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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1763/97
of 11 September 1997
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat⁽¹⁾,

Whereas Commission Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2 (f);

Whereas Article 2 (f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1997 to 30 June 1998 at 11 500 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of

validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 September 1997 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2 (f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of October 1997 for 1 503 tonnes.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 137, 28. 5. 1997, p. 10.

COMMISSION REGULATION (EC) No 1764/97
of 11 September 1997
amending Regulation (EC) No 2805/95 fixing the export refunds in the wine
sector

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 1417/97 ⁽²⁾, and in particular Article 55 (3) thereof,

Whereas, pursuant to Article 55 of Regulation (EEC) No 822/87 to the extent necessary to enable the products listed in Article 1 (2) (a) and (b) of that Regulation to be exported on the basis of the prices for those products on the world market and within the limits of the Agreements concluded in accordance with Article 228 of the Treaty, the difference between those prices and the prices in the Community may be covered by an export refund;

Whereas, pursuant to Article 56 (3) of Regulation (EEC) No 822/87, refunds are to be fixed taking into account the situation and likely trends with regard to:

- prices and availability of the products in question on the Community market,
- world market prices for those products;

Whereas account must also be taken of the other criteria and objectives referred to in Article 56 (3) of Regulation (EEC) No 822/87; whereas, in particular, consideration must be given to the limits of the Agreements concluded

in accordance with Article 228 of the Treaty, and in particular those resulting from the agreements concluded in the framework of the Uruguay Round of multilateral trade negotiations;

Whereas, when applying the abovementioned rules to the current market situation, the refunds should be fixed in accordance with the Annex to this Regulation; whereas Commission Regulation (EC) No 2805/95 of 5 December 1995 fixing the export refunds in the wine sector ⁽³⁾, as last amended by Regulation (EC) No 1100/97 ⁽⁴⁾, should be amended accordingly and provision made to implement it immediately;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2805/95 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ L 196, 24. 7. 1997, p. 10.

⁽³⁾ OJ L 291, 6. 12. 1995, p. 10.

⁽⁴⁾ OJ L 160, 18. 6. 1997, p. 3.

ANNEX

ANNEX

CN code	Product code	For export to (1)	Refund (ECU/ht)
2009 60 11 2009 60 19 2009 60 51 2009 60 71 2204 30 92 2204 30 94 2204 30 96 2204 30 98	9100	01	45,641 45,641 45,641 45,641 45,641 12,093 45,641 12,093
2204 21 79 2204 21 79 2204 21 83	9120 9220 9120	02 and 09 02 and 09	4,782
2204 21 79	9180	02	8,964
2204 21 80	9180	02	10,595
2204 21 79	9180	09	8,388
2204 21 80	9180	09	9,915
2204 21 79	9280	02	10,494
2204 21 80	9280	02	12,405
2204 21 79	9280	09	9,820
2204 21 80	9280	09	11,607
2204 21 83	9180	02	12,243
2204 21 84	9180	02	14,473
2204 21 83	9180	09	11,457
2204 21 84	9180	09	13,542
2204 21 79	9910	02 and 09	4,782
2204 21 94 2204 21 98	9910	02 and 09	15,000
2204 29 62 2204 29 64 2204 29 65 2204 29 83	9120	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9220	02 and 09	4,782
2204 29 62 2204 29 64 2204 29 65	9180	02	8,964
2204 29 71 2204 29 72 2204 29 75	9180	02	10,595

CN code	Product code	For export to ⁽¹⁾	Refund (ECU/hl)
2204 29 62 2204 29 64 2204 29 65	9180	09	8,388
2204 29 71 2204 29 72 2204 29 75	9180	09	9,915
2204 29 62 2204 29 64 2204 29 65	9280	02	10,494
2204 29 71 2204 29 72 2204 29 75	9280	02	12,405
2204 29 62 2204 29 64 2204 29 65	9280	09	9,820
2204 29 71 2204 29 72 2204 29 75	9280	09	11,607
2204 29 83	9180	02	12,243
2204 29 84	9180	02	14,473
2204 29 83	9180	09	11,457
2204 29 84	9180	09	13,542
2204 29 62 2204 29 64 2204 29 65	9910	02 and 09	4,782
2204 29 94 2204 29 98	9910	02 and 09	15,000

⁽¹⁾ The destinations are as follows:

- 01 — Libya, Nigeria, Cameroon, Gabon,
 - Saudi Arabia, United Arab Emirates, India, Thailand, Vietnam, Indonesia, Malaysia, Brunei, Singapore, Philippines, China, South Korea, Japan, Taiwan, Equatorial Guinea,
- 02 all countries of the African continent with the exception of those explicitly excluded under 09,
- 09 all destinations other than those in 02, with the exception of the following third countries and territories:
 - all countries of the American continent within the meaning of Commission Regulation (EEC) No 208/93 (OJ L 25, 2. 2. 1993, p. 11),
 - Algeria,
 - Australia,
 - Bosnia-Herzegovina,
 - Croatia,
 - Cyprus,
 - Israel,
 - Morocco,
 - The Republic of Serbia and Montenegro,
 - Slovenia,
 - South Africa,
 - Switzerland,
 - The former Yugoslav Republic of Macedonia,
 - Tunisia,
 - Turkey,
 - Hungary,
 - Bulgaria,
 - Romania.

COMMISSION REGULATION (EC) No 1765/97

of 11 September 1997

temporarily suspending the issue of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 417/97 ⁽⁴⁾, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the

issue of export licences for the products involved should be temporarily suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The issue of export licences for milk products falling within CN code 0406 is hereby suspended for the period 12 September to 30 September 1997.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 144, 28. 6. 1995, p. 22.

⁽⁴⁾ OJ L 64, 5. 3. 1997, p. 1.

COMMISSION REGULATION (EC) No 1766/97
of 11 September 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 Commission 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 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 11 September 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 79	052	74,1
	999	74,1
0805 30 30	388	68,5
	524	65,6
	528	55,0
	999	63,0
0806 10 40	052	76,6
	064	68,7
	400	194,2
	999	113,2
0808 10 92, 0808 10 94, 0808 10 98	388	49,5
	400	55,5
	512	45,1
	528	55,9
	804	84,2
	999	58,0
0808 20 57	052	86,6
	064	86,8
	388	34,9
	512	8,9
	528	64,8
	999	56,4
0809 30 41, 0809 30 49	400	136,7
	999	136,7
0809 40 30	052	55,7
	064	53,8
	066	62,5
	068	49,5
	400	107,5
	624	146,4
	999	79,2

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

COMMISSION REGULATION (EC) No 1767/97

of 11 September 1997

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

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⁾, and in particular Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 1259/97⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.
⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.
⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.
⁽⁴⁾ OJ L 174, 2. 7. 1997, p. 10.

ANNEX

to the Commission Regulation of 11 September 1997 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	—	—	1101 00 15 9100	01	0
1001 90 91 9000	—	—	1101 00 15 9130	01	0
1001 90 99 9000	—	—	1101 00 15 9150	01	0
1002 00 00 9000	03	13,00	1101 00 15 9170	01	0
	02	0	1101 00 15 9180	01	0
1003 00 10 9000	—	—	1101 00 15 9190	—	—
1003 00 90 9000	03	2,00	1101 00 90 9000	—	—
	02	0	1102 10 00 9500	01	31,50
1004 00 00 9200	—	—	1102 10 00 9700	—	—
1004 00 00 9400	—	—	1102 10 00 9900	—	—
1005 10 90 9000	—	—	1103 11 10 9200	—	— ⁽²⁾
1005 90 00 9000	—	—	1103 11 10 9400	—	— ⁽²⁾
1007 00 90 9000	—	—	1103 11 10 9900	—	—
1008 20 00 9000	—	—	1103 11 90 9200	01	0 ⁽²⁾
			1103 11 90 9800	—	—

⁽¹⁾ The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein.

⁽²⁾ No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1768/97

of 11 September 1997

fixing the corrective amount applicable to the refund on cereals

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⁾, and in particular Article 13 (8) thereof,

Whereas Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

Whereas Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 1259/97⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1 (1)(c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.
⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.
⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.
⁽⁴⁾ OJ L 174, 2. 7. 1997, p. 10.

⁽⁵⁾ OJ L 387, 31. 12. 1992, p. 1.
⁽⁶⁾ OJ L 22, 31. 1. 1995, p. 1.
⁽⁷⁾ OJ L 108, 1. 5. 1993, p. 106.
⁽⁸⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 11 September 1997 fixing the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination ⁽¹⁾	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	0	0	0	0	—	—
1002 00 00 9000	01	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	—	—	—	—	—	—	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	0	0	—	—
1101 00 15 9130	01	0	0	0	0	0	—	—
1101 00 15 9150	01	0	0	0	0	0	—	—
1101 00 15 9170	01	0	0	0	0	0	—	—
1101 00 15 9180	01	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	—	—	—	—	—	—	—	—
1103 11 10 9400	—	—	—	—	—	—	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:

01 all third countries.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 1769/97
of 11 September 1997
fixing the export taxes on cereal products

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 16 thereof,

Whereas Article 16 of Regulation (EC) No 1766/92 provides that where quotations or prices on the world market for certain products reach the level of Community prices and such situation is likely to continue and deteriorate thereby disturbing or threatening to disturb the Community market, appropriate measures may be taken; whereas Article 15 of Commission Regulation (EC) No 1501/95⁽³⁾, as last amended by Regulation (EC) No 1259/97⁽⁴⁾, provides that where such conditions are met, an export tax may be fixed and may vary according to the destination;

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

from the Community; whereas it has therefore been decided to apply an export tax to these products at a level adapted to the current situation on the world market and which will avoid disturbance to the Community market;

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

Whereas the Management Committee for Cereals has not delivered an opinion within the time-limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export taxes referred to in Article 15 of Regulation (EC) No 1501/95 are fixed at the level set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 174, 2. 7. 1997, p. 10.

⁽⁵⁾ OJ L 16, 20. 1. 1989, p. 19.

⁽⁶⁾ OJ L 293, 16. 11. 1996, p. 3.

ANNEX

CN code	Level of export tax in ECU/tonne
1001 10 00	15,00
1001 90 99	6,00
1101 00 11	22,50
1101 00 15	—
1101 00 90	—
1103 11 10	22,50
1103 11 90	—

COMMISSION REGULATION (EC) No 1770/97

of 11 September 1997

concerning tenders notified in response to the invitation to tender for the export
of barley issued in Regulation (EC) No 1337/97

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 Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 1259/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and or the tax for the export of barley to all third countries was opened pursuant to Commission Regulation (EC) No 1337/97⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No

1766/92 and on the basis of the tenders notified, to make no award;

Whereas on the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund or a minimum tax should not be fixed;

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

No action shall be taken on the tenders notified from 5 September to 11 September 1997 in response to the invitation to tender for the refund or the tax for the export of barley issued in Regulation (EC) No 1337/97.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 174, 2. 7. 1997, p. 10.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 1.

COMMISSION REGULATION (EC) No 1771/97**of 11 September 1997****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1339/97**

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 Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 1259/97⁽⁴⁾, and in particular Article 7 thereof,

Whereas an invitation to tender for the refund and/or the tax for the export of common wheat to all third countries was opened pursuant to Commission Regulation (EC) No 1339/97⁽⁵⁾;

Whereas Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No

1501/95; whereas in that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund, as well as to any tenderer whose bid relates to an export tax;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

For tenders notified from 5 to 11 September 1997, pursuant to the invitation to tender issued in Regulation (EC) No 1339/97, the maximum refund on exportation of common wheat shall be ECU 0,00 per tonne.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ L 174, 2. 7. 1997, p. 10.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 7.

COMMISSION REGULATION (EC) No 1772/97**of 11 September 1997****amending representative prices and additional duties for the import of certain products in the sugar sector**

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

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 1143/97 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1222/97 ⁽⁵⁾, as last amended by Regulation (EC) No 1762/97 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1997.

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

Done at Brussels, 11 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ L 165, 24. 6. 1997, p. 11.

⁽⁵⁾ OJ L 173, 1. 7. 1997, p. 3.

⁽⁶⁾ OJ L 248, 11. 9. 1997, p. 18.

ANNEX

to the Commission Regulation of 11 September 1997 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	25,43	3,66
1701 11 90 ⁽¹⁾	25,43	8,82
1701 12 10 ⁽¹⁾	25,43	3,52
1701 12 90 ⁽¹⁾	25,43	8,39
1701 91 00 ⁽²⁾	28,56	10,95
1701 99 10 ⁽²⁾	28,56	6,43
1701 99 90 ⁽²⁾	28,56	6,43
1702 90 99 ⁽³⁾	0,29	0,36

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COMMISSION

DECISION No 2/97 OF THE EC-TURKEY CUSTOMS COOPERATION COMMITTEE

of 30 May 1997

amending Decision No 1/96 laying down detailed rules for the application of Decision No 1/95 of the EC-Turkey Association Council

(97/614/EC)

THE CUSTOMS COOPERATION COMMITTEE,

HAS DECIDED AS FOLLOWS:

Having regard to the Agreement of 12 September 1963 establishing an association between the EEC and Turkey,

Article 1

Having regard to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union ⁽¹⁾ and in particular Article 3 (6) thereof,

Decision No 1/96 of the EC/Turkey Customs Cooperation Committee is amended as follows:

1. The following sentences are added to Article 7 (3):

'However, products constituting one single consignment may be transported through other territories with, should the occasion arise, transshipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.'

Products from Turkey or from the Community may be transported by pipeline across territory other than that of the Community or that of Turkey.'

Whereas there is a need to supplement Decision No 1/96 of the Customs Cooperation Committee of 20 May 1996 laying down detailed rules for the application of Decision No 1/95 of the EC-Turkey Association Council ⁽²⁾, in particular in order to define the conditions under which A.TR. certificates may be issued retrospectively and also to facilitate the arrangements for administrative cooperation, and to amend it in order to take into account the fact that no A.TR. certificate is used for the release for free circulation of compensation products after outward processing with partial or total relief from import duties in the one part of the customs union other than that from which the goods were temporarily exported;

2. Article 7 (4) is replaced by the following:

'4. Evidence that the conditions set out in paragraph 3 have been fulfilled shall be supplied to the customs authorities of the importing country by the production of:

- (a) a single transport document covering the passage from the exporting country through the country of transit; or

Whereas there is a need to replace the specimen of the A.TR. certificate in order to align it better to the United Nations lay-out key,

⁽¹⁾ OJ L 35, 13. 2. 1996, p. 1.

⁽²⁾ OJ L 200, 9. 8. 1996, p. 14.

- (b) a certificate issued by the customs authorities of the country of transit:
 - (i) giving an exact description of the products;
 - (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and
 - (iii) certifying the conditions under which the products remained in the transit country; or
- (c) failing these, any substantiating documents.'

3. The second sub-paragraph of Article 8 (1) is deleted.

4. Article 9 is replaced by the following:

'1. Movement certificate A.TR. must be submitted, within four months of the date of endorsement by the customs authorities of the exporting country, to the customs authorities of the importing country where the goods are entered.

2. A.TR. movement certificates presented to the customs authorities of the importing country after the time-limit specified in paragraph 1 may be accepted where the failure to observe the time-limit is due to exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing country may accept A.TR. movement certificates where the products have been submitted before the said time-limit.'

5. In Article 11, the existing paragraphs are numbered 1 and 4. In the paragraph number 4, the words 'Box 12' are replaced by 'Box 8'. The following paragraphs are inserted:

'2. The discovery of slight discrepancies between the statements made in the A.TR. movement certificates and those made in the document submitted to the customs authorities for the purpose of carrying out the import formalities for the goods shall not *ipso facto* render the certificates null and void if it is duly established that the certificates correspond to the goods presented.

3. Obvious formal errors such as typing errors on A.TR. movement certificates should not cause these certificates to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in these certificates.'

6. In Article 13, in the second paragraph of Article 2 and in Paragraph 3 the words 'Box 12' are replaced by 'Box 8'.

7. Article 15 is replaced by the following:

'Article 15

Administrative cooperation

1. The customs authorities of the Member States of the Community and of Turkey shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of A.TR. movement certificates and with the addresses of the customs authorities responsible for verifying those certificates.

2. In order to ensure the proper application of this Decision, the Community and Turkey shall assist each other, through the competent customs administrations, in checking the authenticity of A.TR. movement certificates and the correctness of the information given in them.'

8. The following provisions are inserted after Article 16:

'Article 16 A

Retrospective issue of A.TR. movement certificates

1. Notwithstanding Article 8 (1), A.TR. movement certificates may exceptionally be issued after exportation of the products to which they relate if:

- (a) they were not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
- (b) it is demonstrated to the satisfaction of the customs authorities that an A.TR. movement certificate was issued but was not accepted at importation for technical reasons.

2. For the implementation of paragraph 1, the exporter must indicate in his application the place and date of exportation of the products to which the A.TR. movement certificate relates, and state the reasons for his request.

3. The customs authorities may issue an A.TR. movement certificate retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

4. A.TR. movement certificates issued retrospectively must be endorsed in Box 8 with one of the following phrases:

- "EXPEDIDO A POSTERIORI"
- "UDSTEDT EFTERFØLGENDE"
- "NACHTRÄGLICH AUSGESTELLT"
- "ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ"
- "ISSUED RETROSPECTIVELY"
- "DÉLIVRÉ A POSTERIORI"

- “RILASCIATO A POSTERIORI”
- “AFGEGEVEN A POSTERIORI”
- “EMITIDO A POSTERIORI”
- “ANNETTU JÄLKIKÄTEEN”
- “UTFÄRDAT I EFTERHAND”
- “SONRADAN VERILMISTIR”.

Decision, may continue to be used until stocks are exhausted.

Article 2

This Decision shall enter into force on 1 September 1997.

9. The last sentence of Article 25 (2) is replaced by the following:

‘If it is not completely discharged, it shall be returned to the declarant and the declaration for release for free circulation shall be annotated accordingly.’

Done at Ankara, 30 May 1997.

10. Annex I is replaced by the Annex to this Decision. However, the forms shown in Decision 1/96, which were used prior to the date of entry into force of this

By the Customs Cooperation Committee

The President

A. OYARZÁBAL

ANNEX

MOVEMENT CERTIFICATE

ANNEX I

(¹) Insert
the
Member
State or
Turkey

1. Exporter (Name, full address, country)		A.TR. No A 000000	
		2. Transport document (Optional) No Date	
3. Consignee (Name, full address, country) (Optional)		4. ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY	
		5. Country of exportation	6. Country of destination (¹)
7. Transport details (Optional)		8. Remarks	
9. Item number	10. Marks and numbers; Number and kind of packages (for goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle); Description of goods		11. Gross weight (kg) or other measure (hl, m ³ , etc.)
12. CUSTOMS ENDORSEMENT		13. DECLARATION BY THE EXPORTER	
Declaration certified Export document (²): Form No Date Customs office Issuing country Place and date (Signature)		Stamp I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date (Signature)	

(²) Complete only where the exporting country requires.

14. REQUEST FOR VERIFICATION, to	15. RESULT OF VERIFICATION
Verification of the authenticity and accuracy of this certificate is requested.	Verification carried out shows that this certificate (¹):
..... (Place and date)	☐ was issued by the customs office indicated and that the information contained therein is accurate;
Stamp	☐ does not meet the requirements as to authenticity and accuracy (see remarks appended).
..... (Signature)	 (Place and date)
Stamp	Stamp
Full address of office making the request	 (Signature)
	 (¹) Insert X in the appropriate box.

NB: For technical reasons, the dimensions of the original certificate have been reduced by 5 %.

DECISION No 2/97 OF THE ESTONIA-EC JOINT COMMITTEE
of 20 June 1997

on the prolongation of the period provided for in Article 18 (3) of the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part

(97/615/EC)

THE ESTONIA-EC JOINT COMMITTEE,

Having regard to the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part⁽¹⁾, and in particular Article 18 (3), in conjunction with Article 38, thereof,

Whereas the Agreement provides for the possibility for Estonia, by way of derogation from Article 18 (1), to introduce, under certain conditions, tariff duties on a limited number of agricultural products originating in the Community; whereas such duties may only be introduced during the first two years following the entry into force of the Agreement; whereas this period ended on 31 December 1996; whereas Article 18 (3) of the Agreement provides for the possibility of prolonging, if necessary, the period by another year, by decision of the Joint Committee;

Whereas Estonia has requested, on 6 October 1996, such a prolongation; whereas since the conditions provided for in the said provisions are fulfilled, it is appropriate to accept this request,

HAS DECIDED:

Article 1

The period provided for in Article 18 (3) of the Agreement on free trade and trade-related matters between the

European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Estonia, of the other part, is hereby extended by one year until 31 December 1997.

Article 2

This Decision shall be published in the *Official Journal of the European Communities* and *Riigi Teataja* (Estonian State Gazette).

Article 3

This Decision shall enter into force on the day of its adoption.

It shall apply from 1 January 1997.

Done in Tallinn, 20 June 1997.

For the Joint Committee

The President

Priit KOLBRE

⁽¹⁾ OJ L 373, 31. 12. 1994, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1431/97 of 23 July 1997 amending Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT)

(Official Journal of the European Communities L 196 of 24 July 1997)

Page 44, Article 1 (2):

for: '2. Article 2 (2) is replaced by the following:

— Product to ACP/PTU:'

read: '2. Article 2 (2) is replaced by the following:

"2. The licence shall contain one of the following entries in box 24:

— Product to ACP/PTU:'
