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Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EC) No 1300/97 of 30 June 1997 amending Regulation (EEC) No 4088/87 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco, the West Bank and the Gaza Strip 1
- ★ Commission Regulation (EC) No 1301/97 of 4 July 1997 amending Regulation (EC) No 913/97 adopting exceptional support measures for the pigmeat market in Spain 3
- ★ Commission Regulation (EC) No 1302/97 of 4 July 1997 amending Regulation (EEC) No 3886/92 laying down detailed rules for the application of the premium schemes of the market in beef as regards certain detailed rules for the temporary leasing of suckler cow premium rights 5
- ★ Commission Regulation (EC) No 1303/97 of 4 July 1997 amending Regulation (EEC) No 3567/92 as regards detailed rules for the temporary leasing of premium rights in the sheepmeat and goatmeat sector 7
- ★ Commission Regulation (EC) No 1304/97 of 4 July 1997 derogating from and amending Regulation (EEC) No 2456/93 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef 8
- ★ Commission Regulation (EC) No 1305/97 of 4 July 1997 amending Regulation (EC) No 613/97 laying down rules for the application of Council Regulation (EC) No 3072/95 as regards the conditions for granting compensatory payments under the aid scheme for rice producers in respect of the deadline for sowing 11
- Commission Regulation (EC) No 1306/97 of 4 July 1997 suspending advance fixing of export refunds on certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty 12

Commission Regulation (EC) No 1307/97 of 4 July 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables 13

- * **Commission Directive 97/39/EC of 24 June 1997 adapting to technical progress Council Directive 75/443/EEC of 26 June 1975 relating to the reverse and speedometer equipment of motor vehicles ⁽¹⁾..... 15**

II *Acts whose publication is not obligatory*

Council

97/415/EC, Euratom:

- * **Council Decision of 27 June 1997 appointing a member of the Economic and Social Committee..... 22**

97/416/EC:

- * **Council Decision of 30 June 1997 abrogating the decision on the existence of an excessive deficit in the Netherlands..... 23**

97/417/EC:

- * **Council Decision of 30 June 1997 abrogating the decision on the existence of an excessive deficit in Finland..... 24**

- * **Information relating to the entry into force of the Agreement between the European Community and the Republic of Ecuador on precursors and chemical substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances 25**

Commission

97/418/EC:

- * **Commission Decision of 19 June 1997 amending Annex I of Decision No 89/651/EEC relating to the definitions of the characteristics and to the list of agricultural products regarding the surveys on the structure of agricultural holding ⁽¹⁾ 26**

Corrigenda

- * **Corrigendum to Commission Decision 97/401/EC of 17 June 1997 amending Decision 94/324/EC laying down specific conditions for importing fishery and aquaculture products from Indonesia (OJ No L 166 of 25.6.1997) 28**

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1300/97

of 30 June 1997

amending Regulation (EEC) No 4088/87 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco, the West Bank and the Gaza Strip

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Association or Cooperation Agreements between the European Economic Community and Cyprus, Israel, Jordan and Morocco provide for preferential customs duties on roses and carnations imported into the Community within the limit of tariff quotas opened for all fresh cut flowers of Combined Nomenclature subheading 0603 10 originating in these countries; whereas, under Regulation (EEC) No 1134/91⁽¹⁾, the West Bank and the Gaza Strip enjoy preferential tariff treatment for certain agricultural products, including cut flowers of Combined Nomenclature subheading 0603 10, within annual quota limits; whereas these tariff advantages are applicable only to imports for which certain price requirements specified by Regulation (EEC) No 4088/87⁽²⁾ are met; whereas the price conditions to be respected for imported products are determined by comparing their prices with Community producer prices;

Whereas by Decision 96/206/ECSC, EC⁽³⁾ the Community concluded an Interim Agreement with Israel on trade and trade-related matters; whereas this included an agreement in the form of an exchange of letters concluded between the Community and Israel on imports into the Community of fresh cut flowers and flower buds suitable for bouquets or ornamental purposes; whereas, by the last mentioned agreement, the Community and Israel agreed to adjust the procedures for determining Community producer prices and recording import prices;

Whereas, as a result of the negotiations with Morocco for conclusion of an Association Agreement, which led to agreement *inter alia* on adjustment, implemented by Regulation (EC) No 3057/95⁽⁴⁾, of the tariff quotas for flowers, the same adjustments as referred to above in the procedures for determining Community producer prices and recording import prices were agreed on;

Whereas the provisions of the Agreements with the other Mediterranean countries covered by Regulation (EEC) No 4088/87 on flower imports specify no method for determining Community producer and import prices; whereas it should be ensured that the new procedures should be applied to all imports originating in the Mediterranean countries covered by Regulation (EEC) No 4088/87;

Whereas Regulation (EEC) No 4088/87 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 4088/87 is hereby amended as follows:

1. Articles 2, 3 and 4 shall be replaced by the following:

Article 2

1. For a given product and origin, the preferential customs duty shall be applicable only if the price of the imported product is at least 85 % of the Community producer price referred to in Article 3.

⁽¹⁾ OJ No L 112, 4. 5. 1991, p. 1. Regulation as amended by Regulation (EC) No 539/96 (OJ No L 79, 29. 3. 1996, p. 6).

⁽²⁾ OJ No L 382, 31. 12. 1987, p. 22. Regulation as last amended by Regulation (EC) No 539/96.

⁽³⁾ OJ No L 71, 20. 3. 1996, p. 1.

⁽⁴⁾ OJ No L 326, 30. 12. 1995, p. 3.

2. Import prices applicable for two-week periods shall be determined for each of the products and origins indicated in Article 1.

Such prices shall be determined every fifteen days for the two weeks following the date on which they are determined.

Import prices shall be determined on the basis of the weighted average of prices recorded on the representative import markets of the Community.

3. The preferential customs duty shall be suspended and the Common Customs Tariff duty introduced for any given product and origin if the import price determined as specified in paragraph 2 is less than 85 % of the Community producer price determined as specified in Article 3.

4. The preferential customs duty shall be reintroduced for any given product and origin if the import price determined as specified in paragraph 2 is 85 % or more of the Community producer price determined as specified in Article 3.

Article 3

1. Community producer prices applicable for two-week periods shall be determined for each of the four products indicated in Article 1. Such prices shall be determined every fifteen days for the two weeks following the date on which they are determined.

2. Community producer prices shall be determined on the basis of the weighted average of producer prices recorded on the representative markets for Community production.

Article 4

In the absence of prices sufficiently representative to permit determination of import and/or Community

producer prices as specified in Articles 2 (2) and 3 (2) respectively, they shall be determined on the basis of the latest prices determined.'

2. Article 5 (2) shall be replaced by the following:

'2. In accordance with the procedure provided for in paragraph 1, the Commission shall:

(a) determine import prices as provided for in Article 2 (2) and Community producer prices as provided for in Article 3 (2);

(b) when appropriate, suspend the preferential customs duty and reintroduce the Common Customs Tariff duty, or reintroduce the preferential customs duty.

However, between the meetings of the Management Committee, these measures shall be adopted by the Commission.'

Article 2

Twelve months after the entry into force of this Regulation, the Commission shall present to the Council an assessment report on the implementation of this new system for determining Community producer prices, possibly accompanied by proposals for adjustments to be made to it.

Article 3

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

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

Done at Luxembourg, 30 June 1997.

For the Council

The President

A. NUIS

COMMISSION REGULATION (EC) No 1301/97
of 4 July 1997
amending Regulation (EC) No 913/97 adopting exceptional support measures for
the pigmeat market in Spain

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Spain, exceptional measures to support the pigmeat market were adopted for this Member State in Commission Regulation (EC) No 913/97 ⁽³⁾;

Whereas, because of continuing veterinary and trade restrictions adopted by the Spanish authorities and their extension to new areas, the number of pigs for fattening and piglets which may be delivered to the competent authorities should be increased, thus allowing the continuation of the exceptional measures in the coming weeks;

Whereas, because of the persistence of classical swine fever in Spain, it is appropriate to reduce the minimum weight of eligible pigs for fattening thus reducing expenditure on this measure and the volume of pigs to be processed in rendering plants;

Whereas the rapid and efficient application of the exceptional market support measures is one of the best ways of

combating the spread of classical swine fever; whereas the application of the provisions of this Regulation from 18 June 1997 is therefore justified;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 913/97 is hereby amended as follows:

1. in Article 1 (1) and in Article 4 (1) and (2), '110 kilograms' is replaced by '100 kilograms';
2. in Article 4 (2), '100 kilograms' is replaced by '90 kilograms';
3. Annex I is replaced by Annex I hereto;
4. Annex II is replaced by Annex II hereto.

Article 2

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

It shall apply with effect from 18 June 1997.

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

Done at Brussels, 4 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 131, 23. 5. 1997, p. 14.

*ANNEX I**ANNEX I***Total number of animals from 6 May 1997**

	(head)
Fattening pigs	252 000
Piglets	110 000'

*ANNEX II**ANNEX II*

- In the province of Lerida, the protection and surveillance zones as defined in Annexes I and II to the Order of the "Generalitat de Catalunya" dated 29 April 1997.
 - In the province of Lerida, the protection and surveillance zones as defined in Annexes I and II to the Order of "Generalitat de Catalunya" dated 12 June 1997.'
-

COMMISSION REGULATION (EC) No 1302/97

of 4 July 1997

amending Regulation (EEC) No 3886/92 laying down detailed rules for the application of the premium schemes of the market in beef as regards certain detailed rules for the temporary leasing of suckler cow premium rights

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 4e (5) thereof,

Whereas Article 33 (3) of Commission Regulation (EEC) No 3886/92 of 23 December 1992 laying down detailed rules for the application of the premium schemes provided for in Council Regulation (EEC) No 805/68 on the common organization of the market in beef and repealing Regulations (EEC) No 1244/82 and (EEC) No 714/89⁽³⁾, as last amended by Regulation (EC) No 854/97⁽⁴⁾, lays down certain rules with respect to the temporary leasing of suckler cow premium rights and, in particular, the obligation that a producer, over a period of five years from the first leasing, must recover all his rights for himself, for at least two consecutive years; whereas, for the sake of clarity, that provision should be amended to provide that, for each leasing period, it may not extend beyond three consecutive years; whereas, to that end, that amendment should not permit a leasing period extending beyond three consecutive years during the change over from the old to the new rules, while guaranteeing that the rights acquired previously by producers are maintained;

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

The first subparagraph of Article 33 (3) of Regulation (EEC) No 3886/92 is hereby replaced by the following:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 391, 31. 12. 1992, p. 20.

⁽⁴⁾ OJ No L 122, 14. 5. 1997, p. 18.

'3. Temporary leasing shall only be in respect of whole calendar years and shall involve at least the minimum number of animals provided for in Article 34 (1). At the end of each period of temporary leasing which may not exceed three consecutive years, a producer, except in the event of a transfer of rights, shall recover all his rights for himself, for at least two consecutive years. If the producer does not avail himself of at least 70 % of this rights during each of the two years, the Member State shall, except in duly justified exceptional cases, retain and transfer annually to the national reserve that part of the rights not used by the producer.'

Article 2

1. Where the period of temporary leasing referred to in the first subparagraph of Article 33 (3) of Regulation (EEC) No 3886/92 started in 1996 and continued in 1997, or started in 1997, the leasing period to be taken into account for the application of the rule referred to in Article 1 shall be counted from the start of said leasing.

2. However, paragraph 1 shall not apply to temporary leasing contracts providing for leasing drawn up in accordance with the arrangements applicable in 1997 and notified to the competent authorities before 13 June 1997.

Article 3

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 1998.

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

Done at Brussels, 4 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1303/97

of 4 July 1997

amending Regulation (EEC) No 3567/92 as regards detailed rules for the temporary leasing of premium rights in the sheepmeat and goatmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1589/96⁽²⁾, and in particular Article 5a (4) thereof,

Whereas Article 6a of Commission Regulation (EC) No 3567/92⁽³⁾, as last amended by Regulation (EC) No 122/97⁽⁴⁾, lays down certain rules with respect to the temporary leasing of premium rights and, in particular, the obligation that a producer, over a period of five years from the first leasing, must recover all his rights for himself, for at least two consecutive years; whereas, for the sake of clarity, that provision should be amended to provide that, for each leasing period, it may not extend beyond three consecutive marketing years; whereas, to that end, that amendment should not permit a leasing period extending beyond three consecutive years during the change over from the old to the new rules, while guaranteeing that the rights acquired previously by producers are maintained;

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

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 6a (3) of Regulation (EEC) No 3567/92 is hereby replaced by the following:

'3. Temporary leasing shall only be in respect of whole marketing years and shall involve at least the

minimum number of animals provided for in Article 7 (1). At the end of each period of temporary leasing which may not exceed three consecutive marketing years, a producer, except in the event of a transfer of rights, shall recover all his rights for himself, for at least two consecutive years. If the producer does not avail himself of at least 70 % of his rights during each of the two marketing years, the Member State shall, except in duly justified exceptional cases, retain and transfer annually to the national reserve that part of the rights not used by the producer.'

Article 2

1. Where the period of temporary leasing referred to in the first subparagraph of Article 6a (3) of Regulation (EEC) No 3567/92 started in 1996 and continued in 1997, or started in 1997, the leasing period to be taken into account for the application of the rule referred to in Article 1 shall be counted from the start of said leasing.

2. However, paragraph 1 shall not apply to temporary leasing contracts providing for leasing drawn up in accordance with the arrangements applicable in 1997 and notified to the competent authorities before 13 June 1997.

Article 3

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 the 1998 marketing year.

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

Done at Brussels, 4 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 25.

⁽³⁾ OJ No L 362, 11. 12. 1992, p. 41.

⁽⁴⁾ OJ No L 22, 24. 1. 1997, p. 18.

COMMISSION REGULATION (EC) No 1304/97

of 4 July 1997

derogating from and amending Regulation (EEC) No 2456/93 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef

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 Articles 6 (7) and 22a (3) thereof,

Whereas, because of the current reduced consumption of beef and veal in the Community, prices continue to be low; whereas the situation calls for support measures;

Whereas, to that end, certain derogations should be made from Commission Regulation (EEC) No 2456/93⁽³⁾, as last amended by Regulation (EC) No 2368/96⁽⁴⁾, in respect of invitations to tender opened in the third quarter of 1997;

Whereas, in order for intervention to provide a full response to the serious situation on the market, the list of eligible qualities laid down for the United Kingdom and Ireland should be extended; whereas the abovementioned Regulation should also be supplemented, on an exceptional and temporary basis and for the sake of fairness, to allow the buying-in of carcasses of young bovine animals in conformation classes S and E in Member States where production of those classes predominates and the market prices are regularly recorded; whereas, finally, the maximum quantities of products of category A, classes 02 and 03, eligible for intervention in the Member States referred to in the third subparagraph of Article 4 (1) should be increased;

Whereas, as demand is low at this time of year for certain less value cuts, including the flank, buying-in for intervention of forequarters of the 'Pistola' type, which include the abovementioned flank, should also be authorized; whereas the conditions for the acceptance of forequarters should be specified;

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

Whereas, by way of an exception, the maximum weight provided for in Article 4 (2) (h) of Regulation (EEC) No 2456/93 has not applied; whereas there should be a gradual return to the weight limit originally laid down;

Whereas the closing dates for the submission of tenders are the second and fourth Tuesdays of the month; whereas, in view of the public holidays in August 1997, the closing dates for the third quarter of 1997 should be changed for practical reasons;

Whereas the present difficult situation in the beef and veal sector makes it appropriate, temporarily, to maintain the revised amount of the increase applicable to the average market price used to define the maximum buying-in price;

Whereas the rules on the quick-freezing of boned meat and of meat on the bone should be specified, as should the rules on the hanging of carcasses;

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

1. Notwithstanding the first subparagraph of Article 4 (1) of Regulation (EEC) No 2456/93:
 - (a) The additional products not included in Annex III to that Regulation which may be bought into intervention shall be as follows:

UNITED KINGDOM

Great Britain

- Category A, class U2 and class U3,
- Category A, class R2 and class R3,
- Category A, class O2 and class O3,
- Category C, class U3 and class U4,
- Category C, class O3 and class O4.

Northern Ireland

- Category A, class U2 and class U3,
- Category A, class R2 and class R3,
- Category A, class O2 and class O3,
- Category C, class O3 and class O4.

IRELAND

- Category C, class O4.

⁽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 323, 13. 12. 1996, p. 6.

The difference between the intervention price for the quality R3 and that for quality O4 shall be ECU 30 per 100 kilograms.

The coefficient to be used for converting tenders submitted for quality R3 into tenders for quality O4 shall be 0,914 (middle class);

- (b) Products in category A falling within conformation classes S2, S3, E2 and E3 in accordance with the Community classification scale may be bought into intervention in Member States which regularly record the prices for those qualities and where classes S and E accounted for at least 50 % of the animals slaughtered in category A in 1995.

The coefficients to be used for converting from quality R3 into qualities S2, S3, E2 and E3 shall be 1,365, 1,304, 1,228 and 1,156 (middle class) respectively.

2. Notwithstanding Article 4 (2) of Regulation (EEC) No 2456/93:

- (a) carcasses and half-carcasses of castrated animals reared in the United Kingdom which are more than 30 months old may not be bought in;

- (b) the following may be bought in:

- forequarters five-rib straight cut from the carcasses or half-carcasses referred to in that paragraph; the price of forequarters shall be derived from the carcass price using the coefficient 0,80,
- forequarters with the flank attached obtained from a five-rib 'Pistola' cut from the carcasses or half-carcasses referred to in that paragraph and intended for boning in accordance with Title II: the price of forequarters shall be derived from the carcass price using the coefficient 0,68.

3. Notwithstanding Article 4 (2) (h) of Regulation (EEC) No 2456/93, the maximum weight of carcasses as referred to in the above provision shall be:

- (a) 360 kilograms for carcasses of animals in categories A and C, conformation classes U, R and O;
- (b) 450 kilograms for carcasses of animals in category A, conformation classes S and E.

4. Notwithstanding the first sentence of Article 10 of Regulation (EEC) No 2456/93, during the third quarter of 1997, the deadline for the submission of tenders shall expire at 12 noon (Brussels time):

- on the second and fifth Tuesdays of July,
- on the third Tuesday of August,
- on the second and fourth Tuesdays of September.

5. Notwithstanding Article 14 (1) of Regulation (EEC) No 2456/93:

- (a) the increase applicable, in accordance with the first sentence, to the average market price shall be ECU 14 per 100 kilograms carcass weight;

- (b) the increase applicable, in accordance with the second sentence, to the average market price shall be ECU 7 per 100 kilograms carcass weight.

6. Notwithstanding Article 17 of Regulation (EEC) No 2456/93, where take-over is limited to forequarters, the latter must be presented together with the corresponding hindquarters in order to be accepted by the intervention agency, so that the maximum weight, presentation and classification of the carcasses from which they originate may be verified.

However, where preliminary inspection of the forequarters and hindquarters has been conducted under the conditions referred to in paragraph 3 of that Article, the forequarters accepted during that inspection may be presented without the hindquarters for definitive take-over at the intervention centre after being transported there in a sealed means of transport.

7. Notwithstanding point 2 (c) of Annex V to Regulation (EEC) No 2456/93, for the purposes of this Regulation, forequarters shall mean:

- cut from the carcass after cooling in accordance with the conditions laid down in point 5,
- five-rib straight cut, or
- five-rib Pistola cut with flank attached.

8. Notwithstanding the first paragraph of point 1.2.8. 'Intervention flank' of Annex VII to Regulation (EEC) No 2456/93, where the forequarter is obtained as the result of a Pistola cut, the entire flank shall be separated from the Pistola forequarter at the level of the fifth rib.

Article 2

Regulation (EEC) No 2456/93 is hereby amended as follows:

1. the following paragraph is added to Article 28:

'The temperature of freezing of boned meat shall be such as to give an internal temperature equal to or lower than minus 7 °C within a maximum of 36 hours;'

2. Annex IV is replaced by the Annex to this Regulation;

3. the first sentence of point 2 (a) of Annex V is replaced by the following:

'(a) carcass: the whole body of the slaughtered animal hung from the slaughterhouse hook by the hamstring after bleeding, evisceration and skinning, presented.'

Article 3

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

Article 1 shall apply to invitations to tender opened during the months of July, August and September 1997.

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

Done at Brussels, 4 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

ANNEX IV

Maximum quantities of products of Category A, classes 02 and 03, eligible for intervention in the Member States referred to in the third subparagraph of Article 4 (1)

(1 000 tonnes)

Year	Quantity
1993	32,1
1994	25,1
1995	17,0
1996	7,5
1997	4,6

COMMISSION REGULATION (EC) No 1305/97
of 4 July 1997

**amending Regulation (EC) No 613/97 laying down rules for the application of
Council Regulation (EC) No 3072/95 as regards the conditions for granting
compensatory payments under the aid scheme for rice producers in respect of
the deadline for sowing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 8 (d) thereof,

Whereas Commission Regulation (EC) No 613/97 ⁽²⁾ requires that, in order to be eligible for compensatory payment, sowing must be completed by 31 May except in Portugal and Guyana where the deadlines are later;

Whereas, because of climate conditions, postponement of that deadline for Spain for the 1997/98 marketing year is justifiable; whereas, however, this postponement should not compromise the efficiency of the producer support arrangements nor undermine the control system introduced by Council Regulation (EEC) No 3508/92 ⁽³⁾, as last amended by Regulation (EC) No 820/97 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 4 (1) of Regulation (EC) No 613/97 is replaced by the following:

‘To qualify for the compensatory payment for the 1997/98 marketing year, the area must be sown by 31 May preceding the harvest in question at the latest, except in Portugal and Spain where the final date shall be 30 June.’

Article 2

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

It shall apply from 1 June 1997.

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

Done at Brussels, 4 July 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 94, 9. 4. 1997, p. 1.

⁽³⁾ OJ No L 355, 5. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 117, 7. 5. 1997, p. 1.

COMMISSION REGULATION (EC) No 1306/97

of 4 July 1997

**suspending advance fixing of export refunds on certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty**

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

Having regard to Commission Regulation (EC) No 1222/94 of 31 May 1994 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽¹⁾, as last amended by Regulation (EC) No 229/96 ⁽²⁾, and in particular the second subparagraph of Article 5 (3) thereof,

Whereas the second subparagraph of Article 5 (3) of Regulation (EC) No 1222/94 makes provision for advance fixing of the refund to be suspended for basic products exported in the form of certain goods;

Whereas the situation on certain markets may make it necessary for the refunds to be adjusted; whereas in order to prevent applications for advance fixing of refunds for

speculative purposes, the abovementioned advance fixing should be suspended until this adjustment comes into force;

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

Advance fixing of export refunds on maize exported in the form of goods listed in Annex B to Council Regulation (EEC) No 1766/92 ⁽³⁾ is suspended from 6 to 11 July 1997.

Article 2

This Regulation shall enter into force on 6 July 1997.

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

Done at Brussels, 4 July 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 136, 31. 5. 1994, p. 5.
⁽²⁾ OJ No L 30, 8. 2. 1996, p. 24.

⁽³⁾ OJ No L 181, 1. 7. 1992, p. 21.

COMMISSION REGULATION (EC) No 1307/97**of 4 July 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 5 July 1997.

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

Done at Brussels, 4 July 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 4 July 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	052	73,7
	999	73,7
ex 0707 00 25	052	53,5
	999	53,5
0709 90 77	052	88,4
	999	88,4
0805 30 30	382	67,0
	388	75,6
	524	46,9
	528	60,2
	999	62,4
0808 10 71, 0808 10 73, 0808 10 79	060	59,8
	388	89,8
	400	90,3
	508	92,4
	512	64,5
	524	68,4
	528	69,7
	800	140,9
	804	87,0
	999	84,8
0808 20 47	388	69,5
	512	32,2
	528	60,4
	804	106,6
	999	67,2
0809 20 49	052	264,5
	064	208,5
	068	193,3
	400	235,2
	999	225,4
0809 30 31, 0809 30 39	052	99,9
	999	99,9

⁽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 DIRECTIVE 97/39/EC

of 24 June 1997

adapting to technical progress Council Directive 75/443/EEC of 26 June 1975
relating to the reverse and speedometer equipment of motor vehicles

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC⁽¹⁾ of 6 February 1970 relating to the type-approval of motor vehicles and their trailers, as last amended by European Parliament and Council Directive 96/79/EC⁽²⁾, and in particular Article 13 (2) thereof,

Having regard to Council Directive 75/443/EEC of 26 June 1975 on the approximation of the laws of the Member States relating to the reverse and speedometer equipment of motor vehicles⁽³⁾, and in particular Article 6 thereof,

Whereas Directive 75/443/EEC is one of the separate Directives of the EC type-approval procedure which has been established by Directive 70/156/EEC; whereas, consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive;

Whereas, in particular, Articles 3 (4) and 4 (3) of Directive 70/156/EEC necessitate that each separate Directive has attached to it an information document incorporating the relevant items of Annex I to that Directive and also a type-approval certificate based on Annex VI thereto in order that type-approval may be computerised;

Whereas it is also desirable to align the technical specifications of this Directive with those of the corresponding UN-EEC Regulation No 39;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/443/EEC shall be amended as follows:

1. Article 1 shall be amended to read at the end: '... rails and of agricultural and forestry tractors and all mobile machinery.'

2. The Annexes shall be amended in accordance with the Annex to this Directive.

Article 2

1. With effect from 1 October 1997 Member States may not:

- refuse, in respect of a type of vehicle, to grant EC type-approval or national type-approval, or
- prohibit the registration, sale or entry into service of vehicles,

on grounds relating to the reverse and speedometer equipment if the vehicles comply with the requirements of Directive 75/443/EEC, as amended by this Directive.

2. With effect from 1 October 1998, the Member States:

- shall no longer grant EC type-approval, and
- may refuse to grant national type-approval

for a type of vehicle on grounds relating to the reverse and speedometer equipment, if the requirements of Directive 75/443/EEC, as amended by this Directive, are not fulfilled.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 October 1997. They shall forthwith inform the Commission thereof.

2. When the Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 18, 21. 1. 1997, p. 7.

⁽³⁾ OJ No L 196, 26. 7. 1975, p. 1.

Article 4

This Directive shall enter into force the twentieth day after its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 24 June 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

— A list of Annexes shall be inserted after the Articles to read:

‘LIST OF ANNEXES

ANNEX I: Reverse

ANNEX II: Speedometer equipment.

Appendix 1: Information document

Appendix 2: Type-approval certificate’

— Amendments to Annex II:

— Item 3 shall be replaced by the following item 3:

‘3. APPLICATION FOR EC TYPE-APPROVAL OF A VEHICLE TYPE

3.1. The application for EC type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a vehicle type with regard to its reverse and speedometer equipment shall be submitted by the manufacturer.

3.2. A model for the information document is given in Appendix 1.

3.3. the following must be submitted to the technical service responsible for conducting the type-approval tests:

3.3.1. a vehicle representative of the type to be approved.’

— Items 4.2.1 and 4.2.2 shall be amended to read:

‘4.2.1. The graduations shall be of 1, 2, 5 or 10 km/h. The values of the speed shall be indicated on the dial as follows:

4.2.1.1. when the highest value on the dial does not exceed 200 km/h, speed values shall be indicated at intervals not exceeding 20 km/h;

4.2.1.2. when the highest value on the dial exceeds 200 km/h, then the speed values shall be indicated at intervals not exceeding 30 km/h.

4.2.2. In the case of a speedometer manufactured for sale in any Member State where imperial units of measurement are used, and where transitional arrangements in accordance with Article 5 are in force, the speedometer shall also be marked in mph (miles per hour); the graduations shall be of 1, 2, 5 or 10 mph. The values of the speed shall be indicated on the dial at intervals not exceeding 20 mph.

4.2.3. The indicated speed value intervals need not be uniform.’

— Three new items 5 to 7 shall be inserted to read:

‘5. GRANTING OF EC TYPE-APPROVAL OF A VEHICLE TYPE

5.1. If the relevant requirements are satisfied, EC type-approval pursuant to Article 4 (3) and, if applicable, 4 (4) of Directive 70/156/EEC shall be granted.

5.2. A model for the EC type-approval certificate is given in Appendix 2.

5.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of vehicle approved. The same Member State shall not assign the same number to another type of vehicle.

6. MODIFICATIONS OF THE TYPE AND AMENDMENTS TO APPROVALS

6.1. In the case of modifications of the type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

7. CONFORMITY OF PRODUCTION

7.1. As a general rule, measures to ensure conformity of production shall be taken in accordance with the provisions laid down in Article 10 of Directive 70/156/EEC.’

— The following two new Appendices 1 and 2 shall be inserted:

Appendix 1

Information document No (*)

**(in accordance with Annex I of Council Directive 70/156/EEC)
relating to EC type-approval of a vehicle with respect to the reverse and speedometer equip-
ment (*)**

(Directive 75/443/EEC, as last amended by Directive .../.../EC)

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. GENERAL

0.1 Make (trade name of manufacturer):

0.2 Type and general commercial description(s):

0.3 Means of identification of type, if marked on the vehicle (b):

0.3.1 Location of that marking:

0.4 Category of vehicle (c):

0.5 Name and address of manufacturer:

0.8 Address(es) of assembly plant(s):

1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

1.1 Photographs and/or drawings of a representative vehicle:

2. MASSES AND DIMENSIONS (e) (in kg and mm)

(Refer to drawing where applicable)

2.6 Mass of the vehicle with bodywork and with coupling device in the case of a towing vehicle of category other than M1 in running order, or mass of the chassis with cab if the manufacturer does not fit the bodywork and/or coupling device (including coolant, oils, fuel, 100 % other liquid except used waters, tools, spare wheel and driver and, for buses and coaches, the mass of the crew member (75 kg) if there is a crew seat in the vehicle) (o) (max. and min. for each variant):

2.6.1 Distribution of this mass among the axles and, in the case of a semi-trailer or centre-axle trailer, load on the coupling point (max. and min.):

(*) The item numbers and footnotes used in this Information Document correspond to those set out in Annex to Directive 70/156/EEC. Items not relevant for the purpose of this Directive are omitted.

4. TRANSMISSION (v)

4.2 Type (mechanical, hydraulic, electric, etc.):

4.5 Gearbox:

4.5.3 Method of control:

4.6 Gear ratios

Gear	Internal gearbox ratios (ratios of engine to gearbox output shaft revolutions)	Final drive ratio(s) (ratio of gearbox output shaft to driven wheel revolutions)	Total gear ratios
Maximum for CVT (*)			
1			
2			
3			
...			
Minimum for CVT (*)			
Reverse			

(*) Continuously variable transmission

4.7 Maximum vehicle speed (in km/h)(w):

4.8 Speedometer (in the case of tachograph give approval mark only):

4.8.1 Method of operation and description of drive mechanism:

4.8.2 Instrument constant:

4.8.3 Tolerance of the measuring mechanism (pursuant to item 2.1.3 of Annex II to Directive 75/443/EEC):

4.8.4 Overall transmission ratio (pursuant to item 2.1.2 of Annex II to Directive 75/443/EEC) or equivalent data:

4.8.5 Diagram of the speedometer scale or other forms of display:

6. SUSPENSION

6.6 Tyres and wheels

6.6.2 Upper and lower limits of rolling radii

6.6.2.1 Axle 1:

6.6.2.2 Axle 2:

6.6.2.3 Axle 3:

6.6.2.4 Axle 4:

6.6.3 Tyre pressure(s) as recommended by the vehicle manufacturer: kPa

Appendix 2

MODEL

Maximum format: A4 (210 × 297 mm)

EC TYPE-APPROVAL CERTIFICATE

Stamp of
administration

Communication concerning the:

- type-approval ⁽¹⁾,
- extension of type-approval ⁽¹⁾,
- refusal of type-approval ⁽¹⁾,
- withdrawal of type-approval ⁽¹⁾,

of a type of a vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive 75/443/EEC, as last amended by Directive .../.../EC.

Type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name):
- 0.2. Type and general commercial description(s):
- 0.3. Means of identification of type if marked on the vehicle/component/separate technical unit ⁽¹⁾ ⁽²⁾:
.....
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle ⁽¹⁾ ⁽³⁾:
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EC approval mark:
- 0.8. Address(es) of assembly plant(s):

SECTION II

- 1. Additional information (where applicable): See Addendum
- 2. Technical service responsible for carrying out the tests:
- 3. Date of test report:
- 4. Number of test report:
- 5. Remarks (if any): See Addendum

6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

(¹) Delete where not applicable.

(²) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this type-approval certificate such characters shall be represented in the documentation by the symbol: '?' (e.g. ABC??123??).

(³) As defined in Annex II A to Directive 70/156/EEC.

Addendum

to EC type-approval certificate No ...

concerning the type-approval of a vehicle with regard to Directive 75/443/EEC, as last amended by Directive .../.../EC

1. ADDITIONAL INFORMATION

1.1. Speedometer

1.1.1. Means of identification, if available, and location thereof:

5. REMARKS

(e.g. valid for both left-hand drive and right-hand drive vehicles)

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 June 1997

appointing a member of the Economic and Social Committee

(97/415/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 194 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 166 thereof,

Having regard to Council Decision 94/660/EC, Euratom of 26 September 1994 appointing the members of the Economic and Social Committee for the period from 21 September 1994 to 20 September 1998 (⁽¹⁾),

Whereas a seat as a member of that Committee has fallen vacant following the death of Mr Alphonse Bernard, of which the Council was notified on 28 March 1996,

Having regard to the nominations submitted by the French Government on 14 March 1997,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Jean-Claude Quentin is hereby appointed a member of the Economic and Social Committee in place of Mr Alphonse Bernard for the remainder of the latter's term of office, which runs until 20 September 1998.

Done at Luxembourg, 27 June 1997.

For the Council

The President

A. JORRITSMA-LEBBINK

(¹) OJ No L 257, 5. 10. 1994, p. 20.

COUNCIL DECISION

of 30 June 1997

abrogating the decision on the existence of an excessive deficit in the Netherlands

(97/416/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 104c (12) thereof,

Having regard to the recommendation from the Commission,

Whereas the second stage for achieving economic and monetary union began on 1 January 1994; whereas Article 109e (4) lays down that, during the second stage, Member States are to endeavour to avoid excessive government deficits;

Whereas there is an excessive deficit procedure which provides for a decision on the existence of an excessive deficit and, after the excessive deficit has been corrected, for the abrogation of that decision; whereas during the second stage, the excessive deficit procedure is determined by Article 104c excluding paragraphs 1, 9 and 11; whereas the Protocol on the excessive deficit procedure annexed to the Treaty sets out further provisions relating to the implementation of the excessive deficit procedure; whereas Regulation (EC) No 3605/93⁽¹⁾ lays down detailed rules and definitions for the application of the provisions of the said Protocol;

Whereas following a recommendation from the Commission in accordance with Article 104c (6) the Council decided that an excessive deficit existed in the Netherlands; whereas in accordance with Article 104c (7) the Council made recommendations to the Netherlands with a view to bringing the excessive deficit situation to an end;

Whereas a Council Decision on the existence of an excessive deficit is to be abrogated, in accordance with the provisions of Article 104c (12), when the excessive deficit in the Member State concerned has, in the view of the Council, been corrected;

Whereas when abrogating the decision the Council is to act on a recommendation from the Commission; whereas, based on the data provided by the Commission after reporting by the Netherlands in March 1997 in accordance with Regulation (EC) No 3605/93, the following conclusions are warranted:

The general government deficit moderately widened in 1994 and 1995 to 4 % of GDP partly due to exceptional expenditure related to the reform of the social housing sector but this evolution has since been reversed. For 1996 the Council had recommended that the deficit should be reduced significantly below 2,8 % of GDP: the deficit was actually lowered to 2,4 % of GDP, a level below the Treaty reference value. It is expected to decline to about 2,3 % of GDP in 1997. According to the updated convergence programme of the Netherlands the general government deficit may decline further to 1,5 % in 1998.

Growth dynamics and the decrease in the deficit have now put the government gross debt ratio on a downward path: from a peak of 80,5 % of GDP reached in 1993, the debt ratio fell to 78,5 % in 1996.

The deficit was below the Treaty reference value in 1996 and is expected to remain so in 1997 and to decline further in the medium term; the gross debt ratio is currently decreasing and is expected to be on an accelerated declining path in the coming years,

HAS ADOPTED THIS DECISION:

Article 1

From an overall assessment it follows that the excessive deficit situation in the Netherlands has been corrected.

Article 2

The Council Decision of 26 September 1994 on the existence of an excessive deficit in the Netherlands is hereby abrogated.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Luxembourg, 30 June 1997.

*For the Council**The President*

A. NUIS

⁽¹⁾ Council Regulation (EC) No 3605/93 of 22 November 1993 on the application of the Protocol on the excessive deficit procedure annexed to the Treaty establishing the European Community (OJ No L 332, 31. 12. 1993, p. 7).

COUNCIL DECISION

of 30 June 1997

abrogating the decision on the existence of an excessive deficit in Finland

(97/417/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 104c (12) thereof,

Having regard to the recommendation from the Commission,

Whereas the second stage for achieving economic and monetary union began on 1 January 1994; whereas Article 109e (4) lays down that, during the second stage, Member States are to endeavour to avoid excessive government deficits;

Whereas there is an excessive deficit procedure which provides for a decision on the existence of an excessive deficit and, after the excessive deficit has been corrected, for the abrogation of that decision; whereas during the second stage, the excessive deficit procedure is determined by Article 104c excluding paragraphs 1, 9 and 11; whereas the Protocol on the excessive deficit procedure annexed to the Treaty sets out further provisions relating to the implementation of the excessive deficit procedure; whereas Regulation (EC) No 3605/93⁽¹⁾ lays down detailed rules and definitions for the application of the provisions of the said Protocol;

Whereas following a recommendation from the Commission in accordance with Article 104c (6) the Council decided that an excessive deficit existed in Finland; whereas in accordance with Article 104c (7) the Council made recommendations to Finland with a view to bringing the excessive deficit situation to an end;

Whereas a Council Decision on the existence of an excessive deficit is to be abrogated, in accordance with the provisions of Article 104c (12), when the excessive deficit in the Member State concerned has, in the view of the Council, been corrected;

Whereas when abrogating the decision the Council is to act on a recommendation from the Commission; whereas, based on the data provided by the Commission after reporting by Finland in March 1997 in accordance with Regulation (EC) No 3605/93, the following conclusions are warranted:

The widening of the government deficit during the deep recession of 1990-1993 has been reversed since then. The general government net borrowing in Finland declined in 1994 and 1995, and further in 1996, when it reached 2,6 % of GDP, a level below the Treaty reference value. General government net borrowing is expected to decline to 1,9 % of GDP in 1997. The updated Finnish convergence programme aims at a general government surplus in 1999.

The increasing trend in the government gross debt ratio has been brought to an end after 1994; the debt ratio declined in 1995 and 1996, when it was 58,7 % of GDP. The debt ratio has never exceeded the Treaty reference value of 60 % of GDP.

The deficit was below the Treaty reference value in 1996 and is expected to remain so in 1997 and to decline further, turning into a surplus in the medium term; the gross debt ratio is below the Treaty reference value and is expected to remain so in the foreseeable future,

HAS ADOPTED THIS DECISION:

Article 1

From an overall assessment it follows that the excessive deficit situation in Finland has been corrected.

Article 2

The Council Decision of 10 July 1995 on the existence of an excessive deficit in Finland is hereby abrogated.

Article 3

This Decision is addressed to the Republic of Finland.

Done at Luxembourg, 30 June 1997.

For the Council

The President

A. NUIS

⁽¹⁾ Council Regulation (EC) No 3605/93 of 22 November 1993 on the application of the Protocol on the excessive deficit procedure annexed to the Treaty establishing the European Community (OJ No L 332, 31. 12. 1993, p. 7).

Information relating to the entry into force of the Agreement between the European Community and the Republic of Ecuador on precursors and chemical substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances⁽¹⁾

The Agreement between the European Community and the Republic of Ecuador on precursors and chemical substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances, which the Council decided to conclude on 18 December 1995, entered into force on 1 August 1997, the procedures provided for in Article 12 of the Agreement having been completed on 17 June 1997.

⁽¹⁾ OJ No L 324, 30. 12. 1995, p. 18.

COMMISSION

COMMISSION DECISION

of 19 June 1997

amending Annex I of Decision No 89/651/EEC relating to the definitions of the characteristics and to the list of agricultural products regarding the surveys on the structure of agricultural holding

(Text with EEA relevance)

(97/418/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings ⁽¹⁾, as last amended by Regulation (EC) No 2467/96 ⁽²⁾ and in particular Article 8 (1) and Article 15 thereof,

Whereas, in accordance with Article 8 (1) of Regulation (EEC) No 571/88, any changes to the list of survey characteristics, as well as to the definitions of the survey characteristics and to the delimitation of the regions, survey districts and other territorial units, are laid down under the procedure given in Article 15 of this Regulation, i.e. by Commission decision following the Opinion delivered by the Standing Committee on Agricultural Statistics;

Whereas the results of the Community surveys on the structure of agricultural holdings provided for in Regulation (EEC) No 571/88 can be in concordance throughout the European Community only if the terms contained in the list of characteristics are understood and applied in a uniform manner;

Whereas the list of survey characteristics has been last amended by Commission Decision 96/170/EC ⁽³⁾ and

whereas Commission Decision 89/651/EEC ⁽⁴⁾, as also last amended by Decision 96/170/EC, lays down the definitions, regions and survey districts to be applied in the framework of the 1988 to 1997 structure surveys; whereas as a consequence Commission Decision 89/651/EEC has to be adapted and supplemented;

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

HAS ADOPTED THIS DECISION:

Article 1

Annex I of Decision 89/651/EEC is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 June 1997.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

⁽¹⁾ OJ No L 56, 2. 3. 1988, p. 1.

⁽²⁾ OJ No L 335, 24. 12. 1996, p. 3.

⁽³⁾ OJ No L 47, 24. 2. 1996, p. 23.

⁽⁴⁾ OJ No L 391, 30. 12. 1989, p. 1.

ANNEX

The text shown under 'D/21 fallow land' in Annex I of Decision 89/651/EEC is replaced by the following:

'D/21 Fallow land without any subsidies

and

D/22 Fallow land subject to set-aside incentive schemes with no economic use

- II. Fallow land is not to be confused with successive crops (I/01) and unutilized agricultural area (H/01). The essential characteristic of fallow land is that it is left to recover, normally for the whole of a crop year.

Fallow land may be:

1. bare land bearing no crops at all;
2. land with spontaneous natural growth, which may be used as feed or ploughed in;
3. land sown exclusively for the production of green manure (green fallow).

D/21 Fallow land without any subsidies

- I. All land included in the crop rotation system, whether worked or not, but not producing a harvest for the duration of a crop year, for which no financial aid or subsidy is paid.

D/22 Fallow land subject to set-aside incentive schemes with no economic use

- I. Areas for which the holding is entitled to financial aid in order to encourage the set-aside of arable land according to Council Regulation (EEC) No 2328/91 ⁽¹⁾, as well as according to Council Regulation (EEC) No 1765/92 ⁽²⁾ and Commission Regulation (EEC) No 334/93 ⁽³⁾ or, where applicable, the most recent legislation. If there are similar national schemes, the corresponding areas are also included in that characteristic. Areas under schemes in which the area is taken out of production for more than five years should be recorded under H/01 + H/03.'

⁽¹⁾ OJ No L 218, 6. 8. 1991, p. 1.
⁽²⁾ OJ No L 181, 1. 7. 1992, p. 12.
⁽³⁾ OJ No L 38, 16. 2. 1993, p. 12.

CORRIGENDA

Corrigendum to Commission Decision 97/401/EC of 17 June 1997 amending Decision 94/324/EC laying down specific conditions for importing fishery and aquaculture products from Indonesia

(Official Journal of the European Communities No L 166 of 25 June 1997)

Page 15, Annex, first column 'Approval number':

for: '102.21.B',

read: '106.21.B'.
