

Official Journal

of the European Communities

ISSN 0378-6978

L 265

Volume 40

27 September 1997

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EC) No 1863/97 of 22 September 1997 establishing certain measures concerning imports of processed agricultural products from Switzerland in order to take account of the results of the Uruguay Round negotiations in the agricultural sector** 1
- Commission Regulation (EC) No 1864/97 of 26 September 1997 fixing the export refunds on rice and broken rice 4
- Commission Regulation (EC) No 1865/97 of 26 September 1997 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands 6
- Commission Regulation (EC) No 1866/97 of 26 September 1997 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira 8
- Commission Regulation (EC) No 1867/97 of 26 September 1997 fixing the export refunds on products processed from cereals and rice 10
- Commission Regulation (EC) No 1868/97 of 26 September 1997 fixing the export refunds on cereal-based compound feedingstuffs 13
- Commission Regulation (EC) No 1869/97 of 26 September 1997 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments 15
- Commission Regulation (EC) No 1870/97 of 26 September 1997 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands 17
- Commission Regulation (EC) No 1871/97 of 26 September 1997 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira 19

Price: ECU 25

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EC) No 1872/97 of 26 September 1997 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid.....	21
* Commission Regulation (EC) No 1873/97 of 26 September 1997 amending Regulations (EEC) No 584/92, (EC) No 1588/94, (EC) No 1600/95, (EC) No 1713/95 and (EC) No 455/97 as regards the issue of import licences for tariff quotas for milk and milk products.....	23
* Commission Regulation (EC) No 1874/97 of 26 September 1997 amending Regulation (EC) No 1466/95 laying down special detailed rules of application for export refunds on milk and milk products	25
* Commission Regulation (EC) No 1875/97 of 26 September 1997 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designations of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.....	26
* Commission Regulation (EC) No 1876/97 of 26 September 1997 opening the procedure for the allocation of export licences for products to be exported in 1998 to the United States of America under the additional quota for cheese resulting from the GATT Agreements	28
* Commission Regulation (EC) No 1877/97 of 26 September 1997 amending Regulation (EEC) No 2273/93 determining the intervention centres for cereals	33
Commission Regulation (EC) No 1878/97 of 26 September 1997 fixing the export refunds on milk and milk products	41
Commission Regulation (EC) No 1879/97 of 26 September 1997 amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products regarding the amounts of aid	49
Commission Regulation (EC) No 1880/97 of 26 September 1997 amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92	55
Commission Regulation (EC) No 1881/97 of 26 September 1997 amending Regulation (EC) No 1487/95 establishing the supply balance for the Canary Islands for products from the pigmeat sector and fixing the aid for products coming from the Community	65
Commission Regulation (EC) No 1882/97 of 26 September 1997 amending Regulation (EEC) No 1725/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the pigmeat sector and fixing the aid for products coming from the Community	67
Commission Regulation (EC) No 1883/97 of 26 September 1997 opening an invitation to tender for the refund or the tax for the export of common wheat to Ceuta, Melilla and certain ACP States	69

Contents (continued)

Commission Regulation (EC) No 1884/97 of 26 September 1997 amending Regulation (EC) No 1339/97 opening an invitation to tender for the refund or the tax for the export of common wheat to all third countries	73
Commission Regulation (EC) No 1885/97 of 26 September 1997 amending Regulation (EC) No 1777/97 on the supply of cereals as food aid	75
Commission Regulation (EC) No 1886/97 of 26 September 1997 fixing the maximum buying-in price and the quantities of beef to be bought in under the 189th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89	77
Commission Regulation (EC) No 1887/97 of 26 September 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables	79
Commission Regulation (EC) No 1888/97 of 26 September 1997 fixing the export refunds on beef and veal	81
* Council Directive 97/57/EC of 22 September 1997 establishing Annex VI to Directive 91/414/EEC concerning the placing of plant protection products on the market	87

Corrigenda

* Corrigendum to Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment (OJ L 181 of 9.7.1997)	110
--	------------

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1863/97
of 22 September 1997**

establishing certain measures concerning imports of processed agricultural products from Switzerland in order to take account of the results of the Uruguay Round negotiations in the agricultural sector

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, under the preferential agreement between the Community and Switzerland, concessions regarding certain processed agricultural products have been granted on a reciprocal basis;

Whereas, further to Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994)⁽¹⁾, certain concessions regarding processed agricultural products have been amended as from 1 July 1995;

Whereas as a result certain aspects of the Agreement concluded with Switzerland, and in particular the Protocol concerning processed agricultural products annexed to that Agreement, should be adjusted in order to maintain the existing level of reciprocal preferences;

Whereas to that end negotiations are still in progress with Switzerland with a view to the conclusion of amendments to that Protocol; whereas, however, it is not possible to conclude these negotiations in time in order to implement the necessary adjustments on 1 July 1997;

Whereas in those circumstances it is appropriate for the Community to adopt autonomous measures in order to maintain the existing level of reciprocal preferences, pending the conclusion of negotiations,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1997 to 30 June 1998, the basic amounts to be taken into account in the calculation of the agricultural components and the additional duties applicable on importation into the Community of goods originating in Switzerland shall be those mentioned in the Annex to this Regulation.

2. The Commission may, assisted by the committee referred to in Article 15 of Council Regulation (EC) No 3448/93⁽²⁾ and in accordance with the procedure laid down in Article 16 of that Regulation, suspend application of the measures provided for in paragraph 1 if Switzerland discontinues the application of its reciprocal measures in favour of the Community.

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 1 July 1997.

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

Done at Brussels, 22 September 1997.

For the Council

The President

F. BODEN

⁽¹⁾ OJ L 336, 23. 12. 1994, p. 1.

⁽²⁾ OJ L 318, 20. 12. 1993, p. 18.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE —
ALLEGATO — BIJLAGE — ANEXO — LIITE — BILAGA*

Importes de base, considerados para calcular los elementos agrícolas reducidos y derechos adicionales, aplicables a la importación en la Comunidad

Basisbeløb taget i betragtning ved beregningen af de nedsatte landbrugselementer og tillægstold som anvendes ved indførsel i Fællesskabet

Grundbeträge, die bei der Berechnung der ermäßigten Agrarteilbeträge und Zusatzzölle bei der Einfuhr in die Gemeinschaft berücksichtigt worden sind

Βασικά ποσά που ελήφθησαν υπόψη για τον υπολογισμό των μεταβλητών στοιχείων και πρόσθετων δασμών που εφαρμόζονται στα αγροτικά στοιχεία κατά την εισαγωγή στην Κοινότητα

Basic amounts taken into consideration in calculating the reduced agricultural components and additional duties, applicable on importation into the Community

Montants de base pris en considération pour le calcul des éléments agricoles réduits et droits additionnels applicables à l'importation dans la Communauté

Importi di base, presi in considerazione per il calcolo degli elementi agricoli e dei dazi addizionali applicabili all'importazione nella Comunità

Basisbedragen, in aanmerking genomen bij de berekening van de verlaagde agrarische elementen en aanvullende invoerrechten, geldend bij invoer in de Gemeenschap

Montantes de base tomados em consideração aquando do cálculo dos elementos agrícolas reduzidos e dos direitos adicionais aplicáveis à importação na Comunidade

Yhteisöön tulevaan tuontiin sovellettavia alennettuja maatalousosia ja lisätulleja laskettaessa huomioon otettavat perusmäärät

Grundpriser som beaktas vid beräkning av minskade jordbrukskomponenter och tilläggstull som skall utgå på import till gemenskapen

	ecus / ECU / Ecu / ecu / écus / ecua / 100 kg
Trigo blando / Blød hvede / Weichweizen / Μαλακό σιτάρι / Common wheat / Blé tendre / Grano tenero / Zachte tarwe / Trigo mole / Tavallinen vehnä / Vete	9,771
Trigo duro / Hård hvede / Hartweizen / Σκληρό σιτάρι / Durum wheat / Blé dur / Grano duro / Durumtarwe / Trigo duro / Durumvehnä / Durumvete	15,168
Centeno / Rug / Roggen / Σίκαλη / Rye / Seigle / Segala / Rogge / Centeio / Ruis / Råg	12,734
Cebada / Byg / Gerste / Κριθάρι / Barley / Orge / Orzo / Gerst / Cevada / Ohra / Korn	12,734
Maíz / Majs / Mais / Καλαμπόκι / Maize / Maïs / Granturco / Maïs / Milho / Maissi / Majs	11,040
Arroz descascarillado de grano largo / Ris, afskallet, langkornet / Reis, langkörnig, geschält / Αποφλοιωμένο ρύζι μακρόσπερμο / Long-grain husked rice / Riz décortiqué à grains longs / Riso semigreggio a grani lunghi / Langkorrelige gedopte rijst / Arroz em películas de grãos longos / Pitkäjyväinen esikuorittu riisi / Ris, skalat långkornigt	36,33
Leche desnatada en polvo / Skummetmælkspulver / Magermilchpulver / Αποδουτυρωμένο γάλα σε σκόνη / Skimmed-milk powder / Lait écrémé en poudre / Latte scremato in polvere / Magere-melkpoeder / Leite desnatado em pó / Rasvaton maitojauhe / Skummjölkspulver	137,182
Leche entera en polvo / Sødmeælkspulver / Vollmilchpulver / Πλήρες γάλα σε σκόνη / Whole-milk powder / Lait entier en poudre / Latte intero in polvere / Volle-melkpoeder / Leite inteiro em pó / Rasvainen maitojauhe / Mjölkpulver	179,3
Mantequilla / Smør / Butter / Βούτυρο / Butter / Beurre / Burro / Boter / Manteiga / Voi / Smör	260,647
Azúcar blanco / Hvidt sukker / Weißzucker / Λευκή ζάχαρη / White sugar / Sucre blanc / Zuccherio bianco / Witte suiker / Açúcar branco / Valkoinen sokeri / Vitt socker	48,000

COMMISSION REGULATION (EC) No 1864/97
of 26 September 1997
fixing the export refunds on rice and broken rice

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 the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 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 within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed 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 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

ANNEX

to the Commission Regulation of 26 September 1997 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds	Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	176,00	1006 30 65 9900	01	220,00
1006 20 13 9000	01	176,00		05	220,00
1006 20 15 9000	01	176,00	1006 30 67 9100	04	226,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	176,00	1006 30 92 9100	01	220,00
1006 20 94 9000	01	176,00		02	226,00
1006 20 96 9000	01	176,00		03	231,00
1006 20 98 9000	—	—		05	220,00
1006 30 21 9000	01	176,00	1006 30 92 9900	01	220,00
1006 30 23 9000	01	176,00		05	220,00
1006 30 25 9000	01	176,00		—	—
1006 30 27 9000	—	—	1006 30 94 9100	01	220,00
1006 30 42 9000	01	176,00		02	226,00
1006 30 44 9000	01	176,00		03	231,00
1006 30 46 9000	01	176,00		05	220,00
1006 30 48 9000	—	—	1006 30 94 9900	01	220,00
1006 30 61 9100	01	220,00		05	220,00
	02	226,00		—	—
	03	231,00	1006 30 96 9100	01	220,00
	05	220,00		02	226,00
1006 30 61 9900	01	220,00		03	231,00
	05	220,00		05	220,00
1006 30 63 9100	01	220,00	1006 30 96 9900	01	220,00
	02	226,00		05	220,00
	03	231,00		—	—
	05	220,00	1006 30 98 9100	04	226,00
1006 30 63 9900	01	220,00	1006 30 67 9100	—	—
	05	220,00	1006 30 98 9900	—	—
1006 30 65 9100	01	220,00		—	—
	02	226,00	1006 40 00 9000	—	—
	03	231,00			
	05	220,00			

(1) The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Ceuta and Melilla,
- 05 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 1865/97

of 26 September 1997

setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands;

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, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ L 304, 29. 11. 1994, p. 18.

⁽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 26 September 1997 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	234,00	
Broken rice (1006 40)	52,00	

COMMISSION REGULATION (EC) No 1866/97

of 26 September 1997

setting the amounts of aid for the supply of rice products from the Community
to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾, as last amended by Regulation (EC) No 1683/94 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

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

Done at Brussels, 26 September 1997.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁷⁾, as last amended by Regulation (EC) No 150/95 ⁽⁸⁾, 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 ⁽⁹⁾, as last amended by Regulation (EC) No 1482/96 ⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ L 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ L 178, 12. 7. 1994, p. 53.

⁽⁷⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 26 September 1997 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	234,00	234,00

COMMISSION REGULATION (EC) No 1867/97

of 26 September 1997

fixing the export refunds on products processed from cereals and rice

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 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EC) No 1518/95⁽⁴⁾, as amended by Regulation (EC) No 2993/95⁽⁵⁾, on the import and export system for products processed from cereals and from rice defines the specific

criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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 certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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 refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 147, 30. 6. 1995, p. 55.

⁽⁵⁾ OJ L 312, 23. 12. 1995, p. 25.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 26 September 1997 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	34,34	1104 23 10 9100	36,80
1102 20 10 9400 ⁽¹⁾	29,44	1104 23 10 9300	28,21
1102 20 90 9200 ⁽¹⁾	29,44	1104 29 11 9000	0,00
1102 90 10 9100	8,93	1104 29 51 9000	0,00
1102 90 10 9900	6,07	1104 29 55 9000	0,00
1102 90 30 9100	19,19	1104 30 10 9000	0,00
1103 12 00 9100	19,19	1104 30 90 9000	6,13
1103 13 10 9100 ⁽¹⁾	44,15	1107 10 11 9000	0,00
1103 13 10 9300 ⁽¹⁾	34,34	1107 10 91 9000	10,59
1103 13 10 9500 ⁽¹⁾	29,44	1108 11 00 9200	0,00
1103 13 90 9100 ⁽¹⁾	29,44	1108 11 00 9300	0,00
1103 19 10 9000	27,00	1108 12 00 9200	39,25
1103 19 30 9100	9,22	1108 12 00 9300	39,25
1103 21 00 9000	0,00	1108 13 00 9200	39,25
1103 29 20 9000	6,07	1108 13 00 9300	39,25
1104 11 90 9100	8,93	1108 19 10 9200	18,44
1104 12 90 9100	21,32	1108 19 10 9300	18,44
1104 12 90 9300	17,06	1109 00 00 9100	0,00
1104 19 10 9000	0,00	1702 30 51 9000 ⁽²⁾	38,46
1104 19 50 9110	39,25	1702 30 59 9000 ⁽²⁾	29,44
1104 19 50 9130	31,89	1702 30 91 9000	38,46
1104 21 10 9100	8,93	1702 30 99 9000	29,44
1104 21 30 9100	8,93	1702 40 90 9000	29,44
1104 21 50 9100	11,90	1702 90 50 9100	38,46
1104 21 50 9300	9,52	1702 90 50 9900	29,44
1104 22 20 9100	17,06	1702 90 75 9000	40,30
1104 22 30 9100	18,12	1702 90 79 9000	27,97
		2106 90 55 9000	29,44

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Regulation (EEC) No 2730/75 (OJ L 281, 1. 11. 1975, p. 20), amended.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 1868/97
of 26 September 1997
fixing the export refunds on cereal-based compound feedingstuffs

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 (3) 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 within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of

the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

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

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 refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 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. 51.

ANNEX

to the Commission Regulation of 26 September 1997 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	24,53
Cereal products ⁽²⁾ excluding maize and maize products	2,98

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 1869/97
of 26 September 1997
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as last amended by Regulation (EC) No 2598/95⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92⁽³⁾, as last amended by Regulation (EC) No 1694/97⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ L 239, 30. 8. 1997, p. 14.

ANNEX

to the Commission Regulation of 26 September 1997 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	15,00	15,00	15,00	18,00
Maize (1005 90 00)	31,00	31,00	31,00	34,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1870/97
of 26 September 1997
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply
of cereals products from the Community to the Canary Islands

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1695/97 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ L 239, 30. 8. 1997, p. 16.

ANNEX

to the Commission Regulation of 26 September 1997 amending Regulation (EEC)
No 1832/92 setting the amounts of aid for the supply of cereals products from the
Community to the Canary Islands

(Ecu/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	8,00
Barley	(1003 00 90)	12,00
Maize	(1005 90 00)	28,00
Durum wheat	(1001 10 00)	8,00
Oats	(1004 00 00)	23,00

COMMISSION REGULATION (EC) No 1871/97
of 26 September 1997
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply
of cereals products from the Community to the Azores and Madeira

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2348/96 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1696/97 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ L 239, 30. 8. 1997, p. 18.

ANNEX

to the Commission Regulation of 26 September 1997 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(Ecu/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	8	8
Barley (1003 00 90)	12	12
Maize (1005 90 00)	28	28
Durum wheat (1001 10 00)	8	8

COMMISSION REGULATION (EC) No 1872/97

of 26 September 1997

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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 the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, and in particular Article 13 (3) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁴⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 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 329, 30. 12. 1995, p. 18.

⁽⁴⁾ OJ L 288, 25. 10. 1974, p. 1.

ANNEX

to the Commission Regulation of 26 September 1997 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 00 9400	0
1001 90 99 9000	5,00
1002 00 00 9000	26,00
1003 00 90 9000	9,00
1004 00 00 9400	20,00
1005 90 00 9000	25,00
1006 30 92 9100	236,00
1006 30 92 9900	236,00
1006 30 94 9100	236,00
1006 30 94 9900	236,00
1006 30 96 9100	236,00
1006 30 96 9900	236,00
1006 30 98 9100	236,00
1006 30 98 9900	236,00
1006 40 00 9000	—
1007 00 90 9000	25,00
1101 00 15 9100	6,50
1101 00 15 9130	6,50
1102 20 10 9200	34,34
1102 20 10 9400	29,44
1102 30 00 9000	—
1102 90 10 9100	8,93
1103 11 10 9200	0
1103 11 90 9200	0
1103 13 10 9100	44,15
1103 14 00 9000	—
1104 12 90 9100	21,32
1104 21 50 9100	11,90

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 1873/97

of 26 September 1997

amending Regulations (EEC) No 584/92, (EC) No 1588/94, (EC) No 1600/95, (EC) No 1713/95 and (EC) No 455/97 as regards the issue of import licences for tariff quotas for milk and milk products

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⁾, and in particular Articles 13 (3), and 16 (1) and (4) thereof,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part ⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part ⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic of the other part ⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part ⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part ⁽⁷⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the

Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part ⁽⁸⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1275/95 of 29 May 1995 on certain procedures for applying 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 ⁽⁹⁾,

Having regard to Council Regulation (EC) No 1276/95 of 29 May 1995 on certain procedures for applying 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 Latvia, of the other part ⁽¹⁰⁾,

Having regard to Council Regulation (EC) No 1277/95 of 29 May 1995 on certain procedures for applying 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 Lithuania, of the other part ⁽¹¹⁾,

Having regard to Council Regulation (EC) No 410/97 of 24 February 1997 on certain procedures for applying the Interim Agreement on trade and trade-related measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part ⁽¹²⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EEC) No 584/92 ⁽¹³⁾, as last amended by Regulation (EC) No 1597/97 ⁽¹⁴⁾, lays down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic;

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 319, 21. 12. 1993, p. 1.

⁽⁴⁾ OJ L 319, 21. 12. 1993, p. 4.

⁽⁵⁾ OJ L 341, 30. 12. 1994, p. 14.

⁽⁶⁾ OJ L 341, 30. 12. 1994, p. 17.

⁽⁷⁾ OJ L 368, 31. 12. 1994, p. 5.

⁽⁸⁾ OJ L 368, 31. 12. 1994, p. 1.

⁽⁹⁾ OJ L 124, 7. 6. 1995, p. 1.

⁽¹⁰⁾ OJ L 124, 7. 6. 1995, p. 2.

⁽¹¹⁾ OJ L 124, 7. 6. 1995, p. 3.

⁽¹²⁾ OJ L 62, 4. 3. 1997, p. 5.

⁽¹³⁾ OJ L 62, 7. 3. 1992, p. 34.

⁽¹⁴⁾ OJ L 216, 8. 8. 1997, p. 58.

Whereas Commission Regulation (EC) No 1588/94 ⁽¹⁾, as last amended by Regulation (EC) No 1748/97 ⁽²⁾, lays down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community, of the one part, and Bulgaria and Romania, of the other part;

Whereas Commission Regulation (EC) No 1713/95 ⁽³⁾, as last amended by Regulation (EC) No 2389/96 ⁽⁴⁾, lays down detailed rules for the application to milk and milk products of the arrangements provided for in the Agreements on free trade between the Community and the Baltic States;

Whereas Commission Regulation (EC) No 455/97 ⁽⁵⁾ lays down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreement between the Community and the Republic of Slovenia;

Whereas Regulation (EC) No 1600/95 ⁽⁶⁾, as last amended by Regulation (EC) No 1598/97 ⁽⁷⁾, lays down detailed rules for the application of the import arrangements and opens tariff quotas for milk and milk products;

Whereas, for the purpose of monitoring the quotas for milk products imported into the Community, all those Regulations provide for administration by three-month periods with a limited period for the submission of import licence applications; whereas, on the basis of information submitted by the Member States on applications received, the Commission determines to what extent applications may be granted; whereas the Commission may fix a coefficient to be applied to the quantities applied for in order to ensure that the quantity available is not exceeded;

Whereas the smooth operation of this administration system depends, in particular, on the accuracy of the information submitted by the Member States; whereas, in order to ensure control of the quotas, it should be laid down that licences may only be issued for the quantities applied for where these have been notified to the

Commission in accordance with the Regulations concerned and within the time limits laid down;

Whereas the period for the submission of information should be extended by two days in order to permit Member States to check its accuracy and, where appropriate, make corrections; whereas the date of issue of licences referred to in Regulation (EEC) No 584/92 should be extended;

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

1. In Article 4 (3) of Regulations (EEC) No 584/92, (EC) No 1588/94, (EC) No 1713/95 and (EC) No 455/97, the words 'third working day' are hereby replaced by 'fifth working day'.

2. In Article 4 (4) of Regulation (EEC) No 584/92, the words '23rd day' are hereby replaced by '25th day'.

3. The following is hereby added to Article 4 (4) of Regulation (EEC) No 584/92, Article 4 (5) of Regulations (EC) No 1588/94, (EC) No 1713/95 and (EC) No 455/97 and Article 14 (4) (b) of Regulation (EC) No 1600/95:

'to those applicants whose applications have been notified in accordance with paragraph 3.'

Article 2

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

It shall apply from 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 167, 1. 7. 1994, p. 8.

⁽²⁾ OJ L 246, 10. 9. 1997, p. 1.

⁽³⁾ OJ L 163, 14. 7. 1995, p. 5.

⁽⁴⁾ OJ L 326, 17. 12. 1996, p. 24.

⁽⁵⁾ OJ L 69, 11. 3. 1997, p. 7.

⁽⁶⁾ OJ L 151, 1. 7. 1995, p. 12.

⁽⁷⁾ OJ L 216, 8. 8. 1997, p. 62.

COMMISSION REGULATION (EC) No 1874/97
of 26 September 1997
amending Regulation (EC) No 1466/95 laying down special detailed rules of
application for export refunds on milk and milk products

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⁾, and in particular Article 17 (14) thereof,

Whereas Commission Regulation (EC) No 1466/95 ⁽³⁾, as last amended by Regulation (EC) No 1811/97 ⁽⁴⁾, lays down special detailed rules of application for export refunds on milk and milk products; whereas Article 9a of that Regulation lays down that export licences for cheese for export to the United States as part of the additional quota under the Agreements concluded during the Uruguay Round of multilateral trade negotiations may be issued under a special procedure permitting the designation of preferential importers in the United States; whereas experience has revealed the need for certain technical amendments in order to ensure the smooth operation of that procedure;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 9a of Regulation (EC) No 1466/95 is hereby amended as follows:

1. in paragraph 2 (a) and (b), '1996' is replaced by 'latest version';
2. the following paragraph 3a is added:

'3a. Where applications are submitted for provisional licences for quantities of product not exceeding the quota for the year concerned referred to in paragraph 1, the Commission may allocate the remaining quantities to applicants in proportion to the quantities applied for.'

Article 2

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

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

Done at Brussels, 26 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 257, 20. 9. 1997, p. 4.

COMMISSION REGULATION (EC) No 1875/97
of 26 September 1997

supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the 'Register of protected designations of origin and protected geographical indications' provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

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

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, as last amended by Commission Regulation (EC) No 1068/97⁽²⁾, and in particular Article 6 (3) and (4) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2081/92, Member States have sent the Commission applications for registration of certain names as geographical indications or designations of origin;

Whereas it has been found, pursuant to Article 6 (1) of that Regulation, that these applications meet all its requirements, in particular that all the information required pursuant to Article 4 has been given;

Whereas following publication of the names in question in the *Official Journal of the European Communities*⁽³⁾ no statement of objection has been made to the Commission pursuant to Article 7 of that Regulation;

Whereas the names should therefore be entered in the 'Register of protected designations of origin and protected

geographical indications' and hence be protected throughout the Community as geographical indications or designations of origin,

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex hereto are hereby added to the Annex to Commission Regulation (EC) No 2400/96⁽⁴⁾ and pursuant to Article 6 (3) of Regulation (EEC) No 2081/92 entered in the 'Register of protected designations of origin and protected geographical indications' as protected geographical indications (PGI) or protected designations of origin (PDO).

Article 2

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

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24. 7. 1992, p. 1.

⁽²⁾ OJ L 156, 13. 6. 1997, p. 10.

⁽³⁾ OJ C 24, 24. 1. 1997, p. 2.

⁽⁴⁾ OJ L 327, 18. 12. 1996, p. 11.

*ANNEX***PRODUCTS FOR HUMAN CONSUMPTION LISTED IN ANNEX II TO THE TREATY****Meat-based products:****PORTUGAL:**

- Lombo Branco de Portalegre (IGP)
 - Lombo Enguitado de Portalegre (IGP)
 - Painho de Portalegre (IGP)
 - Cacholeira Branca de Portalegre (IGP)
 - Chouriço Mouro de Portalegre (IGP)
 - Linguiça de Portalegre (IGP)
 - Morcela de Assar de Portalegre (IGP)
 - Morcela de Cozer de Portalegre (IGP)
 - Farinheira de Portalegre (IGP)
 - Chouriço de Portalegre (IGP)
-

COMMISSION REGULATION (EC) No 1876/97

of 26 September 1997

opening the procedure for the allocation of export licences for products to be exported in 1998 to the United States of America under the additional quota for cheese resulting from the GATT Agreements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to the 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⁾, and in particular Article 17 (8) thereof,

Export licences for products falling within CN code 0406 to be exported in 1998 to the United States of America under the additional quota resulting from the Agreements as referred to in Annex I shall be issued in accordance with the provisions of Article 9a of Regulation (EC) No 1466/95.

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 1811/97⁽⁴⁾, and in particular Article 9a (1) thereof,

Article 2

Applications for provisional licences shall be lodged with the competent authorities by 3 October 1997 at the latest. They shall not be admissible unless they contain all the details referred to in Article 9a (2) of Regulation (EC) No 1466/95 and the documents mentioned therein.

Whereas Article 9a of Regulation (EC) No 1466/95 provides that export licences for cheese exported to the United States of America as part of the additional quota under the Agreements concluded during the Uruguay Round of multilateral trade negotiations (hereinafter known as 'the Agreements') may be allocated according to a special procedure by which preferred importers in the United States may be designated; whereas that procedure should be opened for exports during 1998 and the additional rules relating to it should be determined; whereas, given the time limit for notification of the preferred importers in the United States, the procedure should be opened without delay;

Those details shall be presented in accordance with the model shown in Annex II.

Whereas the additional quota of the Community under the Agreements includes from 1998 the individual quotas of Austria, Finland and Sweden;

For the purposes of Article 1 (1) of Regulation (EC) No 1466/95, all demands lodged within the time limit shall be deemed to have been lodged on 29 September 1997. Article 8 (4) of Regulation (EC) No 1466/95 shall not apply to applications for provisional licences lodged pursuant to this paragraph.

Whereas in order to provide stability and security for operators lodging demands under this special regime, it is appropriate to fix the day on which applications are deemed to have been lodged for the purposes of Article 1 (1) of Regulation (EC) No 1466/95;

Article 3

Member States shall notify the Commission within four working days of the end of the period for lodging applications of the applications lodged for each of the groups of products covered by the American quota indicated in Annex I. Notification shall comprise for each group:

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

- a list of applicants,
- the quantities applied for by each applicant broken down by code of the export refund nomenclature for milk products and by their description in accordance with the Harmonized Tariff Schedule of the United States of America (1997),
- the quantities of those products exported by the applicant during the previous three years,
- the name and address of the importer designated by the applicant and whether the importer is a branch of the applicant.

⁽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 257, 20. 9. 1997, p. 4.

All notifications, including 'nil' notifications, shall be made by telex or fax, by 9 October 1997 at the latest, on the model form shown in Annex III.

Article 4

The Commission shall, pursuant to Article 9a (3) of Regulation (EC) No 1466/95, determine the allocation of licences without delay and shall notify the Member States thereof by 31 October 1997 at the latest.

Article 5

The information referred to in Article 3 hereto and in Article 9a (2) of Regulation (EC) No 1466/95 shall be

verified before the final licences are issued and by 31 December 1997 at the latest.

Where it is found that incorrect information has been supplied by an operator to whom a provisional licence has been issued, the licence shall be cancelled and the security forfeited.

Article 6

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

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

**Cheese to be exported to the United States of America in 1998 under the additional quota
resulting from the GATT Agreements**

Article 9a of Regulation (EC) No 1466/95 and Regulation (EC) No 1876/97

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonized Tariff Schedule of the United States of America		Quantity available for 1998	Maximum quantity per application
Note No	Group	Tonnes	Tonnes
16	Not specifically provided for (NSPF)	2 472,877	989,150
17	Blue Mould	200,000	80,000
18	Cheddar	666,667	266,666
19	American type	66,667	26,666
20	Edam/Gouda	666,667	266,666
21	Italian type	466,667	186,666
22	Swiss or Emmenthaler cheese other than with eye formation	646,339	258,535
25	Swiss or Emmenthaler cheese with eye formation	4 916,506	1 966,602

ANNEX II

Presentation of details required pursuant to Article 9a (2) of Regulation (EC) No 1466/95

Identification of the United States of America quota

Additional Note to the Harmonized Tariff Schedule of the United States of America No

Name of group:

Name/address of applicant	Refund nomenclature product code	Quantity applied for	Export to the United States of America				Harmonized Tariff Schedule of the USA code	Name/address of designated importer	Importer is branch of applicant yes ☐ no ☐
			1994	1995	1996	Average Ø 1994 to 1996			
Total						Ø			

ANNEX III

Notification by Member State in accordance with Article 3 of Regulation (EC) No 1876/97

Identification of the United States of America quota group applied for

Additional Note to the Harmonized Tariff Schedule of the United States of America No

Name of group:

No	Name/address of applicant	Refund nomenclature product code	Quantity applied for	Export to the United States of America				Harmonized Tariff Schedule of the USA code	Name/address of designated importer	Importer is subsidiary of applicant yes ☐ no ☐
				1994	1995	1996	Average Ø 1994 to 1996			
1										
	Total						Ø			☐ ☐
2										
	Total						Ø			☐ ☐
3										
	Total						Ø			☐ ☐

COMMISSION REGULATION (EC) No 1877/97
of 26 September 1997
amending Regulation (EEC) No 2273/93 determining the intervention centres for
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 5 thereof,

Whereas the intervention centres determined are listed in the Annex to Commission Regulation (EEC) No 2273/93⁽³⁾, as last amended by Regulation (EC) No 2304/96⁽⁴⁾; whereas some Member States have applied for changes to that Annex; whereas these applications can be accepted;

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 Annex to Regulation (EEC) No 2273/93 is hereby amended as follows:

1. Under 'Bundesrepublik Deutschland', 'Bückeburg' in Land Niedersachsen is deleted;
2. The section for 'France' is replaced by that in the Annex to this Regulation;
3. Under 'Ireland', 'Dundalk', 'Dungarvan', 'Limerick' and 'Navan' are replaced by 'Baltinglass', 'New Ross', 'Tullogh' and 'Bunclogh'.

Article 2

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

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

Done at Brussels, 26 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 207, 18. 8. 1993, p. 1.

⁽⁴⁾ OJ L 311, 30. 11. 1996, p. 47.

ANNEX

1	2	3	4	5	6	7
FRANCE						
Ain — 01						
Peyrieu					+	
Meximieux	+				+	+
La Vallebonne	+				+	
Villars-les-Dombes					+	
Saint-André-de-Corcy	+				+	
Aisne — 02						
Berry-au-Bac	+		+			
Château-Thierry	+		+		+	
Laon	+		+			
Marle	+		+			
Flavy-le-Martel	+		+			
Soissons/Bucy-le-Long	+		+	+	+	
Allier — 03						
Gannat	+		+		+	
La Ferté-Hauterive	+				+	
Montluçon	+					
Saint-Pourcin-sur-Sioule	+					
Varennes-sur-Allier	+				+	
Alpes-de-Haute-Provence — 04						
Manosque	+		+	+	+	
Hautes-Alpes — 05						
Lazer	+		+			
Ardèche — 07						
Le Pouzin	+			+	+	
Ardennes — 08						
Châtelet-sur-Retourne	+		+		+	
Acy-Romance	+		+			
Monthois	+		+			
Ariège — 09						
Le Vernet	+		+	+	+	
Aube — 10						
Arcis-sur-Aube	+		+			
Brienne-le-Château	+		+		+	
Charmont	+		+			
Mailly-le-Camp	+		+			
Nogent-sur-Seine	+		+	+	+	
Polisy	+		+			
Thennelières	+		+		+	
Aude — 11						
Castelnaudary	+		+	+	+	
Trèbes	+		+	+	+	
Aveyron — 12						
Baraqueville	+	+	+			

1	2	3	4	5	6	7
Bouches-du-Rhône — 13						
Arles	+		+	+		
Calvados — 14						
Creully	+		+			
Moult	+		+		+	
Bourguebus	+		+			
Charente — 16						
Charmant	+		+		+	
Le Gond-Pontouvre	+			+	+	
Charente maritime — 17						
La Rochelle	+		+		+	
Saint-Jean-d'Angely	+		+			
Gémozac	+		+		+	
Saintes	+		+			
Cher — 18						
Avord	+		+			
Châteauneuf-sur-Cher	+		+			
Bourges	+		+	+		
Moulins-sur-Yèvre	+		+		+	
Nérondes	+		+		+	
Vailly	+		+		+	
Côte-d'Or — 21						
Beaune	+		+			
Châtillon-sur-seine	+		+			
Is-sur-Tille	+		+			
Mirebeau-sur-Bèze	+		+		+	
Saint-Julien	+		+			
Saint-Usage	+		+		+	
Venarey-les-Laumes	+		+			
Côtes-d'Armor — 22						
Broons	+		+			
Guingamp	+		+			
Creuse — 23						
La Souterraine	+		+			
Reterre	+		+			
Dordogne — 24						
Bergerac	+		+		+	
Verteillac	+		+		+	
Doubs — 25						
Dannemarie-sur-Crête	+		+			
Drôme — 26						
Pierrelatte	+		+	+		
Châteauneuf-sur-Isère	+		+		+	+
Eure — 27						
Saint-André-de-l'Eure	+		+		+	
Verneuil-sur-Avre	+		+			

1	2	3	4	5	6	7
Eure-et-Loir — 28						
Arrou	+					
Bonneval	+		+		+	
Brou	+				+	
Lucé	+				+	
Courville-sur-Eure	+		+	+		
Illiers-Combray	+		+			
Lutz-en-Dunois	+					
Marchezais	+		+		+	
Nogent-le-Rotrou	+		+			
Orgères-en-Beauce	+		+	+		
Saint-Sauveur	+		+	+	+	
Toury	+			+		
Vieuvicq	+					
Voves	+		+	+	+	
Finistère — 29						
Rosporden	+		+			
Gard — 30						
Beaucaire				+		+
Saint-Gilles	+			+		
Haute-Garonne — 31						
Bazège	+		+	+	+	+
Cintegabelle	+		+		+	
Lespinasse	+		+	+	+	
Gers — 32						
Barcelone-du-Gers	+				+	
Condom	+		+	+	+	
L'Isle-Jourdain	+		+	+	+	
Sainte-Christie	+		+	+	+	+
Gironde — 33						
Bassens	+		+		+	
Hérault — 34						
Sète	+		+	+		
Ille-et-Vilaine — 35						
Saint-Malo	+		+			
Châteaubourg	+		+			
Indre — 36						
Châtillon-sur-Indre	+					
Argenton-sur-Creuse	+				+	
Argy	+		+		+	
Diors	+		+		+	
Issoudun	+		+	+	+	
La Châtre	+					
Le Blanc	+				+	
Levroux	+			+		
Indre-et-Loire — 37						
Descartes	+		+			
La Ville-aux-Dames	+			+	+	
Neuillé-Pont-Pierre	+		+		+	
Noyant	+					
Reignac	+				+	
Richelieu	+				+	
Villeperdue	+					

1	2	3	4	5	6	7
Isère — 38						
Beaurepaire	+				+	+
Salaise-sur-Sanne	+		+		+	
Voreppe					+	
Jura — 39						
Chemin	+		+		+	
Landes — 40						
Saint-Vincent-de-Paul	+		+		+	
Haut-mauco	+		+		+	
Solférino	+		+		+	
Loir-et-Cher — 41						
Blois	+	+	+			
Mer	+			+	+	
Mondoubleau	+					
Montoire-sur-le-Loir	+		+		+	
Ouzouer-le-Marché	+				+	
Saint-Firmin-des-Prés	+		+		+	
Saint-Romain	+		+		+	
Villefranche-sur-Cher	+				+	
Loire — 42						
Feurs	+					
Haute-Loire — 43						
Brioude	+		+			
Le Puy	+	+	+			
Loire-Atlantique — 44						
Châteaubriand	+		+		+	
Loiret — 45						
Artenay	+			+	+	
Beaugency	+		+	+	+	
Chalette	+		+	+	+	
Courtenay	+					
Nogent-sur-Vernisson	+				+	
Ormes		+	+		+	
Patay	+				+	
Pithiviers	+		+		+	
Poilly-lez-Gien	+					
Lot — 46						
Cahors	+		+			
Lot-et-Garonne — 47						
Nérac	+		+		+	
Marmande	+				+	+
Penne-d'Agenais	+		+		+	
Maine-et-Loire — 49						
Écouflant	+				+	
Montreuil-Bellay	+			+	+	
Saint-gemme-d'Andigné	+				+	
Noyant	+					

1	2	3	4	5	6	7
Marne — 51						
District urbain de Châlons-sur-Marne/						
Nuisement-sur-Coole	+		+			
Fère-Champenoise	+		+			
Pringy	+		+		+	
Reims	+		+			
Sézanne	+		+		+	
Val-des-Marais	+		+			
Valmy	+		+			
Vitry-le-François	+		+			
Haute-Marne — 52						
Bologne	+		+			
Vaux-sous-aubigny	+		+			
Vignory	+		+			
Villiers-le-Sec	+		+			
Mayenne — 53						
Château-Gontier	+				+	
Meslay-du-Maine					+	
Évron	+					
Laval	+		+			
Meurthe-et-Moselle — 54						
Frouard	+		+		+	
Lunéville	+		+			
Pont-à-Mousson	+		+			
Meuse — 55						
Bras-sur-Meuse	+		+			
Velaines	+		+			
Void	+		+			
Morbihan — 56						
La Croix-Saint-Héléan	+		+			
Moselle — 57						
Illange	+		+			
Morhange	+		+			
Metz	+		+			
Nièvre — 58						
Cercy-la-Tour	+					
Entrains-sur-Nohain	+		+			
Guérigny	+		+		+	
Pouilly-sur-Loire	+		+			
Tracy-sur-loire	+		+		+	
Nord — 59						
Arleux	+		+			
Dunkerque	+		+			
Santes	+		+			
Prouvy	+		+		+	
Oise — 60						
Foissy	+					
Compiègne/Clairoix	+		+		+	
Creil	+		+	+	+	
Noyon	+		+			
Pont-sainte-Maxence	+		+		+	
Méru	+					

1	2	3	4	5	6	7
Orne — 61						
Argentan	+		+			
Saint-Symphorien	+		+			
Pas-de-Calais — 62						
Aire-sur-La-Lys	+		+			
Boiry-Sainte-Rictude	+		+			
Écuire	+		+			
Puy-de-Dôme — 63						
Aigueperse	+				+	
Ennezat	+	+			+	
Gerzat	+		+			
Issoire	+		+			
Pyrénées-Atlantiques — 64						
Bayonne-le-Boucau					+	
Lescar	+		+		+	
Came	+		+		+	
Hautes-Pyrénées — 65						
Nouilhan	+		+		+	
Bas-Rhin — 67						
Strasbourg	+		+		+	
Haut-Rhin — 68						
Ottmarsheim	+		+		+	
Neuf-Brisach	+	+	+		+	
Rhône — 69						
Saint-Pierre-de-Chandieu	+		+		+	
Lyon	+	+				
Haute-Saône — 70						
Arc-les-Gray	+		+		+	
Saône-et-Loire — 71						
Chalon-sur-Saône	+		+		+	
Mâcon	+		+		+	
Sarthe — 72						
La Chartre-sur-le-Loir	+		+		+	
Connéré	+		+			
Mamers	+				+	
Sablé-sur-Sarthe	+				+	
Saint-Ouen-en-Belin					+	
Seine-Maritime — 76						
Fauville-en-Caux	+		+			
Vieux-Manoir	+		+			
Deux-Sèvres — 79						
Frontenay-Rohan	+		+			
La Crèche	+		+	+	+	
Louzy	+		+			
Somme — 80						
Abbeville	+		+			
Amiens	+		+			
Languevoisin	+		+		+	
Moislains	+		+		+	
Montdidier	+		+		+	

1	2	3	4	5	6	7
Tarn — 81						
Lavaur	+		+	+	+	
Fiac						+
Tarn-et-Garonne — 82						
Beaumont-de-Lomagne	+			+		
Castelsarrazin	+				+	
Grisolles	+		+		+	
Valence-d'agen	+				+	
Vaucluse — 84						
Orange	+		+	+	+	
Vendée — 85						
Fontenay-le-Comte	+			+	+	
La Mothe-Achard	+		+		+	
Vienne — 86						
Lusignan	+		+			
Naintré	+		+		+	
Jardres	+		+			
Saint-Saviol	+				+	
Haute-Vienne — 87						
Limoges	+	+			+	
Vosges — 88						
Mirecourt	+		+			
Yonne — 89						
Auxerre	+		+			
Châtel-Censoir	+		+			
Migennes	+		+		+	
Pacy-sur-Armançon	+		+			
Sens	+		+		+	
Charny	+		+			
Saint-Julien-du-Sault	+		+			
Villeneuve-l'Archevêque	+		+		+	
Territoire de Belfort — 90						
Bourogne	+					
Seine-et-Marne — 77						
Cannes-Écluses	+		+			
Mouy-sur-Seine	+		+		+	
Sept-Sorts/Ussy-sur-Marne	+		+	+	+	
La Grande-Paroisse	+		+		+	
Saint-Mard	+		+		+	
Vaux-le-Pénil	+		+			
Saint-Pierre-les-Nemours	+		+	+	+	
Nangis	+		+			
Yvelines — 78						
Bonnières-sur-Seine	+		+	+	+	
Mantes	+		+		+	
Essonne — 91						
Corbeil	+		+		+	
Morigny	+		+	+	+	
Val-d'Oise — 95						
Saint-Ouen-l'Aumône	+		+		+	

COMMISSION REGULATION (EC) No 1878/97
of 26 September 1997
fixing the export refunds on milk and milk products

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⁾, and in particular Article 17 (3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17 (5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17 (3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 12 of Commission Regulation (EC) No 1466/95 of 27 June 1995 on specific detailed rules for the application of export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1811/97 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽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 257, 20. 9. 1997, p. 4.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84 ⁽³⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in

particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.

2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

3. There shall be no refunds for exports to destinations No 022, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 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 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ L 28, 1. 2. 1988, p. 1.

ANNEX

to the Commission Regulation of 26 September 1997 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 99 9600	+	124,73
	...	—	0402 21 99 9700	+	130,38
0401 10 90 9000	970	2,327	0402 21 99 9900	+	136,76
	...	—	0402 29 15 9200	+	0,5985
0401 20 11 9100	+	—	0402 29 15 9300	+	0,9054
0401 20 11 9500	970	3,597	0402 29 15 9500	+	0,9538
	...	—	0402 29 15 9900	+	1,0262
0401 20 19 9100	+	—	0402 29 19 9200	+	0,5985
0401 20 19 9500	970	3,597	0402 29 19 9300	+	0,9054
	...	—	0402 29 19 9500	+	0,9538
0401 20 91 9100	+	4,551	0402 29 19 9900	+	1,0262
0401 20 91 9500	+	5,302	0402 29 91 9100	+	1,0334
0401 20 99 9100	+	4,551	0402 29 91 9500	+	1,1258
0401 20 99 9500	+	5,302	0402 29 99 9100	+	1,0334
0401 30 11 9100	+	6,803	0402 29 99 9500	+	1,1258
0401 30 11 9400	+	10,50	0402 91 11 9110	+	—
0401 30 11 9700	+	15,77	0402 91 11 9120	+	4,551
0401 30 19 9100	+	6,803	0402 91 11 9310	+	13,30
0401 30 19 9400	+	10,50	0402 91 11 9350	+	16,29
0401 30 19 9700	+	15,77	0402 91 11 9370	+	19,81
0401 30 31 9100	+	38,32	0402 91 19 9110	+	—
0401 30 31 9400	+	59,85	0402 91 19 9120	+	4,551
0401 30 31 9700	+	66,00	0402 91 19 9310	+	13,30
0401 30 39 9100	+	38,32	0402 91 19 9350	+	16,29
0401 30 39 9400	+	59,85	0402 91 19 9370	+	19,81
0401 30 39 9700	+	66,00	0402 91 31 9100	+	8,991
0401 30 91 9100	+	75,22	0402 91 31 9300	+	23,42
0401 30 91 9400	+	110,55	0402 91 39 9100	+	8,991
0401 30 91 9700	+	129,01	0402 91 39 9300	+	23,42
0401 30 99 9100	+	75,22	0402 91 51 9000	+	10,50
0401 30 99 9400	+	110,55	0402 91 59 9000	+	10,50
0401 30 99 9700	+	129,01	0402 91 91 9000	+	75,22
0402 10 11 9000	+	59,85	0402 91 99 9000	+	75,22
0402 10 19 9000	+	59,85	0402 99 11 9110	+	—
0402 10 91 9000	+	0,5985	0402 99 11 9130	+	0,0456
0402 10 99 9000	+	0,5985	0402 99 11 9150	+	0,1269
0402 21 11 9200	+	59,85	0402 99 11 9310	+	15,33
0402 21 11 9300	+	90,54	0402 99 11 9330	+	18,40
0402 21 11 9500	+	95,38	0402 99 11 9350	+	24,46
0402 21 11 9900	+	102,60	0402 99 19 9110	+	—
0402 21 17 9000	+	59,85	0402 99 19 9130	+	0,0456
0402 21 19 9300	+	90,54	0402 99 19 9150	+	0,1269
0402 21 19 9500	+	95,38	0402 99 19 9310	+	15,33
0402 21 19 9900	+	102,60	0402 99 19 9330	+	18,40
0402 21 91 9100	+	103,34	0402 99 19 9350	+	24,46
0402 21 91 9200	+	104,05	0402 99 31 9110	+	0,0975
0402 21 91 9300	+	105,34	0402 99 31 9150	+	25,47
0402 21 91 9400	+	112,58	0402 99 31 9300	+	0,3832
0402 21 91 9500	+	115,09	0402 99 31 9500	+	0,6600
0402 21 91 9600	+	124,73	0402 99 39 9110	+	0,0975
0402 21 91 9700	+	130,38	0402 99 39 9150	+	25,47
0402 21 91 9900	+	136,76	0402 99 39 9300	+	0,3832
0402 21 99 9100	+	103,34			
0402 21 99 9200	+	104,05			
0402 21 99 9300	+	105,34			
0402 21 99 9400	+	112,58			
0402 21 99 9500	+	115,09			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	129,22
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	135,53
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,5884
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	15,20
0403 10 13 9800	+	4,551	0404 90 83 9110	+	0,5884
0403 10 19 9800	+	6,803	0404 90 83 9130	+	0,8973
0403 10 31 9400	+	—	0404 90 83 9150	+	0,9453
0403 10 31 9800	+	—	0404 90 83 9170	+	1,0168
0403 10 33 9800	+	0,0456	0404 90 83 9911	+	—
0403 10 39 9800	+	0,0680	0404 90 83 9913	+	0,0456
0403 90 11 9000	+	58,84	0404 90 83 9915	+	0,0680
0403 90 13 9200	+	58,84	0404 90 83 9917	+	0,1050
0403 90 13 9300	+	89,73	0404 90 83 9919	+	0,1577
0403 90 13 9500	+	94,53	0404 90 83 9931	+	15,20
0403 90 13 9900	+	101,68	0404 90 83 9933	+	18,24
0403 90 19 9000	+	102,44	0404 90 83 9935	+	24,24
0403 90 31 9000	+	0,5884	0404 90 83 9937	+	25,22
0403 90 33 9200	+	0,5884	0404 90 89 9130	+	1,0244
0403 90 33 9300	+	0,8973	0404 90 89 9150	+	1,1159
0403 90 33 9500	+	0,9453	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,0168	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,0244	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	176,10
	...	—	0405 10 11 9700	+	180,50
0403 90 51 9300	+	—	0405 10 19 9500	+	176,10
0403 90 53 9000	+	4,551	0405 10 19 9700	+	180,50
0403 90 59 9110	+	6,803	0405 10 30 9100	+	176,10
0403 90 59 9140	+	10,50	0405 10 30 9300	+	180,50
0403 90 59 9170	+	15,77	0405 10 30 9500	+	176,10
0403 90 59 9310	+	38,32	0405 10 30 9700	+	180,50
0403 90 59 9340	+	59,85	0405 10 50 9100	+	176,10
0403 90 59 9370	+	66,00	0405 10 50 9300	+	180,50
0403 90 59 9510	+	75,22	0405 10 50 9500	+	176,10
0403 90 59 9540	+	110,55	0405 10 50 9700	+	180,50
0403 90 59 9570	+	129,01	0405 10 90 9000	+	187,10
0403 90 61 9100	+	—	0405 20 90 9500	+	165,09
0403 90 61 9300	+	—	0405 20 90 9700	+	171,69
0403 90 63 9000	+	0,0456	0405 90 10 9000	+	228,00
0403 90 69 9000	+	0,0680	0405 90 90 9000	+	180,50
0404 90 21 9100	+	58,84	0406 10 20 9100	+	—
0404 90 21 9910	+	—	0406 10 20 9230	037	—
0404 90 21 9950	+	13,18		039	—
0404 90 23 9120	+	58,84		099	22,83
0404 90 23 9130	+	89,73		400	22,83
0404 90 23 9140	+	94,53		...	37,68
0404 90 23 9150	+	101,68	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	4,551		099	21,24
0404 90 23 9915	+	6,803		400	15,29
0404 90 23 9917	+	10,50		...	35,05
0404 90 23 9919	+	15,77		037	—
0404 90 23 9931	+	13,18		039	—
0404 90 23 9933	+	16,15		099	9,329
0404 90 23 9935	+	19,63		400	7,834
0404 90 23 9937	+	23,21		...	15,39
0404 90 23 9939	+	24,26			
0404 90 29 9110	+	102,44	0406 10 20 9300	037	—
0404 90 29 9115	+	103,11		039	—
0404 90 29 9120	+	104,40		099	9,329
0404 90 29 9130	+	111,59		400	7,834
0404 90 29 9135	+	114,05		...	15,39
0404 90 29 9150	+	123,60			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—		037	—
	099	30,98		039	—
	400	30,98		099	9,54
	...	51,11		400	8,346
0406 10 20 9620	037	—	0406 30 31 9710	...	17,88
	039	—		037	—
	099	31,42		039	—
	400	31,42		099	13,99
	...	51,83		400	12,25
0406 10 20 9630	037	—	0406 30 31 9910	...	26,24
	039	—		037	—
	099	35,06		039	—
	400	35,06		099	9,54
	...	57,86		400	8,346
0406 10 20 9640	037	—	0406 30 31 9930	...	17,88
	039	—		037	—
	099	51,54		039	—
	400	48,35		099	13,99
	...	85,03		400	12,25
0406 10 20 9650	037	—	0406 30 31 9950	...	26,24
	039	—		037	—
	099	42,95		039	—
	400	25,44		099	20,36
	...	70,86		400	17,81
0406 10 20 9660	+	—	0406 30 39 9500	...	38,17
0406 10 20 9830	037	—		037	—
	039	—		039	—
	099	15,93		099	13,99
	400	13,38		400	12,25
	...	26,28		...	26,24
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	099	19,31		099	20,36
	400	16,22		400	17,81
	...	31,87		...	38,17
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		099	20,36
0406 20 90 9913	037	—		400	17,81
	039	—		...	38,17
	099	35,62	0406 30 39 9950	037	—
	400	31,59		039	—
	...	58,77		099	23,02
0406 20 90 9915	037	—		400	21,14
	039	—		...	43,16
	099	47,01	0406 30 90 9000	037	—
	400	42,12		039	—
	...	77,56		099	24,15
0406 20 90 9917	037	—		400	21,14
	039	—		...	45,28
	099	49,94	0406 40 50 9000	037	—
	400	44,75		039	—
	...	82,41		099	54,55
0406 20 90 9919	037	—		400	32,98
	039	—		...	90,00
	099	55,82			
	400	50,02			
	...	92,10			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	56,01		099	36,20
	400	32,98		400	20,01
	...	92,42		...	59,72
0406 90 13 9000	037	—	0406 90 35 9190	037	28,95
	039	—		039	28,95
	099	60,16		099	61,40
	400	60,16		400	61,40
	...	99,26		...	101,30
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	62,17		099	54,68
	400	62,17		400	40,19
	...	102,58		...	90,22
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	62,17		099	60,16
	400	62,17		400	60,16
	...	102,58		...	99,26
0406 90 21 9900	037	—	0406 90 61 9000	037	40,61
	039	—		039	40,61
	099	61,63		099	65,82
	400	44,53		400	57,27
	...	101,68		...	108,59
0406 90 23 9900	037	—	0406 90 63 9100	037	37,12
	039	—		039	37,12
	099	36,51		099	63,89
	400	18,57		400	63,89
	...	75,31		...	105,42
0406 90 25 9900	037	—	0406 90 63 9900	037	29,52
	039	—		039	29,52
	099	36,98		099	48,93
	400	21,16		400	48,93
	...	76,25		...	80,75
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	33,48		039	—
	400	18,57		099	48,93
	...	69,06		400	48,93
0406 90 31 9119	037	—		...	80,75
	039	—	0406 90 73 9900	037	—
	099	38,17		039	—
	400	25,56		099	52,63
	...	62,99		400	52,63
0406 90 33 9119	037	—		...	86,83
	039	—	0406 90 75 9900	037	—
	099	38,17		039	—
	400	25,56		099	51,97
	...	62,99		400	22,27
0406 90 33 9919	037	—		...	85,75
	039	—	0406 90 76 9300	037	—
	099	34,36		039	—
	400	20,33		099	34,88
	...	56,69		400	20,12
				...	71,94

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	40,07	0406 90 86 9200	037	—
	400	23,22		039	—
	...	82,65		099	29,74
0406 90 76 9500	037	—		400	27,65
	039	—		...	61,34
	099	38,60	0406 90 86 9300	037	—
	400	23,22		039	—
	...	79,62		099	30,78
0406 90 78 9100	037	—		400	30,30
	039	—		...	63,48
	099	32,73	0406 90 86 9400	037	—
	400	18,14		039	—
	...	67,50		099	34,58
0406 90 78 9300	037	—		400	34,28
	039	—		...	71,32
	099	40,07	0406 90 86 9900	037	—
	400	20,12		039	—
	...	82,65		099	43,80
0406 90 78 9500	037	—		400	40,24
	039	—		...	90,34
	099	40,07	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	...	82,65		039	—
0406 90 79 9900	037	—		099	24,78
	039	—		400	24,78
	099	30,31		...	51,11
	400	19,23	0406 90 87 9300	037	—
	...	62,51		039	—
0406 90 81 9900	037	—		099	28,27
	039	—		400	28,02
	099	53,71		...	58,31
	400	47,61	0406 90 87 9400	037	—
	...	88,63		039	—
0406 90 85 9910	037	28,95		099	30,66
	039	28,95		400	30,66
	099	59,27		...	63,25
	400	59,27	0406 90 87 9951	037	—
	...	97,79		039	—
0406 90 85 9991	037	—		099	42,19
	039	—		400	42,19
	099	54,68		...	87,04
	400	40,19	0406 90 87 9971	037	—
	...	90,22		039	—
0406 90 85 9995	037	—		099	42,07
	039	—		400	34,41
	099	51,97		...	86,78
	400	21,16	0406 90 87 9972	099	16,03
	...	85,75		400	13,67
				...	33,07

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	37,66	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	...	77,68	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	42,07	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	...	86,78	2309 10 70 9100	+	13,85
0406 90 87 9979	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	36,51	2309 10 70 9500	+	27,70
	400	24,08	2309 10 70 9600	+	32,32
	...	75,31	2309 10 70 9700	+	36,94
0406 90 88 9100	+	—	2309 10 70 9800	+	40,63
0406 90 88 9105	037	—	2309 90 35 9010	+	—
	039	—	2309 90 35 9100	+	—
	099	52,46	2309 90 35 9200	+	—
	400	30,30	2309 90 35 9300	+	—
	...	86,56	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	31,84	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	...	52,55	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 895/97 (OJ L 128, 21. 5. 1997, p. 1).

However:

— '099' covers all destination codes from 053 to 096 inclusive,

— '970' covers the exports referred to in Article 34 (1) (c) of Commission Regulation (EEC) No 3665/87 (OJ L 351, 14. 12. 1987, p. 1).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '...'.

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 1879/97**of 26 September 1997****amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products regarding the amounts of aid**

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance⁽⁵⁾, as last amended by Regulation (EC) No 1579/97⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 1878/97 of 26 September 1997 fixing the export refunds on milk and milk products⁽⁷⁾, fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ L 218, 1. 8. 1992, p. 75.

⁽⁶⁾ OJ L 214, 6. 8. 1997, p. 9.

⁽⁷⁾ See page 41 of this Official Journal.

ANNEX

ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000	(¹)	2,327
0401 10 90	— — Other	0401 10 90 9000	(¹)	2,327
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100	(¹)	2,327
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500	(¹)	3,597
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100	(¹)	2,327
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500	(¹)	3,597
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100	(¹)	4,551
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500	(¹)	5,302
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100	(¹)	4,551
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500	(¹)	5,302
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 9100	(¹)	6,803
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400	(¹)	10,50
	— — — Exceeding 17 %	0401 30 11 9700	(¹)	15,77
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 9100	(¹)	6,803
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400	(¹)	10,50
	— — — Exceeding 17 %	0401 30 19 9700	(¹)	15,77
	— — Exceeding 21 % but not exceeding 45 %:			

(in ECU/100 kg weight, if no other indication)				
CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 %	0401 30 31 9100 0401 30 31 9400 0401 30 31 9700	(¹) (¹) (¹)	38,32 59,85 66,00
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 %	0401 30 39 9100 0401 30 39 9400 0401 30 39 9700	(¹) (¹) (¹)	38,32 59,85 66,00
0401 30 91	— — — Exceeding 45 %: — — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 91 9100 0401 30 91 9400 0401 30 91 9700	(¹) (¹) (¹)	75,22 110,55 129,01
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %	0401 30 99 9100 0401 30 99 9400 0401 30 99 9700	(¹) (¹) (¹)	75,22 110,55 129,01
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 9000 0402 10 19 9000	(²)	59,85
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 9900 0402 21 19 9900	(²)	102,60
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 11 9200 0402 21 11 9300 0402 21 11 9500 0402 21 11 9900	(²) (²) (²) (²)	59,85 90,54 95,38 102,60
0402 21 19	— — — — Other: — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %	0402 21 19 9300 0402 21 19 9500 0402 21 19 9900	(²) (²) (²)	90,54 95,38 102,60
	— — — Of a fat content, by weight, exceeding 27 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽³⁾ :					
ex 0406 90 23	— — — Edam	47	40	0406 90 23 9900	⁽³⁾	75,31
ex 0406 90 25	— — — Tilsit	47	45	0406 90 25 9900	⁽³⁾	76,25
ex 0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	— — — — — — — Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	— — — — — — — Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	⁽³⁾	71,94
	— — — — — — — Of a dry matter content, by weight, of 56 % or more	44	45	0406 90 76 9400	⁽³⁾	82,65
	— — — — — — — Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	⁽³⁾	79,62
ex 0406 90 78	— — — — — Gouda:					
	— — — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	⁽³⁾	67,50
	— — — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less than 55 %	45	48	0406 90 78 9300	⁽³⁾	82,65
	— — — — — — — Other	45	55	0406 90 78 9500	⁽³⁾	82,65
ex 0406 90 79	— — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	⁽³⁾	62,51
ex 0406 90 81	— — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	⁽³⁾	88,63
ex 0406 90 86	— — — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — Of less than 5 %	52		0406 90 86 9200	⁽³⁾	61,34
	— — — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	⁽³⁾	63,48
	— — — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	⁽³⁾	71,32
	— — — — — — — — Of 39 % or more	40	39	0406 90 86 9900	⁽³⁾	90,34
ex 0406 90 87	— — — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — — Of less than 5 %	60		0406 90 87 9200	⁽³⁾	51,11
	— — — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	⁽³⁾	58,31
	— — — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	⁽³⁾	63,25

(in ECU/100 kg weight, if no other indication)						
CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 87 (cont'd.)	— — — — — Of 40 % or more:					
	— — — — — Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(³)	87,04
	— — — — — Maasdam	45	45	0406 90 87 9971	(³)	86,78
	— — — — — Manouri	43	53	0406 90 87 9972	(³)	33,07
	— — — — — Hushallsost	46	45	0406 90 87 9973	(³)	77,68
	— — — — — Murukoloinen	41	50	0406 90 87 9974	(³)	86,78
	— — — — — Other:	47	40	0406 90 87 9979	(³)	75,31
ex 0406 90 88	— — — — — Exceeding 62 % but not exceeding 72 %:					
	— — — — — cheeses produced from whey			0406 90 88 9100		—
	— — — — — Other:					
	— — — — — Other:					
	— — — — — Of a fat content, by weight, in the dry matter:					
	— — — — — Of 10 % or more but less than 19 %	60	10	0406 90 88 9300	(³)	52,55

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(⁴) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ L 144, 28. 6. 1995, p. 22).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

COMMISSION REGULATION (EC) No 1880/97

of 26 September 1997

amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94⁽⁵⁾, as last amended by Regulation (EC) No 1580/97⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 1878/97 of 26 September 1997 fixing the export refunds on milk and

milk products⁽⁷⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ L 316, 9. 12. 1994, p. 11.

⁽⁶⁾ OJ L 214, 6. 8. 1997, p. 15.

⁽⁷⁾ See page 41 of this Official Journal.

ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter ⁽¹⁾ :			
0401 10	— Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	— — In immediate packings of a net content not exceeding 2 litres	0401 10 10 9000	(¹)	2,327
0401 10 90	— — Other	0401 10 90 9000	(¹)	2,327
0401 20	— Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	— — Not exceeding 3 %:			
0401 20 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 9100	(¹)	2,327
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 11 9500	(¹)	3,597
0401 20 19	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 9100	(¹)	2,327
	— — — Of a fat content, by weight, exceeding 1,5 %	0401 20 19 9500	(¹)	3,597
	— — Exceeding 3 %:			
0401 20 91	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 91 9100	(¹)	4,551
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 91 9500	(¹)	5,302
0401 20 99	— — — Other:			
	— — — Of a fat content, by weight, not exceeding 4 %	0401 20 99 9100	(¹)	4,551
	— — — Of a fat content, by weight, exceeding 4 %	0401 20 99 9500	(¹)	5,302
0401 30	— Of a fat content, by weight, exceeding 6 %:			
	— — Not exceeding 21 %:			
0401 30 11	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 11 9100	(¹)	6,803
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 11 9400	(¹)	10,50
	— — — Exceeding 17 %	0401 30 11 9700	(¹)	15,77
0401 30 19	— — — Other:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 10 %	0401 30 19 9100	(¹)	6,803
	— — — Exceeding 10 % but not exceeding 17 %	0401 30 19 9400	(¹)	10,50
	— — — Exceeding 17 %	0401 30 19 9700	(¹)	15,77
	— — Exceeding 21 % but not exceeding 45 %:			
0401 30 31	— — — In immediate packings of a net content not exceeding 2 litres:			
	— — — Of a fat content, by weight:			
	— — — Not exceeding 35 %	0401 30 31 9100	(¹)	38,32
	— — — Exceeding 35 % but not exceeding 39 %	0401 30 31 9400	(¹)	59,85
	— — — Exceeding 39 %	0401 30 31 9700	(¹)	66,00

(in ECU/100 kg weight, if no other indication)				
CN code	Description of goods	Product code	Notes	Amount of aid
0401 30 39	— — — Other: — Of a fat content, by weight: — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %:			
		0401 30 39 9100	(¹)	38,32
		0401 30 39 9400	(¹)	59,85
		0401 30 39 9700	(¹)	66,00
0401 30 91	— — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %			
		0401 30 91 9100	(¹)	75,22
		0401 30 91 9400	(¹)	110,55
		0401 30 91 9700	(¹)	129,01
0401 30 99	— — — Other: — Of a fat content, by weight: — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 %			
		0401 30 99 9100	(¹)	75,22
		0401 30 99 9400	(¹)	110,55
		0401 30 99 9700	(¹)	129,01
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	— In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (⁷): — — Not containing added sugar or other sweetening matter (²):			
0402 10 11	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 9000	(²)	59,85
0402 10 19	— — — Other — — Other (³):	0402 10 19 9000	(²)	59,85
0402 10 91	— — — In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 9000	(³)	0,5985
0402 10 99	— — — Other — In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (⁷):	0402 10 99 9000	(³)	0,5985
0402 21	— — Not containing added sugar or other sweetening matter (²): — — — Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 11 % — Exceeding 11 % but not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %			
		0402 21 11 9200	(²)	59,85
		0402 21 11 9300	(²)	90,54
		0402 21 11 9500	(²)	95,38
		0402 21 11 9900	(²)	102,60
	— — — — Other:			
0402 21 17	— — — — — Of a fat content, by weight, not exceeding 11 %	0402 21 17 9000	(²)	59,85
0402 21 19	— — — — — Of a fat content, by weight, exceeding 11 % but not exceeding 27 %: — Not exceeding 17 % — Exceeding 17 % but not exceeding 25 % — Exceeding 25 %			
		0402 21 19 9300	(³)	90,54
		0402 21 19 9500	(²)	95,38
		0402 21 19 9900	(²)	102,60
	— — — Of a fat content, by weight, exceeding 27 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 21 91	- - - - In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 7 %	0402 21 91 9100 0402 21 91 9200 0402 21 91 9300 0402 21 91 9400 0402 21 91 9500 0402 21 91 9600 0402 21 91 9700 0402 21 91 9900	(2) (2) (2) (2) (2) (2) (2) (2)	103,34 104,05 105,34 112,58 115,09 124,73 130,38 136,76
0402 21 99	- - - - Other: - Of a fat content, by weight: - Not exceeding 28 % - Exceeding 28 % but not exceeding 29 % - Exceeding 29 % but not exceeding 41 % - Exceeding 41 % but not exceeding 45 % - Exceeding 45 % but not exceeding 59 % - Exceeding 59 % but not exceeding 69 % - Exceeding 69 % but not exceeding 79 % - Exceeding 79 %	0402 21 99 9100 0402 21 99 9200 0402 21 99 9300 0402 21 99 9400 0402 21 99 9500 0402 21 99 9600 0402 21 99 9700 0402 21 99 9900	(2) (2) (2) (2) (2) (2) (2) (2)	103,34 104,05 105,34 112,58 115,09 124,73 130,38 136,76
ex 0402 29	- - Other (3): - - - Of a fat content, by weight, not exceeding 27 %: - - - - Other:			
0402 29 15	- - - - - In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 29 15 9200 0402 29 15 9300 0402 29 15 9500 0402 29 15 9900	(3) (3) (3) (3)	0,5985 0,9054 0,9538 1,0262
0402 29 19	- - - - - Other: - Of a fat content, by weight: - Not exceeding 11 % - Exceeding 11 % but not exceeding 17 % - Exceeding 17 % but not exceeding 25 % - Exceeding 25 %	0402 29 19 9200 0402 29 19 9300 0402 29 19 9500 0402 29 19 9900	(3) (3) (3) (3)	0,5985 0,9054 0,9538 1,0262
0402 29 91	- - - - Of a fat content, by weight, exceeding 27 %: - - - - - In immediate packings of a net content not exceeding 2,5 kg: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 91 9100 0402 29 91 9500	(3) (3)	1,0334 1,1258
0402 29 99	- - - - Other: - Of a fat content, by weight: - Not exceeding 41 % - Exceeding 41 %	0402 29 99 9100 0402 29 99 9500	(3) (3)	1,0334 1,1258

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	– Other:			
0402 91	– – Not containing added sugar or other sweetening matter ⁽²⁾ :			
	– – – Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9110	⁽²⁾	2,327
	– Exceeding 3 %	0402 91 11 9120	⁽²⁾	4,551
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 11 9310	⁽²⁾	13,30
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 11 9350	⁽²⁾	16,29
	– Exceeding 7,4 %	0402 91 11 9370	⁽²⁾	19,81
0402 91 19	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 % and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9110	⁽²⁾	2,327
	– Exceeding 3 %	0402 91 19 9120	⁽²⁾	4,551
	– Of 15 % or more and of a fat content, by weight:			
	– Not exceeding 3 %	0402 91 19 9310	⁽²⁾	13,30
	– Exceeding 3 % but not exceeding 7,4 %	0402 91 19 9350	⁽²⁾	16,29
	– Exceeding 7,4 %	0402 91 19 9370	⁽²⁾	19,81
	– – – Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:			
0402 91 31	– – – – In immediate packings of a net content not exceeding 2,5 kg:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 31 9100	⁽²⁾	8,991
	– Of 15 % or more	0402 91 31 9300	⁽²⁾	23,42
0402 91 39	– – – – Other:			
	– Of a non-fat lactic dry matter content:			
	– Of less than 15 %	0402 91 39 9100	⁽²⁾	8,991
	– Of 15 % or more	0402 91 39 9300	⁽²⁾	23,42
	– – – Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:			
0402 91 51	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 9000	⁽²⁾	10,50
0402 91 59	– – – – Other	0402 91 59 9000	⁽²⁾	10,50
	– – – Of a fat content, by weight, exceeding 45 %:			
0402 91 91	– – – – In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 9000	⁽²⁾	75,22
0402 91 99	– – – – Other	0402 91 99 9000	⁽²⁾	75,22

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
0402 99	— — Other:			
	— — — Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight ⁽³⁾ :			
	— Not exceeding 3 %	0402 99 11 9110	⁽³⁾	0,0233
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9130	⁽³⁾	0,0456
	— Exceeding 6,9 %	0402 99 11 9150	⁽³⁾	0,1269
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight ⁽⁴⁾ :			
	— Not exceeding 3 %	0402 99 11 9310	⁽⁴⁾	15,33
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 9330	⁽⁴⁾	18,40
	— Exceeding 6,9 %	0402 99 11 9350	⁽⁴⁾	24,46
0402 99 19	— — — — Other:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight ⁽³⁾ :			
	— Not exceeding 3 %	0402 99 19 9110	⁽³⁾	0,0233
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9130	⁽³⁾	0,0456
	— Exceeding 6,9 %	0402 99 19 9150	⁽³⁾	0,1269
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight ⁽⁴⁾ :			
	— Not exceeding 3 %	0402 99 19 9310	⁽⁴⁾	15,33
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 9330	⁽⁴⁾	18,40
	— Exceeding 6,9 %	0402 99 19 9350	⁽⁴⁾	24,46
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾	0402 99 31 9110	⁽³⁾	0,0975
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾	0402 99 31 9150	⁽⁴⁾	25,47
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾	0402 99 31 9300	⁽³⁾	0,3832
	— Of a fat content, by weight, exceeding 39 % ⁽³⁾	0402 99 31 9500	⁽³⁾	0,6600
0402 99 39	— — — — Other:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾	0402 99 39 9110	⁽³⁾	0,0975
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾	0402 99 39 9150	⁽⁴⁾	25,97
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾	0402 99 39 9300	⁽³⁾	0,3832
	— Of a fat content, by weight, exceeding 39 % ⁽³⁾	0402 99 39 9500	⁽³⁾	0,6600

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg ⁽²⁾	0402 99 91 9000	(²)	0,7522
0402 99 99	— — — — Other ⁽²⁾	0402 99 99 9000	(²)	0,7522
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	— Butter:			
	— — Of a fat content, by weight, not exceeding 85 %:			
	— — — Natural butter:			
0405 10 11	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 11 9500		176,10
	— — — — — — Of 82 % or more	0405 10 11 9700		180,50
0405 10 19	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 19 9500		176,10
	— — — — — — Of 82 % or more	0405 10 19 9700		180,50
0405 10 30	— — — Recombined butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9100		176,10
	— — — — — — Of 82 % or more	0405 10 30 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 30 9500		176,10
	— — — — — — Of 82 % or more	0405 10 30 9700		180,50
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9100		176,10
	— — — — — — Of 82 % or more	0405 10 50 9300		180,50
	— — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — — Of 80 % or more but less than 82 %	0405 10 50 9500		176,10
	— — — — — — Of 82 % or more	0405 10 50 9700		180,50
0405 10 90	— — Other	0405 10 90 9000		187,10
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 9500		165,09
	— — — — Of 78 % or more	0405 20 90 9700		171,69
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 9000		228,00
0405 90 90	— — Other	0405 90 90 9000		180,50

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406	Cheese and curd ⁽⁵⁾ :					
ex 0406 30	– Processed cheese, not grated or powdered ⁽⁶⁾ :					
	– – Other:					
	– – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:					
ex 0406 30 31	– – – – Not exceeding 48 %:					
	– – – – – Of a dry matter content, by weight:					
	– – – – – – Of 40 % or more but less than 43 %, and of a fat content, by weight, in the dry matter:					
	– – – – – – – Of less than 20 %	60		0406 30 31 9710	⁽⁷⁾	17,88
	– – – – – – – Of 20 % or more	60	20	0406 30 31 9730	⁽⁷⁾	26,24
	– – – – – – – Of 43 % or more and with a fat content, by weight, in the dry matter:					
	– – – – – – – Of less than 20 %	57		0406 30 31 9910	⁽⁷⁾	17,88
	– – – – – – – Of 20 % or more but less than 40 %	57	20	0406 30 31 9930	⁽⁷⁾	26,24
	– – – – – – – Of 40 % or more	57	40	0406 30 31 9950	⁽⁷⁾	38,17
ex 0406 30 39	– – – – Exceeding 48 %:					
	– – – – – Of a dry matter, content, by weight:					
	– – – – – – Of 40 % or more but less than 43 %	60	48	0406 30 39 9500	⁽⁷⁾	26,24
	– – – – – – Of 43 % or more but less than 46 %	57	48	0406 30 39 9700	⁽⁷⁾	38,17
	– – – – – – Of 46 % or more and with a fat content, by weight, in the dry matter:					
	– – – – – – – Of less than 55 %	54	48	0406 30 39 9930	⁽⁷⁾	38,17
	– – – – – – – Of 55 % or more	54	55	0406 30 39 9950	⁽⁷⁾	43,16
ex 0406 30 90	– – – Of a list content exceeding 36 %	54	79	0406 30 90 9000	⁽⁷⁾	45,28
ex 0406 90 23	– – – Edam	47	40	0406 90 23 9900	⁽⁷⁾	75,31
ex 0406 90 25	– – – Tilsit	47	45	0406 90 25 9900	⁽⁷⁾	76,25
ex 0406 90 27	– – – Butterkäse	52	45	0406 90 27 9900	⁽⁷⁾	69,06
ex 0406 90 76	– – – – – Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsøe:					
	– – – – – – Of a fat content, by weight, in the dry matter of 45 % or more but less than 55 %:					
	– – – – – – – Of a dry matter content, by weight, of 50 % or more but less than 56 %	50	45	0406 90 76 9300	⁽⁷⁾	71,94
	– – – – – – – Of a dry matter content, by weight, of 56 % or more	46	55	0406 90 76 9400	⁽⁷⁾	82,65
	– – – – – – – Of a fat content, by weight, in the dry matter of 55 % or more	46	55	0406 90 76 9500	⁽⁷⁾	79,62

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 78	— — — — — Gouda:					
	— — — — — — Of a fat content, by weight, in the dry matter of less than 48 %	50	20	0406 90 78 9100	(³)	67,50
	— — — — — — Of a fat content by weight, in the dry matter of 48 % or more but less 55 %	45	48	0406 90 78 9300	(³)	82,65
	— — — — — — Other	45	55	0406 90 78 9500	(³)	82,65
ex 0406 90 79	— — — — — — Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	56	40	0406 90 79 9900	(³)	62,51
ex 0406 90 81	— — — — — — Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	44	45	0406 90 81 9900	(³)	88,63
ex 0406 90 86	— — — — — — Exceeding 47 % but not exceeding 52 %:					
	— — — — — — — cheeses produced from whey			0406 90 86 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 5 %	52		0406 90 86 9200	(³)	61,34
	— — — — — — — Of 5 % or more but less than 19 %	51	5	0406 90 86 9300	(³)	63,48
	— — — — — — — Of 19 % or more but less than 39 %	47	19	0406 90 86 9400	(³)	71,32
	— — — — — — — Of 39 % or more	40	39	0406 90 86 9900	(³)	90,34
ex 0406 90 87	— — — — — — Exceeding 52 % but not exceeding 62 %:					
	— — — — — — — cheeses produced from whey, except for Manouri			0406 90 87 9100		—
	— — — — — — — Other, of a fat content, by weight, in the dry matter:					
	— — — — — — — Of less than 5 %	60		0406 90 87 9200	(³)	51,11
	— — — — — — — Of 5 % or more but less than 19 %	55	5	0406 90 87 9300	(³)	58,31
	— — — — — — — Of 19 % or more but less than 40 %	53	19	0406 90 87 9400	(³)	63,25
	— — — — — — — Of 40 % or more:					
	— — — — — — — Idiazabal, Manchego and Roncal manufactured exclusively from sheep's milk	45	45	0406 90 87 9951	(³)	87,04
	— — — — — — — Maasdam	45	45	0406 90 87 9971	(³)	86,78
	— — — — — — — Manouri	43	53	0406 90 87 9972	(³)	33,07
	— — — — — — — Hushallsost	46	45	0406 90 87 9973	(³)	77,68
	— — — — — — — Murukoloinen	41	50	0406 90 87 9974	(³)	86,78
	— — — — — — — Other	47	40	0406 90 87 9979	(³)	75,31

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Additional requirements for using the product code		Product code	Notes	Amount of aid
		Maximum water content in product weight (%)	Minimum fat content in the dry matter (%)			
ex 0406 90 88	— — — — — Exceeding 62 % but not exceeding 72 %: — — — — — cheeses produced from whey — — — — — Other: — — — — — Other: — — — — — Of a fat content, by weight, in the dry matter: — — — — — Of 10 % or more but less than 19 %	60	10	0406 90 88 9100 0406 90 88 9300	(¹)	— 52,55

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ L 144, 28. 6. 1995, p. 22).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

(⁴) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements:

(a) the amount per 100 kilograms shown; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be:

- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
- divided by the weight of the lactic part contained in 100 kilograms of product;

(b) a component calculated in accordance with the provisions of Article 12 (3) of Regulation (EC) No 1466/95.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
- the lactose content of the added whey.

(⁵) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.

(⁶) Where the product contains non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504, the part corresponding to the added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 will not be taken into account for the purpose of calculating the aid.

When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 have been added and, if so, the actual content by weight of added non-lactic matter and/or casein and/or caseinates and/or whey and/or products derived from whey and/or lactose and/or permeate and/or products falling within CN code 3504 per 100 kilograms of finished product.

(⁷) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.

COMMISSION REGULATION (EC) No 1881/97

of 26 September 1997

amending Regulation (EC) No 1487/95 establishing the supply balance for the Canary Islands for products from the pigmeat sector and fixing the aid for products coming from the Community

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures for the Canary Islands concerning certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 4 (4) thereof,

Whereas the amounts of aid for the supply of the pigmeat sector to the Canary Islands have been settled by Commission Regulation (EC) No 1487/95 of 28 June 1995 establishing the supply balance for the Canary Islands for products from the pigmeat sector and fixing the aid for products coming from the Community⁽³⁾, as last amended by Regulation (EC) No 1209/97⁽⁴⁾; whereas, as a consequence of the changes in the rates and prices for cereal products in the European part of the Commu-

nity and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Annex II to amended Regulation (EEC) No 1487/95 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 145, 29. 6. 1995, p. 63.

⁽⁴⁾ OJ L 170, 28. 6. 1997, p. 35.

ANNEX

ANNEX II

Amounts of aid granted for products coming from the Community market

<i>(ECU/100 kg net weight)</i>	
Product code	Amount of aid
0203 21 10 9000	7,4
0203 22 11 9100	11,1
0203 22 19 9100	7,4
0203 29 11 9100	7,4
0203 29 13 9100	11,1
0203 29 15 9100	7,4
0203 29 55 9110	12,5

NB: The product codes as well as the footnotes are defined in Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1882/97**of 26 September 1997****amending Regulation (EEC) No 1725/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the pigmeat sector and fixing the aid for products coming from the Community**

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2348/96⁽²⁾, and in particular Article 10 thereof,

Whereas the amount of aid for supplying the Azores and Madeira with products from the pigmeat sector have fixed by Commission Regulation (EEC) No 1725/92 of 30 June 1992 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the pigmeat sector⁽³⁾, as last amended by Regulation (EC) No 1210/97⁽⁴⁾; whereas, in calculating the aid for the pigmeat products intended for the Azores and Madeira, it is necessary to take account of the relationship that exists between the aids for cereals and those for pigmeat; whereas as a result of the changes in quota-

tions and prices for cereal products on the European territory of the Community and on the world market, the amounts of aid for supplying the Azores and Madeira should be fixed again 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 Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 1725/92 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 179, 1. 7. 1992, p. 95.

⁽⁴⁾ OJ L 170, 28. 6. 1997, p. 37.

ANNEX

ANNEX II

Amounts of aid granted for products referred to in Annex I and coming from the Community market

(ECU/100 kg net)	
Product code	Amount of aid
0203 11 10 9000	7,4
0203 12 11 9100	11,1
0203 12 19 9100	7,4
0203 19 11 9100	7,4
0203 19 13 9100	11,1
0203 19 15 9100	7,4
0203 19 55 9110	12,5
0203 19 55 9310	12,5
0203 21 10 9000	7,4
0203 22 11 9100	11,1
0203 22 19 9100	7,4
0203 29 11 9100	7,4
0203 29 13 9100	11,1
0203 29 15 9100	7,4
0203 29 55 9110	12,5

NB: The product codes as well as the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24. 12. 1987, p. 1).'

COMMISSION REGULATION (EC) No 1883/97

of 26 September 1997

opening an invitation to tender for the refund or the tax for the export of
common wheat to Ceuta, Melilla and certain ACP States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 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 4 thereof,

Whereas, with a view to supplying the markets of the ACP countries, favoured partners of the Community, and the markets of Ceuta and Melilla, significant quantities of common wheat are required; whereas these markets are usually supplied on the basis of regular contracts to ensure stable prices for Ceuta, Melilla and the ACP countries over a certain period; whereas it is therefore necessary to issue a specific invitation to tender to ensure that users in Ceuta, Melilla and certain ACP States have access to common wheat under conditions appropriate to the highly competitive situation on the world market;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export refund, or export tax in Regulation (EC) No 1501/95; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas, in order to ensure the smooth operation of the export tendering procedure it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas provision should be made for a security lodgment scheme which ensures that the aims are met while avoiding excessive costs for the operators;

Whereas, in addition to the conditions laid down in Article 30 of Commission Regulation (EEC) No

3719/88⁽⁵⁾, as last amended by Regulation (EC) No 1404/97⁽⁶⁾, provision should be made for the release for consumption in Ceuta, Melilla or the ACP State(s) laid down in this Regulation;

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

1. Tenders shall be invited for the export refund and/or export tax concerning common wheat, as provided for in Article 4 of Regulation (EC) No 1501/95.
2. The common wheat must be exported to Ceuta, Melilla, to an ACP State or to several States within one of the groups of ACP States listed in Annex I.
3. The invitation shall remain open until 18 December 1997. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 500 tonnes for Ceuta and Melilla, or not less than 1 000 tonnes for the ACP States listed in Annex I.

Article 3

The security referred to in Article 5 (3a) of Regulation (EC) No 1501/95 shall be ECU 12 per tonne.

Article 4

1. Tenders shall only be admissible if:
 - the tenderer provides written proof from an official body in Ceuta, Melilla or in the ACP country of destination or a company having its overseas subsidiary in Ceuta, Melilla or the said country, that he has concluded for the quantity in question a commercial supply contract for common wheat for export to Ceuta, Melilla, to an ACP State or to several States

⁽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 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ L 194, 23. 7. 1997, p. 5.

within one of the groups of ACP states listed in Annex I. That contract may cover only those deliveries to be made during the period October 1997 to February 1998 for quantities traditionally supplied; such proof shall be lodged with the competent authorities at least two working days before the date of the partial invitation to tender against which the tender is to be submitted,

- they are accompanied by an application for an export licence for the destination in question.

The proof provided for in the first indent shall also indicate the quality provided for in the contract, the time limit for delivery and the price terms.

The Member State shall send the Commission a copy of the said proof forthwith, for information.

2. Tenders may not exceed the quantity laid down in the commercial contract submitted. The tenderers may not submit simultaneously several bids on the basis of the same contract.

When transmitting the tenders submitted, the Member States shall inform the Commission of the above, mentioning if necessary the names of the tenderers involved.

Article 5

1. The licence obliges the operator to export to Ceuta, Melilla or the ACP State or States for which the licence application was submitted. However, for ACP States and up to a limit of 30 % of the quantity for which the licence was issued, the operator may effect his contract at another destination on condition that it belongs to the same group of countries listed in Annex I.

2. The export licences shall be issued as soon as the successful tenderers have been selected.

3. Article 9 of Regulation (EEC) No 3719/88 notwithstanding, the rights deriving from the licence referred to in this Article shall not be transferable.

Article 6

The obligation to export and import into Ceuta, Melilla or one of the countries of destination listed in Annex I shall be covered by a security amounting to ECU 20 per tonne, lodged upon issue of the export licence.

The amount of ECU 20 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof of entry for consumption into Ceuta, Melilla or the ACP State or States referred to in Article 1 (2). This proof shall be supplied in accordance with Articles 18 and 47 of Commission Regulation (EEC) No 3665/87⁽¹⁾.

Article 7

1. Notwithstanding Article 21 (1) of Regulation (EEC) No 3719/88, export licences issued under Article 8 (1) of

Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Subject to the provisions of Article 1 of Commission Regulation (EC) No 1521/94⁽²⁾ export licences issued in connection with the invitations to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 8

1. The Commission shall decide, pursuant to the procedures laid down in Article 23 of Regulation (EEC) No 1766/92:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to fix a minimum export tax, taking into account in particular the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to make no award.

2. Where a maximum export refund is fixed, the contract shall be awarded to the tenderer or tenderers whose bids are equal to or lower than the maximum refund, as well as to the tenderer or tenderers whose bid relates to an export tax.

3. Where a minimum export tax is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of tax equal to or more than such minimum export tax.

Article 9

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in Annex II, to the telex or fax numbers in Annex III.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 10

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 11

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

⁽¹⁾ OJ L 351, 14. 12. 1987, p. 1.

⁽²⁾ OJ L 162, 30. 6. 1994, p. 47.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Groups of ACP States signatories to the Lomé Convention

Group I	Group II	Group III
Mauritania Mali Niger Senegal Burkina Faso Gambia Guinea-Bissau Guinea Cape Verde Sierra Leone Liberia Côte d'Ivoire Ghana Togo	Chad Central African Republic Benin Cameroon Equatorial Guinea São Tomé and Príncipe Gabon Congo Democratic Republic of Congo Rwanda Burundi	Seychelles Comoros Madagascar Mauritius Angola Zambia Malawi Mozambique Namibia Botswana Zimbabwe Lesotho Swaziland Djibouti Ethiopia Eritrea

*ANNEX II***Weekly tender for the refund or the tax for the export of common wheat to Ceuta, Melilla
and certain ACP-States**

(Regulation (EC) No 1883/97)

Closing date for the submission of tenders (date/time)

1	2	3	
Number of tenderer	Quantity in tonnes	A	B
		Amount of export tax in ECU per tonne	Amount of export refund in ECU per tonne
1			
2			
3			
etc.			

ANNEX III

The only numbers to use to call Brussels (DG VI-C-1) are:

- telex: — 22037 AGREC B,
 — 22070 AGREC B (Greek characters);
 - fax: — 295 25 15,
 — 296 49 56.
-

COMMISSION REGULATION (EC) No 1884/97

of 26 September 1997

amending Regulation (EC) No 1339/97 opening an invitation to tender for the refund or the tax for the export of common wheat to all third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of the 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 4 thereof,

Whereas Commission Regulation (EC) No 1883/97⁽⁵⁾ opens an invitation to tender relating to the export of common wheat to Ceuta, Melilla and certain ACP States; whereas the destinations laid down in Commission Regulation (EC) No 1339/97⁽⁶⁾ should therefore be amended;

Whereas Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁷⁾, as last amended by Regulation (EC) No 815/97⁽⁸⁾, requires that, where refunds vary according to destination, payment of the refund be made conditional *inter alia* on presentation of proof that the product has been imported in its unaltered state into the third country or into one of the third countries for which the refund applies; whereas that proof is required under the invitation to tender opened by Regulation (EC) No 1883/97 for exports of common wheat to Ceuta, Melilla and certain ACP States; whereas exports to other third countries under the invitation to tender opened by Regulation (EC) No 1339/97 are carried out under less fa-

vourable conditions; whereas the risk of fraud is therefore small; whereas, in order to avoid obstructing these exports to other third countries, proof of arrival should not be required; whereas certificates drawn up by the competent authorities of the Member States stating that the products have left the territory of the Community on board a vessel suitable for sea transport may be considered to provide a sufficient guarantee;

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

Regulation (EC) No 1339/97 is amended as follows:

1. The title is replaced by the following:

'opening an invitation to tender for the refund or the tax for the export of common wheat to all third countries except Ceuta, Melilla and certain ACP States.'

2. Article 1 (2) is replaced by the following:

'2. The invitation to tender shall cover common wheat for export to all third countries except Ceuta, Melilla and ACP States listed in Annex III.'

3. The following Article 4a is added after Article 4:

'Article 4a

Notwithstanding Article 18 of Regulation (EEC) No 3665/87, proof of completion of customs formalities for release for consumption shall not be required for payment of refunds fixed in a contract awarded under this tender, in so far as the operator provides proof that a quantity of at least 1 500 tonnes of cereal product have left the customs territory of the Community on board a vessel suitable for sea transport.'

4. The title of Annex I is replaced by the following:

'Weekly tender for the refund or the tax for the export of common wheat to all third countries except Ceuta, Melilla and certain ACP States.'

5. The following Annex III is added:

⁽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⁾ See page 69 of this Official Journal.

⁽⁶⁾ OJ L 184, 12. 7. 1997, p. 7.

⁽⁷⁾ OJ L 351, 14. 12. 1987, p. 1.

⁽⁸⁾ OJ L 116, 6. 5. 1997, p. 22.

ANNEX III

Groups of ACP States signatories to the Lomé Convention

Group I	Group II	Group III
Mauritania Mali Niger Senegal Burkina Faso Gambia Guinea Bissau Guinea Cape Verde Sierra Leone Liberia Côte d'Ivoire Ghana Togo	Chad Central African Republic Benin Cameroon Equatorial Guinea São Tomé and Príncipe Gabon Congo Democratic Republic of Congo Rwanda Burundi	Seychelles Comoros Madagascar Mauritius Angola Zambia Malawi Mozambique Namibia Botswana Zimbabwe Lesotho Swaziland Djibouti Ethiopia Eritrea

Article 2

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

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1885/97
of 26 September 1997
amending Regulation (EC) No 1777/97 on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

sake of clarity, lot C should be cancelled and the quantity concerned included in lot B,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

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

Article 1

Regulation (EC) No 1777/97 is hereby amended as follows:

1. lot C is cancelled.
2. lot B is replaced by the lot B given in the Annex hereto.

Whereas Commission Regulation (EC) No 1777/97 ⁽²⁾ issued an invitation to tender for the supply, as food aid, of cereals; whereas a number of conditions laid down in the Annex to the said Regulation, in particular the delivery stage for lot C should be amended; whereas, for the

Article 2

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

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 252, 16. 9. 1997, p. 1.

ANNEX

LOT B

1. **Operation No** (1): 228/96 (B1); 18/97 (B2)
 2. **Programme**: 1996 and 1997
 3. **Recipient** (2): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (tel.: (39 6) 5228 2988; fax: 5228 2844/3; telex: 626675 WFP I)
 4. **Representative of the recipient**: to be designated by the recipient
 5. **Place or country of destination**: Bolivia
 6. **Product to be mobilized**: common wheat
 7. **Characteristics and quality of the goods** (3) (4): see OJ C 114, 29. 4. 1991, p. 1 (II.A (1) (a))
 8. **Total quantity (tonnes)**: 9 612
 9. **Number of lots**: one in two parts (B1: 4 612 tonnes; B2: 5 000 tonnes)
 10. **Packaging and marking** (6) (7): see OJ C 267, 13. 9. 1996, p. 1 (1.0.A (1) (c), (2) (c) and (B) (3))
see OJ C 114, 29. 4. 1991, p. 1 (II.A (3))
Language to be used for the marking: Spanish
 11. **Method of mobilization**: the Community market
 12. **Stage of supply**: free at destination
 13. **Port of shipment**: —
 14. **Port of landing specified by the recipient**: —
 15. **Port of landing**: —
 16. **Address of the warehouse and, if appropriate, port of landing**: WFP warehouse, Elalto
 17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 — 23. 11. 1997
 18. **Deadline for the supply**: 4. 1. 1998
 19. **Procedure for determining the costs of supply**: invitation to tender
 20. **Date of expiry of the period allowed for submission of tenders**: 14. 10. 1997 (12 noon (Brussels time))
 21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 28. 10. 1997 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 24. 11 — 7. 12. 1997
 - (c) deadline for the supply: 18. 1. 1998
 22. **Amount of tendering security**: ECU 5 per tonne
 23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
 24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
 25. **Refund payable on application by the successful tenderer** (1): refund applicable on 30. 9. 1997, fixed by Commission Regulation (EC) No 1699/97 (OJ L 239, 30. 8. 1997, p. 24)
-

COMMISSION REGULATION (EC) No 1886/97

of 26 September 1997

fixing the maximum buying-in price and the quantities of beef to be bought in under the 189th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef ⁽³⁾, as last amended by Regulation (EC) No 1304/97 ⁽⁴⁾, an invitation to tender was opened pursuant to Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EC) No 1815/97 ⁽⁶⁾;

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

Whereas, once tenders submitted in respect of the 189th partial invitation to tender have been considered and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughtering, the maximum buying-in price and the quantities which may be bought in should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate, depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

Whereas the scale of the quantities awarded warrants the application of the possibility provided for in Article 16 (2) of Regulation (EEC) No 2456/93 of extending the period during which the intervention products are to be delivered;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the 189th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be ECU 266 per 100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 2 567 tonnes,
- the quantities offered at a price greater than ECU 254 and less than or equal to ECU 264 shall be multiplied by a coefficient of 30 % in accordance with Article 13 (3) of Regulation (EEC) No 2456/93 and those offered at a price greater than ECU 264 shall be multiplied by a coefficient of 12 %;

(b) for category C:

- the maximum buying-in price shall be ECU 266 per 100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 7 283 tonnes,
- the quantities offered at a price less than or equal to ECU 255 shall be multiplied by a coefficient of 75 %,
- the quantities offered at a price greater than ECU 255 and less than or equal to ECU 264 shall be multiplied by a coefficient of 60 %, in accordance with Article 13 (3) of Regulation (EEC) No 2456/93, and those offered at a price greater than ECU 264 shall be multiplied by a coefficient of 12 %.

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ L 177, 5. 7. 1997, p. 8.

⁽⁵⁾ OJ L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ L 257, 20. 9. 1997, p. 12.

Article 2

The first sentence of Article 16 (2) of Regulation (EEC) No 2456/93 notwithstanding, the time limit for delivery to intervention stores is extended by one week.

Article 3

This Regulation shall enter into force on 29 September 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1887/97
of 26 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 27 September 1997.

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

Done at Brussels, 26 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 26 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
ex 0707 00 25	060	81,7
	999	81,7
0709 90 79	052	72,0
	999	72,0
0805 30 30	388	74,8
	524	54,8
	528	58,4
	999	62,7
0806 10 40	052	94,2
	064	45,0
	400	207,0
	999	115,4
0808 10 92, 0808 10 94, 0808 10 98	052	72,0
	064	47,8
	388	99,6
	400	81,4
	528	52,5
	528	64,8
	804	87,9
	999	72,3
0808 20 57	052	100,6
	064	86,5
	999	93,5
0809 30 41, 0809 30 49	052	168,0
	400	139,7
	624	180,5
	999	162,7
0809 40 30	052	57,5
	060	53,0
	064	81,3
	066	54,6
	068	30,4
	400	109,9
	624	146,5
	999	76,2

⁽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 1888/97
of 26 September 1997
fixing the export refunds on beef and veal

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 13 thereof,

Whereas Article 13 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 32/82⁽³⁾, as last amended by Regulation (EEC) No 3169/87⁽⁴⁾, Regulation (EEC) No 1964/82⁽⁵⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84⁽⁶⁾, as last amended by Regulation (EEC) No 3661/92⁽⁷⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other on adult bovine animals of a live weight of at least 300 kilograms;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed

in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

Whereas Commission Regulation (EEC) No 3846/87⁽⁸⁾, as last amended by Regulation (EC) No 1490/97⁽⁹⁾, establishes the agricultural product nomenclature for the purposes of export refunds; whereas, with a view to clarification, the destinations must be identified in a separate Annex;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought into line with those on fresh or chilled cuts other than those from adult male bovinè animals;

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ L 4, 8. 1. 1982, p. 11.

⁽⁴⁾ OJ L 301, 24. 10. 1987, p. 21.

⁽⁵⁾ OJ L 212, 21. 7. 1982, p. 48.

⁽⁶⁾ OJ L 221, 18. 8. 1984, p. 28.

⁽⁷⁾ OJ L 370, 19. 12. 1992, p. 16.

⁽⁸⁾ OJ L 366, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ L 202, 30. 7. 1997, p. 24.

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 2026/83 ⁽²⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas opportunities exist for the export to certain third countries of heifers other than those intended for slaughter, but to prevent any abuse control criteria should be laid down to ensure that these animals are not more than 36 months old;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which export refunds as referred to in Article 13 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in Annex I of this Regulation.
2. The destinations are identified in Annex II to this Regulation.

Article 2

The grant of the refund for product code 0102 90 59 9000 of the nomenclature for export refunds and for exports to the third countries in zone 10 listed in Annex II to this Regulation shall be subject to presentation, when the customs formalities for export are completed, of the original and one copy of the veterinary certificate signed by an official veterinarian certifying that these are heifers of an age of not more than 36 months. The original of the certificate shall be returned to the exporter and the copy, certified as being in accordance with the regulations by the customs authorities, shall be attached to the application for payment of the refund.

Article 3

This Regulation shall enter into force on 27 September 1997.

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

Done at Brussels, 26 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 62, 7. 3. 1980, p. 5.

⁽²⁾ OJ L 199, 22. 7. 1983, p. 12.

ANNEX I

to the Council Regulation of 26 September 1997 fixing export refunds on beef

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (?)	Product code	Destination	Refund (?)
		— Live weight —			— Net weight —
0102 10 10 9120	01	61,50	0201 20 20 9120	02	69,50
0102 10 10 9130	02	33,00		03	47,50
	03	23,00		04	24,00
	04	11,50			
0102 10 30 9120	01	61,50	0201 20 30 9110 (1)	02	84,50
0102 10 30 9130	02	33,00		03	58,50
	03	23,00		04	28,50
	04	11,50			
0102 10 90 9120	01	61,50	0201 20 30 9120	02	50,00
0102 90 41 9100	02	54,50		03	35,00
0102 90 51 9000	02	33,00		04	17,50
	03	23,00	0201 20 50 9110 (1)	02	147,50
	04	11,50		03	98,50
0102 90 59 9000	02	33,00		04	49,00
	03	23,00			
	04	11,50	0201 20 50 9120	02	88,00
	10	54,50 (9)		03	61,00
0102 90 61 9000	02	33,00		04	30,00
	03	23,00	0201 20 50 9130 (1)	02	84,50
	04	11,50		03	58,50
0102 90 69 9000	02	33,00		04	28,50
	03	23,00			
	04	11,50	0201 20 50 9140	02	50,00
0102 90 71 9000	02	54,50		03	35,00
	03	36,00		04	17,50
	04	18,00			
0102 90 79 9000	02	54,50	0201 20 90 9700	02	50,00
	03	36,00		03	35,00
	04	18,00		04	17,50
		— Net weight —	0201 30 00 9050	05 (4)	72,50
				07 (4a)	72,50
0201 10 00 9110 (1)	02	84,50	0201 30 00 9100 (2)	02	205,50
	03	58,50		03	141,00
	04	28,50		04	70,50
0201 10 00 9120	02	50,00		06	181,00
	03	35,00			
	04	17,50	0201 30 00 9150 (6)	08	88,00
0201 10 00 9130 (1)	02	116,50		09	81,00
	03	78,00		03	68,00
	04	39,50		04	34,00
0201 10 00 9140	02	69,50		06	79,00
	03	47,50			
	04	24,00	0201 30 00 9190 (6)	02	69,50
0201 20 20 9110 (1)	02	116,50		03	46,00
	03	78,00		04	23,00
	04	39,50		06	56,00

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (7)	Product code	Destination	Refund (7)
		— Net weight —			— Net weight —
0202 10 00 9100	02	50,00	1602 50 10 9120	02	80,00 (8)
	03	35,00		03	64,00 (8)
	04	17,50		04	64,00 (8)
0202 10 00 9900	02	69,50	1602 50 10 9140	02	71,00 (8)
	03	47,50		03	56,50 (8)
	04	24,00		04	56,50 (8)
0202 20 10 9000	02	69,50	1602 50 10 9160	02	56,50 (8)
	03	47,50		03	46,00 (8)
	04	24,00		04	46,00 (8)
0202 20 30 9000	02	50,00	1602 50 10 9170	02	38,00 (8)
	03	35,00		03	30,00 (8)
	04	17,50		04	30,00 (8)
0202 20 50 9100	02	88,00	1602 50 10 9190	02	38,00
	03	61,00		03	30,00
	04	30,00		04	30,00
0202 20 50 9900	02	50,00	1602 50 10 9240	02	—
	03	35,00		03	—
	04	17,50		04	—
0202 20 90 9100	02	50,00	1602 50 10 9260	02	—
	03	35,00		03	—
	04	17,50		04	—
0202 30 90 9100	05 (4)	72,50	1602 50 10 9280	02	—
	07 (4a)	72,50		03	—
				04	—
0202 30 90 9400 (6)	08	88,00	1602 50 31 9125	01	97,50 (5)
	09	81,00	1602 50 31 9135	01	51,50 (8)
	03	68,00	1602 50 31 9195	01	25,00
	04	34,00	1602 50 31 9325	01	87,00 (5)
	06	79,00	1602 50 31 9335	01	46,00 (8)
0202 30 90 9500 (6)	02	69,50	1602 50 31 9395	01	25,00
	03	46,00	1602 50 39 9125	01	97,50 (5)
	04	23,00	1602 50 39 9135	01	51,50 (8)
	06	56,00	1602 50 39 9195	01	25,00
0206 10 95 9000	02	69,50	1602 50 39 9325	01	87,00 (5)
	03	46,00	1602 50 39 9335	01	46,00 (8)
	04	23,00	1602 50 39 9395	01	25,00
	06	56,00	1602 50 39 9425	01	52,00 (5)
0206 29 91 9000	02	69,50	1602 50 39 9435	01	30,00 (8)
	03	46,00	1602 50 39 9495	01	22,50
	04	23,00	1602 50 39 9505	01	22,50
	06	56,00	1602 50 39 9525	01	52,00 (5)
0210 20 90 9100	02	58,00	1602 50 39 9535	01	30,00 (8)
	04	34,50	1602 50 39 9595	01	22,50
0210 20 90 9300	02	72,00			
0210 20 90 9500 (3)	02	72,00			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination	Refund (7)	Product code	Destination	Refund (7)
		— Net weight —			— Net weight —
1602 50 39 9615	01	22,50	1602 50 80 9495	01	22,50
1602 50 39 9625	01	10,50	1602 50 80 9505	01	22,50
1602 50 39 9705	01	—	1602 50 80 9515	01	10,50
1602 50 39 9805	01	—	1602 50 80 9535	01	30,00 (8)
1602 50 39 9905	01	—	1602 50 80 9595	01	22,50
1602 50 80 9135	01	46,00 (8)	1602 50 80 9615	01	22,50
1602 50 80 9195	01	22,50	1602 50 80 9625	01	10,50
1602 50 80 9335	01	41,00 (8)	1602 50 80 9705	01	—
1602 50 80 9395	01	22,50	1602 50 80 9805	01	—
1602 50 80 9435	01	30,00 (8)	1602 50 80 9905	01	—

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in amended Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) Carried out in accordance with amended Commission Regulation (EEC) No 2973/79 (OJ L 336, 29. 12. 1979, p. 44).

(4a) Carried out in accordance with amended Commission Regulation (EEC) No 2051/96 (OJ L 274, 26. 10. 1996, p. 18).

(5) OJ L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210 of 1. 8. 1986, p. 39).

(7) Article 13 (10) of amended Regulation (EEC) No 805/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(8) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of amended Commission Regulation (EEC) No 565/80.

(9) The grant of the refund is subject to compliance with the conditions referred to in Article 2 of this Regulation.

NB: The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

Zone 01: all third countries

Zone 02: zones 08 and 09

Zone 03	Zone 05	Zone 09
022 Ceuta and Melilla	400 United States of America	224 Sudan
024 Iceland	Zone 06	228 Mauritania
028 Norway		232 Mali
041 Faroe Islands	809 New Caledonia 822 French Polynesia	236 Burkina Faso
043 Andorra		240 Niger
044 Gibraltar	Zone 07	244 Chad
045 Vatican City		247 Cape Verde
053 Estonia	404 Canada	248 Senegal
054 Latvia		252 Gambia
055 Lithuania	Zone 08	257 Guinea-Bissau
060 Poland		260 Guinea
061 Czech Republic	046 Malta 052 Turkey 072 Ukraine 073 Belarus 074 Moldova 075 Russia 076 Georgia 077 Armenia 078 Azerbaijan 079 Kazakhstan 080 Turkmenistan 081 Uzbekistan 082 Tajikistan 083 Kirghistan 204 Morocco 208 Algeria 212 Tunisia 216 Libya 220 Egypt 604 Lebanon 608 Syria 612 Iraq 616 Iran 624 Israel 625 Gaza and Jericho 628 Jordan 632 Saudi Arabia 636 Kuwait 640 Bahrain 644 Qatar 647 United Arab Emirates 649 Oman 653 Yemen 720 China 740 Hong Kong SAR	264 Sierra Leone
063 Slovakia		268 Liberia
064 Hungary		272 Côte d'Ivoire
066 Romania		276 Ghana
068 Bulgaria		280 Togo
070 Albania		284 Benin
091 Slovenia		288 Nigeria
092 Croatia		302 Cameroon
093 Bosnia-Herzegovina		306 Central African Republic
094 Serbia and Montenegro		310 Equatorial Guinea
096 Former Yugoslav Republic of Macedonia		311 Sao Tome and Principe
109 The communes of Livigno and Campione d'Italia; the island of Helgoland		314 Gabon
406 Greenland		318 Congo
600 Cyprus		322 Democratic Republic of Congo
662 Pakistan		324 Rwanda
669 Sri Lanka		328 Burundi
676 Myanmar (Burma)		329 St Helena and dependencies
680 Thailand		330 Angola
690 Vietnam		334 Ethiopia
700 Indonesia		336 Eritrea
708 Philippines		338 Djibouti
724 North Korea		342 Somalia
950 Stores and provisions (Destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, as amended)		350 Uganda
		352 Tanzania
		355 Seychelles and dependencies
		357 British Indian Ocean Territory
		366 Mozambique
		373 Mauritius
		375 Comoros
		377 Mayotte
		378 Zambia
		386 Malawi
		388 South Africa
		395 Lesotho
Zone 04		Zone 10
039 Switzerland		075 Russia

NB: The countries are those defined by Commission Regulation (EC) No 895/97 (OJ L 128, 21. 5. 1997, p. 1).

COUNCIL DIRECTIVE 97/57/EC
of 22 September 1997
establishing Annex VI to Directive 91/414/EEC concerning the placing of plant
protection products on the market

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 18 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, by the judgment of the Court of Justice of the European Communities of 18 June 1996 ⁽²⁾, Council Directive 94/43/EC ⁽³⁾ of 27 July 1994, establishing Annex VI to Directive 91/414/EEC, was annulled;

Whereas Annex VI to Directive 91/414/EEC lays down uniform principles aiming to ensure that the Member States, in deciding on authorizations for plant protection products, apply the requirements of Article 4 (1) (b), (c), (d) and (e) of that Directive in an equivalent manner and at the high level of protection of human and animal health and the environment sought by the Directive;

Whereas it is therefore necessary to lay down detailed principles concerning the evaluation of information on plant protection products supplied by applicants and the decision to be made on authorization on the basis of the results of that evaluation;

Whereas such principles have to be laid down for each of the different requirements provided for in Article 4 (1) (b), (c), (d) and (e);

Whereas, initially, it is possible to lay down at this stage uniform principles for chemical plant protection products only; whereas therefore it remains for the uniform principles for products containing micro-organisms to be laid down in accordance with the same procedure as provided for in Article 18 (1) of Directive 91/414/EEC; whereas such approach is in line with Directive 91/414/EEC, and in particular Article 23 (2) thereof;

Whereas in particular for all plant protection products a high level of protection for all groundwater must be satisfied under the conditions of use which will be laid down in the authorization; whereas therefore it must be provided that plant protection products may only be

authorized when it is adequately demonstrated that their use in accordance with the conditions to be laid down in the authorization will not lead to concentrations of the active substance or of relevant metabolites, degradation or reaction products in groundwater which exceed the lower of the limit values for groundwater referred to in this Directive; whereas this applies as well for plant protection products containing active substances, already on the market two years after notification of Directive 91/414/EEC, which means that for such products an authorization can be granted only where it is adequately demonstrated that, under the new conditions of use which will be laid down in the authorization, the expected concentrations resulting exclusively from the new use will not exceed the lower of the limit values referred to in this Directive;

Whereas the provisions of this Directive concerning the protection of water, including the provisions related to monitoring, are without prejudice to Member States' obligations under the Directives concerned, and in particular Directives 75/440/EEC ⁽⁴⁾, 80/68/EEC ⁽⁵⁾ and 80/778/EEC ⁽⁶⁾;

Whereas a review of the abovementioned directives is in progress, and where necessary will have to be followed by an adaptation of this Directive;

Whereas a short implementation period is justified given that in the light of the decision of the Court of Justice of the European Communities of 18 June 1996 only those provisions concerning groundwater have been reviewed,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex VI to Directive 91/414/EEC is hereby established as set out in the Annex to this Directive.

⁽¹⁾ OJ L 230, 19. 8. 1991, p. 1. Directive as last amended by Commission Directive 96/68/EC (OJ L 277, 30. 10. 1996, p. 25).

⁽²⁾ Judgment of 18 June 1996, Parliament/Council, C-303/94, ECR p. I-2943.

⁽³⁾ OJ L 227, 1. 9. 1994, p. 31.

⁽⁴⁾ Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States (OJ L 194, 25. 7. 1975, p. 26). Directive as last amended by Directive 91/692/EEC (OJ L 377, 31. 12. 1991, p. 48).

⁽⁵⁾ Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances (OJ L 20, 26. 1. 1980, p. 43). Directive as last amended by Directive 91/692/EEC (OJ L 377, 31. 12. 1991, p. 48).

⁽⁶⁾ Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption (OJ L 229, 30. 8. 1980, p. 11). Directive as last amended by Directive 91/692/EEC (OJ L 377, 31. 12. 1991, p. 48).

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 October 1997.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 22 September 1997.

For the Council

The President

F. BODEN

*ANNEX**ANNEX VI***UNIFORM PRINCIPLES FOR EVALUATION AND AUTHORIZATION OF PLANT PROTECTION PRODUCTS****CONTENTS****A. INTRODUCTION****B. EVALUATION**

1. **General principles**
2. **Specific principles**
 - 2.1. Efficacy
 - 2.2. Absence of unacceptable effects on plants or plant products
 - 2.3. Impact on vertebrates to be controlled
 - 2.4. Impact on human or animal health
 - 2.4.1. arising from the plant protection product
 - 2.4.2. arising from residues
 - 2.5. Influence on the environment
 - 2.5.1. Fate and distribution in the environment
 - 2.5.2. Impact on non-target species
 - 2.6. Analytical methods
 - 2.7. Physical and chemical properties

C. DECISION-MAKING

1. **General principles**
2. **Specific principles**
 - 2.1. Efficacy
 - 2.2. Absence of unacceptable effects on plants or plant products
 - 2.3. Impact on vertebrates to be controlled
 - 2.4. Impact on human or animal health
 - 2.4.1. arising from the plant protection product
 - 2.4.2. arising from residues
 - 2.5. Influence on the environment
 - 2.5.1. Fate and distribution in the environment
 - 2.5.2. Impact on non-target species
 - 2.6. Analytical methods
 - 2.7. Physical and chemical properties

A. INTRODUCTION

1. The principles developed in this Annex aim to ensure that evaluations and decisions with regard to authorization of plant protection products, provided they are chemical preparations, results in the implementation of the requirements of Article 4 (1) (b), (c), (d) and (e) of this Directive by all the Member States at the high level of protection of human and animal health and the environment.
2. In evaluating applications and granting authorizations Member States shall:
 - (a) — ensure that the dossier supplied is in accordance with the requirements of Annex III, at the latest at the time of finalization of the evaluation for the purpose of decision-making, without prejudice, where relevant, to the provisions of Article 13 (1) (a), (4) and (6) of this Directive,
 - ensure that the data submitted are acceptable in terms of quantity, quality, consistency and reliability and sufficient to permit a proper evaluation of the dossier,
 - evaluate, where relevant, justifications submitted by the applicant for not supplying certain data;
 - (b) take into account the Annex II data concerning the active substance in the plant protection product, submitted for the purpose of inclusion of the active substance concerned in Annex I, and the results of the evaluation of those data, without prejudice, where relevant, to the provisions of Article 13 (1) (b), (2), (3) and (6) of this Directive;
 - (c) take into consideration other relevant technical or scientific information they can reasonably possess with regard to the performance of the plant protection product or to the potentially adverse effects of the plant protection product, its components or its residues.
3. Where in the specific principles on evaluation reference is made to Annex II data, this shall be understood as being the data referred to in point 2 (b).
4. Where the data and information provided are sufficient to permit completion of the evaluation for one of the proposed uses, applications must be evaluated and a decision made for the proposed use.

Taking account of justifications provided and with the benefit of any subsequent clarifications, Member States shall reject applications for which the data gaps are such that it is not possible to finalize the evaluation and to make a reliable decision for at least one of the proposed uses.

5. During the process of evaluation and decision-making, Member States shall cooperate with the applicants in order to resolve any questions on the dossier quickly or to identify at an early stage any additional studies necessary for a proper evaluation of the dossier, or to amend any proposed conditions for the use of the plant protection product or to modify its nature or its composition in order to ensure full satisfaction of the requirements of this Annex or of this Directive.

Member States shall normally come to a reasoned decision within 12 months of receiving a technically complete dossier. A technically complete dossier is one that satisfies all the requirements of Annex III.

6. The judgements made by the competent authorities of the Member States during the evaluation and decision-making process must be based on scientific principles, preferably recognized at international level (for example, by the EPPO), and be made with the benefit of expert advice.

B. EVALUATION

1. General principles

1. Having regard to current scientific and technical knowledge, Member States shall evaluate the information referred to in Part A, point 2, and in particular:
 - (a) assess the performance in terms of efficacy and phytotoxicity of the plant protection product for each use for which authorization is sought; and

- (b) identify the hazards arising, assess their significance and make a judgment as to the likely risks to humans, animals or the environment.
- 2. In accordance with the terms of Article 4 of this Directive, which *inter alia* specifies that Member States shall have regard to all normal conditions under which the plant protection product may be used, and to the consequences of its use, Member States shall ensure that evaluations carried out have regard to the proposed practical conditions of use and in particular to the purpose of use, the dose, the manner, frequency and timing of applications, and the nature and composition of the preparation. Whenever possible Member States shall also take into account the principles of integrated control.
- 3. In the evaluation of applications submitted, Member States shall have regard to the agricultural, plant health or environmental (including climatic) conditions in the areas of use.
- 4. In interpreting the results of evaluations, Member States shall take into consideration possible elements of uncertainty in the information obtained during the evaluation, in order to ensure that the chances of failing to detect adverse effects or of under-estimating their importance are reduced to a minimum. The decision-making process shall be examined to identify critical decision points or items of data for which uncertainties could lead to a false classification of risk.

The first evaluation made shall be based on the best available data or estimates reflecting the realistic conditions of use of the plant protection product.

This should be followed by a repeat evaluation, taking account of potential uncertainties in the critical data and of a range of use conditions that are likely to occur and resulting in a realistic worst-case approach, to determine whether it is possible that the initial evaluation could have been significantly different.

- 5. Where specific principles of Section 2 provide for the use of calculation models in the evaluation of a plant protection product, those models shall:
 - make a best possible estimation of all relevant processes involved taking into account realistic parameters and assumptions,
 - be submitted to an analysis as referred to in B, point 1.4,
 - be reliably validated with measurements carried out under circumstances relevant for the use of the model,
 - be relevant to the conditions in the area of use.
- 6. Where metabolites, degradation or reaction products are referred to in the specific principles, only those that are relevant for the proposed criterion shall be taken into consideration.

2. Specific principles

Member States shall, for the evaluation of the data and information submitted in support of applications, and without prejudice to the general principles of Section 1, implement the following principles.

2.1. Efficacy

- 2.1.1. Where the proposed use concerns the control of or protection against an organism, Member States shall evaluate the possibility that this organism could be harmful under the agricultural, plant health and environmental (including climatic) conditions in the area of the proposed use.
- 2.1.2. Where the proposed use concerns an effect other than the control of or protection against an organism, Member States shall evaluate whether significant damage, loss or inconvenience could occur under the agricultural, plant health and environmental (including climatic) conditions in the area of proposed use if the plant protection product were not used.
- 2.1.3. Member States shall evaluate the efficacy data on the plant protection product as provided for in Annex III having regard to the degree of control or the extent of the effect desired and having regard to the relevant experimental conditions such as:

- the choice of the crop or cultivar,
- the agricultural and environmental (including climatic) conditions,
- the presence and density of the harmful organism,
- the development stage of crop and organism,
- the amount of the plant protection product used,
- if required on the label, the amount of adjuvant added,
- the frequency and timing of the applications,
- the type of application equipment.

- 2.1.4. Member States shall evaluate the performance of the plant protection product in a range of agricultural, plant health and environmental (including climatic) conditions likely to be encountered in practice in the area of proposed use and in particular:
- (i) the level, consistency and duration of the effect sought in relation to the dose in comparison with a suitable reference product or products and an untreated control;
 - (ii) where relevant, effect on yield or reduction of loss in storage, in terms of quantity and/or quality, in comparison with a suitable reference product or products and an untreated control.

Where no suitable reference product exists, Member States shall evaluate the performance of the plant protection product to determine whether there is a consistent and defined benefit under the agricultural, plant health and environmental (including climatic) conditions in the area of proposed use.

- 2.1.5. Where the product label includes requirements for use of the plant protection product with other plant protection products and/or with adjuvants as a tank mix, Member States shall make the evaluations referred to in points 2.1.1 to 2.1.4 in relation to the information supplied for the tank mix.

Where the product label includes recommendations for use of the plant protection product with other plant protection products and/or with adjuvants as a tank mix, Member States shall evaluate the appropriateness of the mix and of its conditions of use.

2.2. *Absence of unacceptable effects on plants or plant products*

- 2.2.1. Member States shall evaluate the degree of adverse effects on the treated crop after use of the plant protection product according to the proposed conditions of use in comparison, where relevant, with a suitable reference product or products, where they exist, and/or an untreated control.

(a) This evaluation will take into consideration the following information:

- (i) the efficacy data provided for in Annex III;
- (ii) other relevant information on the plant protection product such as nature of the preparation, dose, method of application, number and timing of applications;
- (iii) all relevant information on the active substance as provided for in Annex II, including mode of action, vapour pressure, volatility and water solubility;

(b) This evaluation will include:

- (i) the nature, frequency, level and duration of observed phytotoxic effects and the agricultural, plant health and environmental (including climatic) conditions that affect them;
- (ii) the differences between main cultivars with regard to their sensitivity to phytotoxic effects;
- (iii) the part of the treated crop or plant products where phytotoxic effects are observed;
- (iv) the adverse impact on the yield of the treated crop or plant products in terms of quantity and/or quality;
- (v) the adverse impact on treated plants or plant products to be used for propagation, in terms of viability, germination, sprouting, rooting and establishment;
- (vi) where volatile products are concerned, the adverse impact on adjacent crops.

2.2.2. Where the available data indicate that the active substance or significant metabolites, degradation and reaction products persist in soils and/or in or on plant substances in significant quantities after use of the plant protection product according to the proposed conditions of use, Member States shall evaluate the degree of adverse effects on subsequent crops. This evaluation will be carried out as specified in point 2.2.1.

2.2.3. Where the product label includes requirements for use of the plant protection product with other plant protection products or with adjuvants as a tank mix, the evaluation as specified in point 2.1.1 will be carried out in relation to the information supplied for the tank mix.

2.3. *Impact on vertebrates to be controlled*

Where the proposed use of the plant protection product aims to have an effect on vertebrates, Member States shall evaluate the mechanism by which this effect is obtained and the observed effects on the behaviour and health of the target animals; when the intended effect is to kill the target animal they shall evaluate the time necessary to obtain the death of the animal and the conditions under which death occurs.

This evaluation will take into consideration the following information:

- (i) all relevant information as provided for in Annex II and the results of the evaluation thereof, including the toxicological and metabolism studies;
- (ii) all relevant information on the plant protection product as provided for in Annex III, including toxicological studies and efficacy data.

2.4. *Impact on human or animal health*

2.4.1. arising from the plant protection product

2.4.1.1. Member States shall evaluate operator exposure to the active substance and/or to toxicologically relevant compounds in the plant protection product likely to occur under the proposed conditions of use (including in particular dose, application method and climatic conditions) using by preference realistic data on exposure and, if such data are not available, a suitable, validated calculation model.

(a) This evaluation will take into consideration the following information:

- (i) the toxicological and metabolism studies as provided for in Annex II and the results of the evaluation thereof including the acceptable operator exposure level (AOEL). The acceptable operator exposure level is the maximum amount of active substance to which the operator may be exposed without any adverse health effects. The AOEL is expressed as milligrams of the chemical per kilogram body weight of the operator. The AOEL is based on the highest level at which no adverse effect is observed in tests in the most sensitive relevant animal species or, if appropriate data are available, in humans;
- (ii) other relevant information on the active substances such as physical and chemical properties;
- (iii) the toxicological studies provided for in Annex III, including where appropriate dermal absorption studies;
- (iv) other relevant information as provided for in Annex III such as:
 - composition of the preparation,
 - nature of the preparation,
 - size, design and type of packaging,
 - field of use and nature of crop or target,
 - method of application including handling, loading and mixing of product,
 - exposure reduction measures recommended,
 - protective clothing recommendations,
 - maximum application rate,
 - minimum spray application volume stated on the label,
 - number and timing of applications;

(b) This evaluation shall be made for each type of application method and application equipment proposed for use of the plant protection product as well as for the different types and sizes of containers to be used, taking account of mixing, loading operations, application of the plant protection product and cleaning and routine maintenance of application equipment.

2.4.1.2. Member States shall examine information relating to the nature and characteristics of the packaging proposed with particular reference to the following aspects:

- the type of packaging,
- its dimensions and capacity,
- the size of the opening,
- the type of closure,
- its strength, leakproofness and resistance to normal transport and handling,
- its resistance to and compatibility with the contents.

2.4.1.3. Member States shall examine the nature and characteristics of the protective clothing and equipment proposed with particular reference to the following aspects:

- obtainability and suitability,
- ease of wearing taking into account physical stress and climatic conditions.

2.4.1.4. Member States shall evaluate the possibility of exposure of other humans (bystanders or workers exposed after the application of the plant protection product) or animals to the active substance and/or to other toxicologically relevant compounds in the plant protection product under the proposed conditions of use.

This evaluation will take into consideration the following information:

- (i) the toxicological and metabolism studies on the active substance as provided for in Annex II and the results of the evaluation thereof, including the acceptable operator exposure level;
- (ii) the toxicological studies provided for in Annex III, including where appropriate dermal absorption studies;
- (iii) other relevant information on the plant protection product as provided for in Annex III such as:
 - re-entry periods, necessary waiting periods or other precautions to protect humans and animals,
 - method of application, in particular spraying,
 - maximum application rate,
 - maximum spray application volume,
 - composition of the preparation,
 - excess remaining on plants and plant products after treatment,
 - further activities whereby workers are exposed.

2.4.2. Arising from residues

2.4.2.1. Member States shall evaluate the specific information on toxicology as provided for in Annex II and in particular:

- the determination of an acceptable daily intake (ADI),
- the identification of metabolites, degradation and reaction products in treated plants or plant products,
- behaviour of residues of the active substance and its metabolites from the time of application until harvest, or in the case of post-harvest uses, until outloading of stored plant products.

2.4.2.2. Prior to evaluating the residue levels in the reported trials or in products of animal origin Member States shall examine the following information:

- data on the proposed good agricultural practice, including data on application as provided for in Annex III and proposed pre-harvest intervals for envisaged uses, or withholding periods or storage periods, in the case of post-harvest uses,
- nature of the preparation,
- analytical methods and the residue definition.

2.4.2.3. On the basis of suitable statistical models Member States shall evaluate the residue levels observed in the reported trials. This evaluation shall be made for each proposed use and shall take into consideration:

- (i) the proposed conditions of use of the plant protection product;
- (ii) the specific information on residues in or on treated plants, plant products, food and feed as provided for in Annex III and the distribution of residues between edible and non-edible parts;
- (iii) the specific information on residues in or on treated plants, plant products, food and feed as provided for in Annex II and the results of the evaluation thereof;
- (iv) the realistic possibilities of extrapolating data from one crop to another.

2.4.2.4. Member States shall evaluate the residue levels observed in products of animal origin, taking into consideration the information provided for in Annex III, Part A, point 8.4 and residues resulting from other uses.

2.4.2.5. Member States shall estimate the potential exposure of consumers through diet and, where relevant, other ways of exposure, using a suitable calculation model. This evaluation will take account, where relevant, of other sources of information such as other authorized uses of plant protection products containing the same active substance or which give rise to the same residues.

2.4.2.6. Member States shall, where relevant, estimate the exposure of animals, taking into account the residue levels observed in treated plants or plant products intended to be fed to animals.

2.5. *Influence on the environment*

2.5.1. Fate and distribution in the environment

In the evaluation of the fate and distribution of the plant protection product in the environment, Member States shall have regard to all aspects of the environment, including biota, and in particular to the following:

2.5.1.1. Member States shall evaluate the possibility of the plant protection product reaching the soil under the proposed conditions of use; if this possibility exists they shall estimate the rate and the route of degradation in the soil, the mobility in the soil and the change in the total concentration (extractable and non-extractable^(*)) of the active substance and of relevant metabolites, degradation and reaction products that could be expected in the soil in the area of envisaged use after use of the plant protection product according to the proposed conditions of use.

This evaluation will take into consideration the following information:

- (i) the specific information on fate and behaviour in soil as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - molecular weight,
 - solubility in water,
 - octanol/water partition coefficient,
 - vapour pressure,
 - volatilization rate,
 - dissociation constant,
 - photodegradation rate and identity of breakdown products,
 - hydrolysis rate in relation to pH and identity of breakdown products;
- (iii) all information on the plant protection product as provided for in Annex III, including the information on distribution and dissipation in soil;
- (iv) where relevant, other authorized uses of plant protection products in the area of proposed use containing the same active substance or which give rise to the same residues.

(*) Non-extractable residues (sometimes referred to as "bound" or "non-extracted" residues) in plants and soils are defined as chemical species originating from pesticides used according to good agricultural practice that cannot be extracted by methods which do not significantly change the chemical nature of these residues. These non-extractable residues are not considered to include fragments through metabolic pathways leading to natural products.

- 2.5.1.2. Member States shall evaluate the possibility of the plant protection product reaching the groundwater under the proposed conditions of use; if this possibility exists, they shall estimate, using a suitable calculation model validated at Community level, the concentration of the active substance and of relevant metabolites, degradation and reaction products that could be expected in the groundwater in the area of envisaged use after use of the plant protection product according to the proposed conditions of use.

As long as there is no validated Community calculation model, Member States shall base their evaluation especially on the results of mobility and persistence in soil studies as provided for in Annexes II and III.

This evaluation will also take into consideration the following information:

- (i) the specific information on fate and behaviour in soil and water as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - molecular weight,
 - solubility in water,
 - octanol/water partition coefficient,
 - vapour pressure,
 - volatilization rate,
 - hydrolysis rate in relation to pH and identity of breakdown products,
 - dissociation constant;
- (iii) all information on the plant protection product as provided for in Annex III, including the information on distribution and dissipation in soil and water;
- (iv) where relevant, other authorized uses of plant protection products in the area of envisaged use containing the same active substance or which give rise to the same residues;
- (v) where relevant, data on dissipation including transformation and sorption in the saturated zone;
- (vi) where relevant, data on the procedures for drinking water abstraction and treatment in the area of envisaged use;
- (vii) where relevant, monitoring data on the presence or absence of the active substance and relevant metabolites, degradation or reaction products in groundwater as a result of previous use of plant protection products containing the same active substance or which give rise to the same residues; such monitoring data shall be interpreted in a consistent scientific way.

- 2.5.1.3. Member States shall evaluate the possibility of the plant protection product reaching surface water under the proposed conditions of use; if this possibility exists they shall estimate, using a suitable calculation model validated at Community level, the short-term and long-term predicted concentration of the active substance and of metabolites, degradation and reaction products that could be expected in the surface water in the area of envisaged use after use of the plant protection product according to the proposed conditions of use.

If there is no validated Community calculation model, Member States shall base their evaluation especially on the results of mobility and persistence in soil studies and the information on run-off and drift as provided for in Annexes II and III.

This evaluation will also take into consideration the following information:

- (i) the specific information on fate and behaviour in soil and water as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - molecular weight,
 - solubility in water,
 - octanol/water partition coefficient,

- vapour pressure,
- volatilization rate,
- hydrolysis rate in relation to pH and identity of breakdown products,
- dissociation constant;
- (iii) all relevant information on the plant protection product as provided for in Annex III, including the information on distribution and dissipation in soil and water;
- (iv) possible routes of exposure:
 - drift,
 - run-off,
 - overspray,
 - discharge via drains,
 - leaching,
 - deposit in the atmosphere;
- (v) where relevant, other authorized uses of plant protection products in the area of envisaged use containing the same active substance or which give rise to the same residues;
- (vi) where relevant, data on the procedures for drinking water abstraction and treatment in the area of envisaged use.

2.5.1.4. Member States shall evaluate the possibility of the plant protection product being dissipated in the air under the proposed conditions of use; if this possibility exists they shall make the best possible estimation, using where appropriate a suitable, validated calculation model, of the concentration of the active substance and of relevant metabolites, degradation and reaction products that could be expected in the air after use of the plant protection product according to the proposed conditions of use.

This evaluation will take into consideration the following information:

- (i) the specific information on fate and behaviour in soil, water and air as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - vapour pressure,
 - solubility in water,
 - hydrolysis rate in relation to pH and identity of breakdown products,
 - photochemical degradation in water and air and identity of breakdown products,
 - octanol/water partition coefficient;
- (iii) all relevant information on the plant protection product as provided for in Annex III, including the information on distribution and dissipation in air.

2.5.1.5. Member States shall evaluate the procedures for destruction or decontamination of the plant protection product and its packaging.

2.5.2. Impact on non-target species

When calculating toxicity/exposure ratios Member States shall take into consideration toxicity to the most sensitive relevant organism used in the tests.

2.5.2.1. Member States shall evaluate the possibility of exposure of birds and other terrestrial vertebrates to the plant protection product under the proposed conditions of use; if this possibility exists they shall evaluate the extent of the short-term and long-term risk to be expected for these organisms, including their reproduction, after use of the plant protection product according to the proposed conditions of use.

(a) This evaluation will take into consideration the following information:

- (i) the specific information relating to toxicological studies on mammals and to the effects on birds and other non-target terrestrial vertebrates, including effects on reproduction, and other relevant information concerning the active substance as provided for in Annex II and the results of the evaluation thereof;
- (ii) all relevant information on the plant protection product as provided for in Annex III, including the information on effects on birds and other non-target terrestrial vertebrates;
- (iii) where relevant, other authorized uses of plant protection products in the area of envisaged use containing the same active substance or which give rise to the same residues;

(b) This evaluation will include:

- (i) the fate and distribution, including persistence and bioconcentration, of the active substance and of relevant metabolites, breakdown and reaction products in the various parts of the environment after application of the plant protection product;
- (ii) the estimated exposure of the species likely to be exposed at the time of application or during the period that residues are present, taking into account all relevant routes of exposure such as ingestion of the formulated product or treated food, predation on invertebrates, feeding on vertebrate prey, contact by overspraying or with treated vegetation;
- (iii) a calculation of the acute, short-term and, where necessary, long-term toxicity/exposure ratio. The toxicity/exposure ratios are defined as respectively the quotient of LD_{50} , LC_{50} or non-observable effects of concentration (NOEC) expressed on an active substance basis and the estimated exposure expressed in mg/kg body weight.

2.5.2.2. Member States shall evaluate the possibility of exposure of aquatic organisms to the plant protection product under the proposed conditions of use; if this possibility exists they shall evaluate the degree of short-term and long-term risk to be expected for aquatic organisms after use of the plant protection product according to the proposed conditions of use.

(a) This evaluation will take into consideration the following information:

- (i) the specific information relating to the effects on aquatic organisms as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - solubility in water,
 - octanol/water partition coefficient,
 - vapour pressure,
 - volatilization rate,
 - KOC,
 - biodegradation in aquatic systems and in particular the ready biodegradability,
 - photodegradation rate and identity of breakdown products,
 - hydrolysis rate in relation to pH and identity of breakdown products;
- (iii) all relevant information on the plant protection product as provided for in Annex III and in particular the effects on aquatic organisms;
- (iv) where relevant, other authorized uses of plant protection products in the area of envisaged use, containing the same active substance or which give rise to the same residues;

(b) This evaluation will include:

- (i) the fate and distribution of residues of the active substance and of relevant metabolites, breakdown and reaction products in water, sediment or fish;
- (ii) a calculation of the acute toxicity/exposure ratio for fish and Daphnia. This ratio is defined as the quotient of respectively acute LC_{50} or EC_{50} and the predicted short-term environmental concentration;
- (iii) a calculation of the algal growth inhibition/exposure ratio for algae. This ratio is defined as the quotient of the EC_{50} and the predicted short-term environmental concentration;
- (iv) a calculation of the long-term toxicity/exposure ratio for fish and Daphnia. The long-term toxicity/exposure ratio is defined as the quotient of the NOEC and the predicted long-term environmental concentration;
- (v) where relevant, the bioconcentration in fish and possible exposure of predators of fish, including humans;
- (vi) if the plant protection product is to be applied directly to surface water, the effect on the change of surface water quality, such as pH or dissolved oxygen content.

2.5.2.3. Member States shall evaluate the possibility of exposure of honeybees to the plant protection product under the proposed conditions of use; if this possibility exists they shall evaluate the short-term and long-term risk to be expected for honeybees after use of the plant protection product according to the proposed conditions of use.

(a) This evaluation will take into consideration the following information:

- (i) the specific information on toxicity to honeybees as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - solubility in water,
 - octanol/water partition coefficient,
 - vapour pressure,
 - photodegradation rate and identity of breakdown products,
 - mode of action (e.g. insect growth regulating activity);
- (iii) all relevant information on the plant protection product as provided for in Annex III, including the toxicity to honeybees;
- (iv) where relevant, other authorized uses of plant protection products in the area of envisaged use, containing the same active substance or which give rise to the same residues;

(b) This evaluation will include:

- (i) the ratio between the maximum application rate expressed in grammes of active substance per hectare and the contact and oral LD₅₀ expressed in µg of active substance per bee (hazard quotients) and where necessary the persistence of residues on or, where relevant, in the treated plants;
- (ii) where relevant, the effects on honeybee larvae, honeybee behaviour, colony survival and development after use of the plant protection product according to the proposed conditions of use.

2.5.2.4. Member States shall evaluate the possibility of exposure of beneficial arthropods other than honeybees to the plant protection product under the proposed conditions of use; if this possibility exists they will assess the lethal and sublethal effects on these organisms to be expected and the reduction in their activity after use of the plant protection product according to the proposed conditions of use.

This evaluation will take into consideration the following information:

- (i) the specific information on toxicity to honeybees and other beneficial arthropods as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - solubility in water,
 - octanol/water partition coefficient,
 - vapour pressure,
 - photodegradation rate and identity of breakdown products,
 - mode of action (e.g. insect growth regulating activity);
- (iii) all relevant information on the plant protection product as provided for in Annex III such as:
 - effects on beneficial arthropods other than bees,
 - toxicity to honeybees,
 - available data from biological primary screening,
 - maximum application rate,
 - maximum number and timetable of applications;
- (iv) where relevant, other authorized uses of plant protection products in the area of envisaged use, containing the same active substance or which give rise to the same residues.

2.5.2.5. Member States shall evaluate the possibility of exposure of earthworms and other non-target soil macro-organisms to the plant protection product under the proposed conditions of use; if this possibility exists they shall evaluate the degree of short-term and long-term risk to be expected to these organisms after use of the plant protection product according to the proposed conditions of use.

(a) This evaluation will take into consideration the following information:

- (i) the specific information relating to the toxicity of the active substance to earthworms and to other non-target soil macro-organisms as provided for in Annex II and the results of the evaluation thereof;
- (ii) other relevant information on the active substance such as:
 - solubility in water,
 - octanol/water partition coefficient,
 - K_d for adsorption,
 - vapour pressure,
 - hydrolysis rate in relation to pH and identity of breakdown products,
 - photodegradation rate and identity of breakdown products,
 - DT_{50} and DT_{90} for degradation in the soil;
- (iii) all relevant information on the plant protection product as provided for in Annex III, including the effects on earthworms and other non-target soil macro-organisms;
- (iv) where relevant, other authorized uses of plant protection products in the area of envisaged use, containing the same active substance or which give rise to the same residues;

(b) This evaluation will include:

- (i) the lethal and sublethal effects,
- (ii) the predicted initial and long-term environmental concentration,
- (iii) a calculation of the actual toxicity/exposure ratio (defined as the quotient of LC_{50} and predicted initial environmental concentration) and of the long-term toxicity/exposure ratio (defined as the quotient of the NOEC and predicted long-term environmental concentration),
- (iv) where relevant, the bioconcentration and persistence of residues in earthworms.

2.5.2.6. Member States shall, where the evaluation carried out under Part B, point 2.5.1.1, does not exclude the possibility of the plant protection product reaching the soil under the proposed conditions of use, evaluate the impact on microbial activity such as the impact on nitrogen and carbon mineralization processes in the soil after use of the plant protection product according to the proposed conditions of use.

This evaluation will take into consideration the following information:

- (i) all relevant information on the active substance, including the specific information relating to the effects of non-target soil micro-organisms as provided for in Annex II and the results of the evaluation thereof;
- (ii) all relevant information on the plant protection product as provided for in Annex III, including the effects on non-target soil micro-organisms;
- (iii) where relevant, other authorized uses of plant protection products in the area of proposed use, containing the same active substance or which give rise to the same residues;
- (iv) all available information from biological primary screening.

2.6. *Analytical methods*

Member States shall evaluate the analytical methods proposed for post-registration control and monitoring purposes, to determine:

2.6.1. for formulation analysis:

the nature and quantity of the active substance(s) in the plant protection product and, where appropriate, any toxicologically, ecotoxicologically or environmentally significant impurities and co-formulants.

This evaluation will take into consideration the following information:

- (i) the data on analytical methods as provided for in Annex II and the results of the evaluation thereof;
- (ii) the data on analytical methods as provided for in Annex III and in particular:
 - the specificity and linearity of the proposed methods,
 - the importance of interferences,
 - the precision of the proposed methods (intra-laboratory repeatability and inter-laboratory reproducibility);
- (iii) the limit of detection and determination of the proposed methods for impurities.

2.6.2. for residue analysis:

the residues of the active substance, metabolites, breakdown or reaction products resulting from authorized uses of the plant protection product and which are of toxicological, ecotoxicological or environmental significance.

This evaluation will take into consideration the following information:

- (i) the data on analytical methods as provided for in Annex II and the results of the evaluation thereof;
- (ii) the data on analytical methods as provided for in Annex III and in particular:
 - the specificity of the proposed methods,
 - the precision of the proposed methods (intra-laboratory repeatability and inter-laboratory reproducibility),
 - the recovery rate of the proposed methods at appropriate concentrations;
- (iii) the limit of detection of the proposed methods;
- (iv) the limit of determination of the proposed methods.

2.7. *Physical and chemical properties*

2.7.1. Member States shall evaluate the actual active substance content of the plant protection product and its stability during storage.

2.7.2. Member States shall evaluate the physical and chemical properties of the plant protection product and in particular:

- where a suitable FAO specification exists, the physical and chemical properties addressed in that specification,
- where no suitable FAO specification exists, all the relevant physical and chemical properties for the formulation as referred to in the "Manual on the development and use of FAO specifications for plant protection products".

This evaluation will take into consideration the following information:

- (i) the data on the physical and chemical properties of the active substance as provided for in Annex II and the results of the evaluation thereof;
- (ii) the data on the physical and chemical properties of the plant protection product as provided for in Annex III.

2.7.3. Where proposed label claims include requirements or recommendations for use of the plant protection product with other plant protection products or adjuvants as a tank mix, the physical and chemical compatibility of the products in the mixture must be evaluated.

C. DECISION-MAKING

1. General principles

1. Where appropriate, Member States shall impose conditions or restrictions with the authorizations they grant. The nature and severity of these measures must be selected on the basis of, and be appropriate to, the nature and extent of the expected advantages and the risks likely to arise.
2. Member States shall ensure that, where necessary, decisions taken with respect to the granting of authorizations take account of the agricultural, plant health or environmental (including climatic) conditions in the areas of envisaged use. Such considerations may result

in specific conditions and restrictions of use, and, where necessary, in authorization being granted for some but not other areas within the Member State in question.

3. Member States shall ensure that the authorized amounts, in terms of rates and number of applications, are the minimum necessary to achieve the desired effect even where higher amounts would not result in unacceptable risks to human or animal health or to the environment. The authorized amounts must be differentiated according to, and be appropriate to, the agricultural, plant health or environmental (including climatic) conditions in the various areas for which an authorization is granted. However, the rates and the number of applications may not give rise to undesirable effects such as the development of resistance.
4. Member States shall ensure that decisions respect the principles of integrated control if the product is intended to be used in conditions where these principles are relied on.
5. Since the evaluation is to be based on data concerning a limited number of representative species, Member States shall ensure that use of plant protection products does not have any long-term repercussions for the abundance and diversity of non-target species.
6. Before issuing an authorization, Member States shall ensure that the label of the product:
 - fulfils the requirements of Article 16 of this Directive,
 - also contains the information on protection of users required by Community legislation on worker protection,
 - specifies in particular the conditions or restrictions under which the plant protection product may or may not be used as referred to in points 1, 2, 3, 4 and 5 above.

The authorization shall mention the particulars indicated in Article 6 (2) (g) and (h), (3) and (4) of Council Directive 78/631/EEC of 26 June 1978 on the approximation of the laws of the Member States relating to the classification, packaging and labelling of dangerous preparations (pesticides)⁽¹⁾ and in Article 16 (g) and (h) of Directive 91/414/EEC.

7. Before issuing authorizations, Member States shall:
 - (a) ensure that the proposed packaging is in accordance with the provisions of Directive 78/631/EEC;
 - (b) ensure that:
 - the procedures for destruction of the plant protection product,
 - the procedures for neutralization of the adverse effects of the product if it is accidentally dispersed, and
 - the procedures for the decontamination and destruction of the packagings,are in accordance with the relevant regulatory provisions.
8. No authorization shall be granted unless all the requirements referred to in Section 2 are satisfied. However:
 - (a) when one or more of the specific decision-making requirements referred to in Part C, points 2.1, 2.2, 2.3 or 2.7, are not fully satisfied, authorizations shall be granted only where the advantages of the use of the plant protection product under the proposed conditions of use outweigh the possible adverse effects of its use. Any restrictions on use of the product relating to non-compliance with some of the aforementioned requirements must be mentioned on the label, and non-compliance with the requirements referred to in point 2.7 must not compromise proper use of the product. These advantages can be in terms of:
 - advantages for and compatibility with integrated control measures or organic farming,
 - facilitating strategies to minimize the risk of development of resistance,

⁽¹⁾ OJ L 206, 29. 7. 1978, p. 13. Directive as last amended by Directive 92/32/EEC (OJ L 154, 5. 6. 1992, p. 1).

- the need for a greater diversity of types of active substances or biochemical modes of action, e.g. for use in strategies to avoid accelerated breakdown in the soil,
 - reduced risk for operators and consumers,
 - reduced contamination of the environment and reduced impact on non-target species;
- (b) where the criteria referred to in Part C, point 2.6, are not fully satisfied because of limitations in current analytical science and technology, authorization shall be granted for a limited period if the methods submitted prove adequate for the purposes intended. In this case the applicant shall be given a time limit in which to develop and submit analytical methods that are in accordance with the criteria referred to above. The authorization will be reviewed on expiry of the time limit accorded to the applicant;
- (c) where the reproducibility of the submitted analytical methods referred to in Part C, point 2.6, has only been verified in two laboratories, an authorization shall be granted for one year to permit the applicant to demonstrate the reproducibility of those methods in accordance with agreed criteria.
9. Where an authorization has been granted according to the requirements provided for in this Annex, Member States may, by virtue of Article 4 (6):
- (a) define, where possible, preferably in close co-operation with the applicant, measures to improve the performance of the plant protection product, and/or
 - (b) define, where possible, in close co-operation with the applicant, measures to reduce further the exposure that could occur during and after use of the plant protection product.

Member States shall inform applicants of any measures identified under (a) or (b) and shall invite applicants to provide any supplementary data and information necessary to demonstrate performance or potential risks arising under the changed conditions.

2. Specific principles

The specific principles shall apply without prejudice to the general principles referred to in Section 1.

2.1. *Efficacy*

- 2.1.1. Where the proposed uses include recommendations for the control of or protection against organisms which are not considered to be harmful on the basis of experience acquired or scientific evidence under normal agricultural, plant health and environmental (including climatic) conditions in the areas of proposed use or where the other intended effects are not considered to be beneficial under those conditions, no authorization shall be granted for those uses.
- 2.1.2. The level, consistency and duration of control or protection or other intended effects must be similar to those resulting from the use of suitable reference products. If no suitable reference product exists, the plant protection product must be shown to give a defined benefit in terms of the level, consistency and duration of control or protection or other intended effects under the agricultural, plant health and environmental (including climatic) conditions in the area of proposed use.
- 2.1.3. Where relevant, yield response when the product is used and reduction of loss in storage must be quantitatively and/or qualitatively similar to those resulting from the use of suitable reference products. If no suitable reference product exists, the plant protection product must be shown to give a consistent and defined quantitative and/or qualitative benefit in terms of yield response and reduction of loss in storage under the agricultural, plant health and environmental (including climatic) conditions in the area of proposed use.
- 2.1.4. Conclusions as to the performance of the preparation must be valid for all areas of the Member State in which it is to be authorized, and must hold for all conditions under which its use is proposed, except where the proposed label specifies that the preparation is intended for use in certain specified circumstances (e.g. light infestations, particular soil types or particular growing conditions).

- 2.1.5. Where proposed label claims include requirements for use of the preparation with other specified plant protection products or adjuvants as a tank mix, the mixture must achieve the desired effect and comply with the principles referred to in points 2.1.1 to 2.1.4.

Where proposed label claims include recommendations for use of the preparation with specified plant protection products or adjuvants as a tank mix, Member States shall not accept the recommendations unless they are justified.

2.2. *Absence of unacceptable effects on plants or plant products*

- 2.2.1. There must be no relevant phytotoxic effects on treated plants or plant products except where the proposed label indicates appropriate limitations of use.

- 2.2.2. There must be no reduction of yield at harvest due to phytotoxic effects below that which could be obtained without the use of the plant protection product, unless this reduction is compensated for by other advantages such as an enhancement of the quality of the treated plants or plant products.

- 2.2.3. There must be no unacceptable adverse effects on the quality of treated plants or plant products, except in the case of adverse effects on processing where proposed label claims specify that the preparation should not be applied to crops to be used for processing purposes.

- 2.2.4. There must be no unacceptable adverse effects on treated plants or plant products used for propagation or reproduction, such as effects on viability, germination, sprouting, rooting and establishment, except where proposed label claims specify that the preparation should not be applied to plants or plant products to be used for propagation or reproduction.

- 2.2.5. There must be no unacceptable impact on succeeding crops, except where proposed label claims specify that particular crops, which would be affected, should not be grown following the treated crop.

- 2.2.6. There must be no unacceptable impact on adjacent crops, except where proposed label claims specify that the preparation should not be applied when particular sensitive adjacent crops are present.

- 2.2.7. Where proposed label claims include requirements for use of the preparation with other plant protection products or adjuvants, as a tank mix, the mixture must comply with the principles referred to in points 2.2.1 to 2.2.6.

- 2.2.8. The proposed instructions for cleaning the application equipment must be both practical and effective so that they can be applied with ease so as to ensure the removal of residual traces of the plant protection product which could subsequently cause damage.

2.3. *Impact on vertebrates to be controlled*

An authorization for a plant protection product intended to eliminate vertebrates shall be granted only when:

- death is synchronous with the extinction of consciousness, or
- death occurs immediately, or
- vital functions are reduced gradually without signs of obvious suffering.

For repellent products, the intended effect shall be obtained without unnecessary suffering and pain for the target animals.

2.4. *Impact on human or animal health*

2.4.1. *arising from the plant protection product*

- 2.4.1.1. No authorization shall be granted if the extent of operator exposure in handling and using the plant protection product under the proposed conditions of use, including dose and application method, exceeds the AOEL.

Moreover, the conditions of the authorization shall be in compliance with the limit value established for the active substance and/or toxicologically relevant compound(s) of the product in accordance with Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at

work⁽¹⁾ and in accordance with Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work (sixth special directive within the meaning of Article 16 (2) of Directive 89/39/EEC)⁽²⁾.

- 2.4.1.2. Where the proposed conditions of use require use of items of protective clothing and equipment, no authorization shall be granted unless those items are effective and in accordance with the relevant Community provisions and are readily obtainable by the user and unless it is feasible to use them under the circumstances of use of the plant protection product, taking into account climatic conditions in particular.
- 2.4.1.3. Plant protection products which because of particular properties or if mishandled or misused could lead to a high degree of risk must be subject to particular restrictions such as restrictions on the size of packaging, formulation type, distribution, use or manner of use. Moreover, plant protection products which are classified as very toxic may not be authorized for use by non-professional users.
- 2.4.1.4. Waiting and re-entry safety periods or other precautions must be such that the exposure of bystanders or workers exposed after the application of the plant protection product does not exceed the AOEL levels established for the active substance or toxicologically relevant compound(s) in the plant protection product nor any limit values established for those compounds in accordance with the Community provisions referred to in point 2.4.1.1.
- 2.4.1.5. Waiting and re-entry safety periods or other precautions must be established in such a way that no adverse impact on animals occurs.
- 2.4.1.6. Waiting and re-entry periods or other precautions to ensure that the AOEL levels and limit values are respected must be realistic; if necessary special precautionary measures must be prescribed.
- 2.4.2. arising from residues
- 2.4.2.1. Authorizations must ensure that residues occurring reflect the minimum quantities of the plant protection product necessary to achieve adequate control corresponding to good agricultural practice, applied in such a manner (including pre-harvest intervals or withholding periods or storage periods) that the residues at harvest, slaughter or after storage, as appropriate, are reduced to a minimum.
- 2.4.2.2. Where no Community maximum residue limit (MRL)^(*) or provisional MRL (at national or at Community level) exists, Member States shall establish a provisional MRL in accordance with Article 4 (1) (f) of this Directive; conclusions as to the levels fixed must be valid for all circumstances which could influence the residue levels in the crop such as timing of application, application rate and frequency or manner of use.

⁽¹⁾ OJ L 327, 3. 12. 1980, p. 8. Directive as last amended by Directive 88/642/EEC (OJ L 356, 24. 12. 1988, p. 74).

⁽²⁾ OJ L 196, 26. 7. 1990, p. 1. Directive as amended by Directive 97/42/EC (OJ L 179, 8. 7. 1997, p. 4).

^(*) A Community MRL will mean an MRL established pursuant to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables⁽¹⁾, Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals⁽²⁾, Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin⁽³⁾, Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin⁽⁴⁾, Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables⁽⁵⁾ or Council Directive 91/132/EEC of 4 March 1991 amending Directive 74/63/EEC on undesirable substances and products in feedingstuffs⁽⁶⁾.

⁽¹⁾ OJ L 340, 9. 12. 1976, p. 26. Directive as last amended by Directive 97/41/EC (OJ L 184, 12. 7. 1997, p. 33).

⁽²⁾ OJ L 221, 7. 8. 1986, p. 37. Directive as last amended by Directive 97/41/EC (OJ L 184, 12. 7. 1997, p. 33).

⁽³⁾ OJ L 221, 7. 8. 1986, p. 43. Directive as last amended by Directive 97/41/EC (OJ L 184, 12. 7. 1997, p. 33).

⁽⁴⁾ OJ L 224, 18. 8. 1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 749/97 (OJ L 110, 26. 4. 1997, p. 24).

⁽⁵⁾ OJ L 350, 14. 12. 1990, p. 71. Directive as amended by Directive 97/41/EC (OJ L 184, 12. 7. 1997, p. 33).

⁽⁶⁾ OJ L 66, 13. 3. 1991, p. 16.

2.4.2.3. Where the new circumstances under which the plant protection product is to be used do not correspond to those under which a provisional MRL (at national or at Community level) was established previously, Member States shall not grant an authorization for the plant protection product unless the applicant can provide evidence that its recommended use will not exceed that MRL or unless a new provisional MRL has been established by the Member State or the Commission in accordance with Article 4 (1) (f) of this Directive.

2.4.2.4. Where a Community MRL exists Member States shall not grant an authorization for the plant protection product unless the applicant can provide evidence that its recommended use will not exceed that MRL, or unless a new Community MRL has been established in accordance with the procedure provided for in the relevant Community legislation.

2.4.2.5. In the cases referred to in points 2.4.2.2 and 2.4.2.3, each application for an authorization must be accompanied by a risk assessment taking into account worst-case potential exposure of consumers in the Member State concerned on the basis of good agricultural practice.

Taking into account all registered uses, the proposed use cannot be authorized if the best possible estimate of dietary exposure exceeds the ADI.

2.4.2.6. Where the nature of residues is affected during processing, a separate risk assessment may need to be carried out under the conditions provided for in point 2.4.2.5.

2.4.2.7. Where the treated plants or plant products are intended to be fed to animals, residues occurring shall not have an adverse effect on animal health.

2.5. *Influence on the environment*

2.5.1. Fate and distribution in the environment

2.5.1.1. No authorization shall be granted if the active substance and, where they are of significance from the toxicological, ecotoxicological or environmental point of view, metabolites and breakdown or reaction products, after use of the plant protection product under the proposed conditions of use:

— during tests in the field, persist in soil for more than one year (i.e. $DT_{50} > 1$ year and $DT_{50} > 3$ months), or

— during laboratory tests, form non-extractable residues in amounts exceeding 70 % of the initial dose after 100 days with a mineralization rate of less than 5 % in 100 days,

unless it is scientifically demonstrated that under field conditions there is no accumulation in soil at such levels that unacceptable residues in succeeding crops occur and/or that unacceptable phytotoxic effects on succeeding crops occur and/or that there is an unacceptable impact on the environment, according to the relevant requirements provided for in points 2.5.1.2, 2.5.1.3, 2.5.1.4 and 2.5.2.

2.5.1.2. No authorization shall be granted if the concentration of the active substance or of relevant metabolites, degradation or reaction products in groundwater, may be expected to exceed, as a result of use of the plant protection product under the proposed conditions of use, the lower of the following limit values:

(i) the maximum permissible concentration laid down by Council Directive 80/778/EEC⁽¹⁾ of 15 July 1980 relating to the quality of water intended for human consumption, or

(ii) the maximum concentration laid down by the Commission when including the active substance in Annex I, on the basis of appropriate data, in particular toxicological data, or, where that concentration has not been laid down, the concentration corresponding to one tenth of the ADI laid down when the active substance was included in Annex I

unless it is scientifically demonstrated that under relevant field conditions the lower concentration is not exceeded.

⁽¹⁾ OJ L 229, 30. 8. 1980, p. 11. Directive as last amended by Directive 91/692/EEC (OJ L 377, 31. 12. 1991, p. 48).

- 2.5.1.3. No authorization shall be granted if the concentration of the active substance or of relevant metabolites, breakdown or reaction products to be expected after use of the plant protection product under the proposed conditions of use in surface water:
- exceeds, where the surface water in or from the area of envisaged use is intended for the abstraction of drinking water, the values fixed by Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States⁽¹⁾, or
 - has an impact deemed unacceptable on non-target species, including animals, according to the relevant requirements provided for in point 2.5.2.

The proposed instructions for use of the plant protection product, including procedures for cleaning application equipment, must be such that the likelihood of accidental contamination of surface water is reduced to a minimum.

- 2.5.1.4. No authorization shall be granted if the airborne concentration of the active substance under the proposed conditions of use is such that either the AOEL or the limit values for operators, bystanders or workers as referred to in Part C, point 2.4.1, are exceeded.

2.5.2. Impact on non-target species

- 2.5.2.1. Where there is a possibility of birds and other non-target terrestrial vertebrates being exposed, no authorization shall be granted if:

- the acute and short-term toxicity/exposure ratio for birds and other non-target terrestrial vertebrates is less than 10 on the basis of LD₅₀ or the long-term toxicity/exposure ratio is less than 5, unless it is clearly established through an appropriate risk assessment that under field conditions no unacceptable impact occurs after use of the plant protection product according to the proposed conditions of use;
- the bioconcentration factor (BCF, related to fat tissue) is greater than 1, unless it is clearly established through an appropriate risk assessment that under field conditions no unacceptable effects occur — directly or indirectly — after use of the plant protection product according to the proposed conditions of use.

- 2.5.2.2. Where there is a possibility of aquatic organisms being exposed, no authorization shall be granted if:

- the toxicity/exposure ratio for fish and Daphnia is less than 100 for acute exposure and less than 10 for long-term exposure, or
- the algal growth inhibition/exposure ratio is less than 10, or
- the maximum bioconcentration factor (BCF) is greater than 1 000 for plant protection products containing active substances which are readily biodegradable or greater than 100 for those which are not readily biodegradable,

unless it is clearly established through an appropriate risk assessment that under field conditions no unacceptable impact on the viability of exposed species (predators) occurs — directly or indirectly — after use of the plant protection product according to the proposed conditions of use.

- 2.5.2.3. Where there is a possibility of honeybees being exposed, no authorization shall be granted if the hazard quotients for oral or contact exposure of honeybees are greater than 50, unless it is clearly established through an appropriate risk assessment that under field conditions there are no unacceptable effects on honeybee larvae, honeybee behaviour, or colony survival and development after use of the plant protection product according to the proposed conditions of use.

- 2.5.2.4. Where there is a possibility of beneficial arthropods other than honeybees being exposed, no authorization shall be granted if more than 30 % of the test organisms are affected in lethal or sublethal laboratory tests conducted at the maximum proposed application rate, unless it is clearly established through an appropriate risk assessment that under field conditions there is no unacceptable impact on those organisms after use of the plant protection product according to the proposed conditions of use. Any claims for selectivity and proposals for use in integrated pest management systems shall be substantiated by appropriate data.

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 34. Directive as last amended by Directive 91/692/EEC (OJ No L 377, 31. 12. 1991, p. 48).

2.5.2.5. Where there is a possibility of earthworms being exposed, no authorization shall be granted if the acute toxicity/exposure ratio for earthworms is less than 10 or the long-term toxicity/exposure ratio is less than 5, unless it is clearly established through an appropriate risk assessment that under field conditions earthworm populations are not at risk after use of the plant protection product according to the proposed conditions of use.

2.5.2.6. Where there is a possibility of non-target soil micro-organisms being exposed, no authorization shall be granted if the nitrogen or carbon mineralization processes in laboratory studies are affected by more than 25 % after 100 days, unless it is clearly established through an appropriate risk assessment that under field conditions there is no unacceptable impact on microbial activity after use of the plant protection product according to the proposed conditions of use, taking account of the ability of micro-organisms to multiply.

2.6. *Analytical methods*

The methods proposed must reflect the state of the art. The following criteria must be met in order to permit validation of the analytical methods proposed for post-registration control and monitoring purposes:

2.6.1. for formulation analysis:

the method must be able to determine and to identify the active substance(s) and where appropriate any toxicologically, ecotoxicologically or environmentally significant impurities and co-formulants;

2.6.2. for residue analysis:

(i) the method must be able to determine and confirm residues of toxicological, ecotoxicological or environmental significance;

(ii) the mean recovery rates should be between 70 % and 110 % with a relative standard deviation of ≤ 20 %;

(iii) the repeatability must be less than the following values for residues in foodstuffs:

Residue level mg/kg	Difference mg/kg	Difference in %
0,01	0,005	50
0,1	0,025	25
1	0,125	12,5
> 1		12,5

Intermediate values are determined by interpolation from a log-log graph;

(iv) the reproducibility must be less than the following values for residues in foodstuffs:

Residue level mg/kg	Difference mg/kg	Difference in %
0,01	0,01	100
0,1	0,05	50
1	0,25	25
> 1		25

Intermediate values are determined by interpolation from a log-log graph;

- (v) in the case of residue analysis in treated plants, plant products, foodstuffs, feedingstuffs or products of animal origin, except where the MRL or the proposed MRL is at the limit of determination, the sensitivity of the methods proposed must satisfy the following criteria:

Limit of determination in relation to the proposed provisional or Community MRL:

MRL (mg/kg)	limit of determination (mg/kg)
> 0,5	0,1
0,5 – 0,05	0,1 – 0,02
< 0,05	LMR × 0,5

2.7. *Physical and chemical properties*

2.7.1. Where an appropriate FAO specification exists, that specification must be met.

2.7.2. Where no appropriate FAO specification exists, the physical and chemical properties of the product must meet the following requirements

(a) Chemical properties:

Throughout the shelf-life period, the difference between the stated and the actual content of the active substance in the plant protection product must not exceed the following values:

Declared content in g/kg or g/l at 20 °C	Tolerance
up to 25	± 15 % homogeneous formulation ± 25 % non-homogeneous formulation
more than 25 up to 100	± 10 %
more than 100 up to 250	± 6 %
more than 250 up to 500	± 5 %
more than 500	± 25 g/kg or ± 25 g/l

(b) Physical properties:

The plant protection product must fulfil the physical criteria (including storage stability) specified for the relevant formulation type in the "Manual on the development and use of FAO specifications for plant protection products".

2.7.3. Where the proposed label claims include requirements or recommendations for use of the preparation with other plant protection products or adjuvants as a tank mix and/or where the proposed label includes indications on the compatibility of the preparation with other plant protection products as a tank mix, those products or adjuvants must be physically and chemically compatible in the tank mix.'

CORRIGENDA**Corrigendum to Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment**

(Official Journal of the European Communities L 181 of 9 July 1997)

On page 7, Article 3, points 1.2 and 2.1

for: '100 °C',

read: '110 °C'.

On page 11, Article 11 (5), fourth line

for: '... issued for if the type ...',

read: '... issued or if the type ...'.
