of Article 1 (2) and (3), the apparatus termed "Fully automatic ultrasonic carcase grading (Autoform)" and the assessment method related hereto, details of which are given in Part III of the Annex, is hereby authorized.;

2. in part I of the Annex, the formula under point 2 is replaced by the following:

$$\hat{y} = 58,6688 - 0,82809 x_1 + 0,18306 x_2;$$

3. in part II of the Annex, the formula under point 2 is replaced by the following:

$$\hat{y} = 18,1543 + 80,82116 \frac{S}{F} + 6,49918 \sqrt{F} + 68,07127 \log S - 28,83531 \sqrt{S};$$

4. Part III given in the Annex to this Decision is added to the Annex.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 30 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

PART III

Fully automatic ultrasonic carcass grading (Autofom)

1. Grading of pig carcasses shall be carried out by means of the apparatus "Fully automatic ultrasonic carcass grading" (Autofom).
2. The apparatus shall be equipped with 16 ultrasonic transducers, operating at 2 MHz (SFK Technology, K2KG — 67080) with a distance of 25 mm between each transducer.

The ultrasonic data cover three major parts of the carcasses and comprise fat thicknesses and muscle depth. The remaining parameters are related to the above parameters.

The results of the measurements are converted into estimated lean meat content by means of a central data-processing unit.

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 57,5151291 + 0,8717916 T01 + 0,7625082 T02 + 1,3110994 T03$$

where:

$\hat{y}$ = the estimated lean meat in the carcass

T01, T02 and T03 = principal component variables, calculated on the basis of 127 individual measuring points.

4. The description of the measurement points and the description of the statistical method are laid down in the German Protocol, Part II, submitted to the Commission under the terms of Article 3 (3) of Commission Regulation (EEC) No 2967/85.

The formula shall be valid for carcasses weighing between 50 and 120 kilograms.'

COMMISSION DECISION

of 30 May 1997

authorizing methods for grading pig carcasses in Sweden

(Only the Swedish text is authentic)

(97/370/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, as last amended by Regulation (EC) No 3513/93 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽³⁾, as amended by Regulation (EC) No 3127/94 ⁽⁴⁾;

Whereas the Government of Sweden has requested the Commission to authorize the use of two methods for grading pig carcasses on its territory and has submitted the information required in Article 3 of Regulation (EEC) No 2967/85; whereas an examination of this request has revealed that the conditions for authorizing the said grading methods are fulfilled;

Whereas no modification of the grading methods may be authorized except by means of a new Commission Decision adopted in the light of experience gained;

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

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorized for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Sweden:

- the apparatus termed 'Intrascop (Optical Probe)' and assessment methods related thereto, details of which are given in Part 1 of the Annex,
- the apparatus termed 'Hennessy Grading Probe (HGP II)' and assessment methods related thereto, details of which are given in Part 2 of the Annex.

Article 2

Modifications of the apparatus or of the assessment methods shall not be authorized.

Article 3

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 30 May 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 5.

⁽³⁾ OJ No L 285, 25. 10. 1985, p. 39.

⁽⁴⁾ OJ No L 330, 21. 12. 1994, p. 43.

ANNEX

PART 1

Intrascopes (Optical Probe)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Intrascopes (Optical Probe)'.
2. The apparatus shall be equipped with a hexagonal-shaped probe of a maximum width of 12 mm (and of 19 mm at the blade at the top of the probe) containing a viewing window and a light source, a sliding barrel calibrated in millimetres, and having an operating distance of between 3 and 45 mm.
3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 70,200 - 0,733 x_1$$

where:

$\hat{y}$ = the estimated lean meat of the carcass,

x_1 = the thickness of backfat (including rind) in millimetres measured at 8 cm off the midline of the carcass immediately behind the last rib.

The formula shall be valid for carcasses weighing between 50 and 120 kilograms.

PART 2

Hennessy Grading Probe (HGP II)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Hennessy Grading Probe (HGP II)'.
2. The apparatus shall be equipped with a probe of 5,95 mm (and of 6,3 mm at the blade at the top of the probe) containing a photodiode (Siemens LED of the type LYU 260-EO and photodetector of the type 58 MR) and having an operating distance of between 0 and 120 mm. The results of the measurements shall be converted into estimated lean meat content by means of the HGP II itself or a computer linked to it.
3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 59,090 - 0,500 x_1 - 0,353 x_2 + 0,193 x_3$$

where:

$\hat{y}$ = the estimated percentage of lean meat of the carcass,

x_1 = the thickness of backfat (including rind) in millimetres measured at 8 cm off the midline of the carcass immediately behind the last rib,

x_2 = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass between the third and fourth last ribs,

x_3 = the thickness of muscle (*M. longissimus dorsi*) in millimetres measured at the same time and in the same place as x_2 .

This formula shall be valid for carcasses weighing between 50 and 120 kilograms.

COMMISSION DECISION

of 3 June 1997

amending Decision 94/838/EC approving the Single Programming Document for Community structural measures for improving the processing and marketing conditions for agricultural and forestry products in Spain (except for Andalusia, Asturias, the Canary Islands, Cantabria, Castile and Leon, Castile-La Mancha, the Valencian Community, Extremadura, Galicia, Murcia, Ceuta and Melilla) in respect of Objective 5 (a), covering the period between 1994 and 1999

(Only the Spanish text is authentic)

(97/371/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

envisaged was reduced by ECU 54 156 837 compared with the plan originally approved;

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 Council Regulation (EEC) No 867/90⁽²⁾ extends the common measure to forestry products;

Whereas the Commission, by Decision 94/838/EC⁽³⁾, approved the Single Programming Document for Community structural measures for improving the processing and marketing conditions for agricultural and forestry products in Spain (except for Andalusia, Asturias, the Canary Islands, Cantabria, Castile and Leon, Castile-La Mancha, the Valencian Community, Extremadura, Galicia, Murcia, Ceuta and Melilla) in respect of Objective 5 (a), covering the period between 1994 and 1999;

Whereas applications for assistance under the Single Programming Document have proliferated since 1994 with the result that the original allocation from the EAGGF Guidance Section will not be sufficient to meet deserving applications for investment aid that will be made up to 1999; whereas, furthermore, the Commission, by Decision C(96) 3898/5 of 16 December 1996, adopted the financial estimates for the areas of Spain not covered by Objective 1 in respect of Objective 5 (a) with the exception of the financing of the measures covered by Regulation (EEC) No 866/90; whereas the financing plan

Whereas on 15 October 1996 the Spanish Government presented to the Commission a request for the amendment of the Single Programming Document approved followed by additional information sent on 2 December 1996 and 6 and 10 March 1997; whereas this amendment concerns solely the indexing up to 1997 of the original EAGGF assistance in the light of its annual allocation, the transfer of the amount of ECU 54 156 837 by which the financial estimates pursuant to Council Regulation (EEC) No 2328/91⁽⁴⁾ were lowered and the adjustment of the new financing plans under the Single Programming Document to take account of these amounts without in any way altering any other aspect of the Document;

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

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 94/838/EC is hereby amended as follows:

1. in the first paragraph of Article 3 the amount of 'ECU 119 000 000' is replaced by 'ECU 175 771 067';
2. the financing plans referred to in the second paragraph of Article 3 are replaced by those shown in the Annex to this Decision⁽⁵⁾;

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽³⁾ OJ No L 352, 31. 12. 1994, p. 16.

⁽⁴⁾ OJ No L 218, 6. 8. 1991, p. 1.

⁽⁵⁾ Annex not published in the Official Journal.

3. in Article 4 the annual breakdown is adjusted as follows to take account of indexing up to 1997:

ecu (prices indexed up to 1997)

1994	24 506 000
1995	23 603 924
1996	21 868 697
1997	17 332 847
1998	17 532 408
1999	16 770 354.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 3 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission
