

Official Journal

of the European Communities

ISSN 0378-6978

L 268

Volume 40

1 October 1997

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EC) No 1901/97 of 30 September 1997 altering the export refunds on white sugar and raw sugar exported in the natural state	1
Commission Regulation (EC) No 1902/97 of 30 September 1997 fixing the import duties in the cereals sector.....	3
Commission Regulation (EC) No 1903/97 of 30 September 1997 fixing the production refund for white sugar used in the chemical industry	6
Commission Regulation (EC) No 1904/97 of 30 September 1997 fixing the export refunds on syrups and certain other sugar products exported in the natural state	7
Commission Regulation (EC) No 1905/97 of 30 September 1997 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty	10
Commission Regulation (EC) No 1906/97 of 30 September 1997 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty	13
Commission Regulation (EC) No 1907/97 of 30 September 1997 fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty	15
Commission Regulation (EC) No 1908/97 of 30 September 1997 determining the world market price for unginned cotton and the rate for the aid	18
* Commission Regulation (EC) No 1909/97 of 30 September 1997 amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds	20

Commission Regulation (EC) No 1910/97 of 30 September 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables	21
Commission Regulation (EC) No 1911/97 of 30 September 1997 altering the corrective amount applicable to the refund on malt	23
Commission Regulation (EC) No 1912/97 of 30 September 1997 altering the corrective amount applicable to the refund on cereals	25
* Commission Regulation (EC) No 1913/97 of 30 September 1997 amending Regulation (EC) No 1466/95 laying down special detailed rules of application for export refunds on milk and milk products	27

II *Acts whose publication is not obligatory*

Conference of the Representatives of the Governments of the Member States

97/635/ECSC:

* Decision of the Representatives of the Governments of the Member States, meeting within the Council of 24 September 1997 on certain measures applicable with regard to Kazakhstan concerning trade in certain steel products covered by the ECSC Treaty	28
--	-----------

97/636/ECSC:

* Decision of the Representatives of the Governments of the Member States, meeting within the Council of 26 September 1997 on certain measures applicable with regard to the Russian Federation concerning trade in certain steel products covered by the ECSC Treaty	31
--	-----------

Commission

97/637/EC:

Commission Decision of 18 September 1997 on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia	34
--	----

97/638/EC:

* Commission Decision of 19 September 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards fasteners for structural timber⁽¹⁾	36
--	-----------

Corrigenda

* Corrigendum to Directive 97/16/EC of the European Parliament and of the Council of 10 April 1997 amending for the 15th time Directive 76/769/EEC on restrictions on the marketing and use of certain dangerous substances and preparations (OJ L 116 of 6. 5. 1997)	38
--	-----------

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1901/97**of 30 September 1997****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1834/97 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1834/97 to the informa-

tion known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1834/97 are hereby altered to the amounts shown 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, 30 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 263, 25. 9. 1997, p. 3.

ANNEX

to the Commission Regulation of 30 September 1997 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	36,00 ⁽¹⁾
1701 11 90 9910	34,64 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	36,00 ⁽¹⁾
1701 12 90 9910	34,64 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,3914
	— ECU/100 kg —
1701 99 10 9100	39,14
1701 99 10 9910	39,14
1701 99 10 9950	39,14
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,3914

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EC) No 1902/97
of 30 September 1997
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 30 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 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ L 98, 15. 4. 1997, p. 2.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	25,68	15,68
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	25,68	15,68
	medium quality	45,01	35,01
	low quality	53,95	43,95
1002 00 00	Rye	67,74	57,74
1003 00 10	Barley, seed	67,74	57,74
1003 00 90	Barley, other ⁽³⁾	67,74	57,74
1005 10 90	Maize seed other than hybrid	78,85	68,85
1005 90 00	Maize other than seed ⁽³⁾	78,85	68,85
1007 00 90	Grain sorghum other than hybrids for sowing	67,74	57,74

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 16 September 1997 to 29 September 1997)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	131,42	125,05	121,38	92,89	215,74 ⁽¹⁾	105,12 ⁽¹⁾
Gulf premium (ECU/tonne)	—	11,37	6,10	9,70	—	—
Great Lakes premium (ECU/tonne)	15,76	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 13,31 per tonne; Great Lakes — Rotterdam: ECU 21,88 per tonne.

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

COMMISSION REGULATION (EC) No 1903/97

of 30 September 1997

fixing the production refund for white sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1599/96 ⁽²⁾, and in particular Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry ⁽³⁾, as last amended by Commission Regulation (EC) No 1126/96 ⁽⁴⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry ⁽⁵⁾, as last amended by Regulation (EC)

No 1730/97 ⁽⁶⁾, specifies the method to be used for establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 31,985 for the quarter 1 October to 31 December 1997.

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, 30 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 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ L 150, 25. 6. 1996, p. 3.

⁽⁵⁾ OJ L 201, 25. 7. 1978, p. 26.

⁽⁶⁾ OJ L 243, 5. 9. 1997, p. 5.

COMMISSION REGULATION (EC) No 1904/97

of 30 September 1997

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95;

Whereas Article 17 (6) of Regulation (EEC) No 1785/81 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry⁽⁴⁾, last amended by Commission Regulation (EC) No 1126/96⁽⁵⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world

market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 17 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) and (h) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas, in the case of the products referred to in the said Article 1 (1) (f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; whereas, for the products referred to in Article 1 (1) (h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 214, 8. 9. 1995, p. 16.

⁽⁴⁾ OJ L 94, 9. 4. 1986, p. 9.

⁽⁵⁾ OJ L 150, 25. 6. 1996, p. 3.

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

Done at Brussels, 30 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 30 September 1997 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 9100	39,14 ⁽²⁾
1702 60 10 9000	39,14 ⁽²⁾
1702 60 90 9200	74,37 ⁽⁴⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 9800	0,3914 ⁽¹⁾
	— ECU/100 kg dry matter —
1702 90 30 9000	39,14 ⁽²⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 9000	0,3914 ⁽¹⁾
1702 90 71 9000	0,3914 ⁽¹⁾
1702 90 99 9900	0,3914 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
2106 90 30 9000	39,14 ⁽²⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 9000	0,3914 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5. 12. 1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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

COMMISSION REGULATION (EC) No 1905/97

of 30 September 1997

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁴⁾, as last amended by Regulation (EC) No 1341/97⁽⁵⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁶⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁷⁾, as last amended by Regulation (EC) No 1516/95⁽⁸⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 respectively, 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, 30 September 1997.

For the Commission

Martin BANGEMANN

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 136, 31. 5. 1994, p. 5.

⁽⁵⁾ OJ L 184, 12. 7. 1997, p. 12.

⁽⁶⁾ OJ L 275, 29. 9. 1987, p. 36.

⁽⁷⁾ OJ L 159, 1. 7. 1993, p. 112.

⁽⁸⁾ OJ L 147, 30. 6. 1995, p. 49.

ANNEX

to the Commission Regulation of 30 September 1997 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	— — — —
1002 00 00	Rye	2,700
1003 00 90	Barley	0,595
1004 00 00	Oats	1,066
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	1,828 2,453 1,215 1,840 2,453 1,828 2,453
1006 20	Husked rice: — round grain — medium grain — long grain	17,515 15,594 15,594
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	22,600 22,600 22,600
1006 40 00	Broken rice used in the form of: — starch of CN code 1108 19 10: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed)	0,555 1,213 1,213

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	0,595
1101 00	Wheat or meslin flour: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1102 10 00	Rye flour	3,321
1103 11 10	Groats and durum wheat meal: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —
1103 11 90	Common wheat groats and spelt: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	— —

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31. 5. 1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1. 7. 1993, p. 112).

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1906/97

of 30 September 1997

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 1341/97⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced

skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EC) No 531/96⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1997.

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ L 184, 12. 7. 1997, p. 12.

⁽⁵⁾ OJ L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ L 78, 28. 3. 1996, p. 13.

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

Done at Brussels, 30 September 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 30 September 1997 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 59,85
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3): (a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EEC) No 570/88 are exported (b) On exportation of other goods	61,89 102,60
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	55,50 187,75 180,50

COMMISSION REGULATION (EC) No 1907/97
of 30 September 1997

**fixing the rates of refunds applicable to certain products from the sugar sector
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾ and in particular Article 17 (5) (a) and (15),

Whereas Article 17 (1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1 (1) (a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds⁽³⁾ as last amended by Regulation (EC) No 1341/97⁽⁴⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 17 (3) of Regulation (EEC) No 1785/81 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing;

Whereas the refunds fixed under this Regulation may be fixed in advance; whereas the market situation over the next few months cannot be established at the moment;

Whereas the commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex II to the Treaty may be jeopardized by the fixing in advance of high refund rates; whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts; whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met;

Whereas Article 4 (5) (b) of Regulation (EC) No 1222/94 provides that in the absence of the proof referred to in Article 4 (5) (a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86⁽⁵⁾, as last amended by Commission Regulation (EC) No 1126/96⁽⁶⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1997.

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ L 184, 12. 7. 1997, p. 12.

⁽⁵⁾ OJ L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ L 150, 25. 6. 1996, p. 3.

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

Done at Brussels, 30 September 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 30 September 1997 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Product	Rate of refund in ECU/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	7,15	7,15
— in all other cases	39,14	39,14
Raw sugar:		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	6,58	6,58
— in all other cases	36,00	36,00
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	$\frac{7,15^{(*)} \times S^{(1)}}{100}$	$\frac{7,15^{(*)} \times S^{(1)}}{100}$
— in all other cases	$\frac{39,14^{(*)} \times S^{(1)}}{100}$	$\frac{39,14^{(*)} \times S^{(1)}}{100}$
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion	the rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses	—	—
Isoglucose ⁽²⁾ :		
— pursuant to Article 4(5)(b) of Regulation (EC) No 1222/94	7,15 ⁽³⁾	7,15 ⁽³⁾
— in all other cases	39,14 ⁽³⁾	39,14 ⁽³⁾

(1) 'S' represents in 100 kilograms of syrup

— the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

(4) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EC) No 1908/97

of 30 September 1997

determining the world market price for unginned cotton and the rate for the aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as amended by Regulation (EC) No 1584/96⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1 (2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton⁽⁴⁾, as last amended by Regulation (EC) No 1740/97⁽⁵⁾; whereas if it cannot be determined in this way it is to be based on the last price determined;

Whereas Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend; whereas to this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade; whereas these rules for determination of the world market price for ginned cotton provide for adjustments to reflect dif-

ferences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89;

Whereas application of the above rules gives the world market price for unginned cotton indicated hereunder;

Whereas Article 5 (3) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is overrun but with a 15 % increase in the estimate for unginned cotton production; whereas Commission Regulation (EC) No 1670/97⁽⁶⁾ determined estimated production for the 1997/98 marketing year; whereas application of these rules gives the advance payment rates for each Member State indicated hereunder,

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 38,521 per 100 kilograms.

2. Advance payment of the aid as indicated in Article 5 (3) of Regulation (EC) No 1554/95 shall be at the rate of:

- ECU 28,873 per 100 kilograms in Spain,
- ECU 34,932 per 100 kilograms in Greece,
- ECU 67,779 per 100 kilograms in other Member States.

Article 2

This Regulation shall enter into force on 1 October 1997.

⁽¹⁾ OJ L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ L 148, 30. 6. 1995, p. 48.

⁽³⁾ OJ L 206, 16. 8. 1996, p. 16.

⁽⁴⁾ OJ L 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ L 244, 6. 9. 1997, p. 1.

⁽⁶⁾ OJ L 237, 28. 8. 1997, p. 1.

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

Done at Brussels, 30 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1909/97
of 30 September 1997

amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds

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

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular the first subparagraph of Article 8 (3) thereof,

Whereas Annex B to Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, as last amended by Regulation (EC) No 1341/97⁽³⁾, lists the goods for which a refund may be granted; whereas this list is based upon the Annexes to the Regulations referred to in Article 1 (1) of Regulation (EC) No 1222/94;

Whereas the Annex to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽⁴⁾ was last

amended by Commission Regulation (EC) No 2931/95⁽⁵⁾; whereas this latter Regulation was amended by Commission Regulation (EC) No 1812/97⁽⁶⁾ in order to maintain the right to a refund for goods falling within CN code 1901 90 91; whereas Annex B to Regulation (EC) No 1222/94 must, therefore, be amended accordingly, as provided for in Article 8a of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex B to Regulation (EC) No 1222/94, with reference to CN code 1901 90 91, a cross is added to column 7 (milk products).

Article 2

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

It shall apply with effect from 16 July 1997.

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

Done at Brussels, 30 September 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ L 136, 31. 5. 1994, p. 5.

⁽³⁾ OJ L 184, 12. 7. 1997, p. 12.

⁽⁴⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽⁵⁾ OJ L 307, 20. 12. 1995, p. 10.

⁽⁶⁾ OJ L 257, 20. 9. 1997, p. 5.

COMMISSION REGULATION (EC) No 1910/97
of 30 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 Commis-

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 October 1997.

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

Done at Brussels, 30 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 30 September 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0709 90 79	052	65,2
	999	65,2
0805 30 30	388	64,8
	524	62,0
	528	55,3
	999	60,7
0806 10 40	052	93,0
	064	50,4
	400	201,5
	999	115,0
0808 10 92, 0808 10 94, 0808 10 98	052	72,0
	060	50,9
	064	45,8
	388	78,7
	400	68,8
	404	81,2
	528	59,8
	800	127,6
	999	73,1
0808 20 57	052	96,0
	064	84,9
	400	77,2
	999	86,0

⁽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 1911/97
of 30 September 1997
altering the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 (4) thereof,

Whereas the corrective amount applicable to the refund on malt was fixed by Commission Regulation (EC) No 1636/97⁽³⁾, as last amended by Regulation (EC) No 1728/97⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on malt should be altered,

Article 1

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to is hereby altered to the amount 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, 30 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 225, 15. 8. 1997, p. 18.

⁽⁴⁾ OJ L 242, 4. 9. 1997, p. 61.

ANNEX

to the Commission Regulation of 30 September 1997 altering the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	0	-1,30	-2,60	-3,90	-5,20	-6,50
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	0	-1,30	-2,60	-3,90	-5,20	-6,50
1107 20 00 9000	0	-1,52	-3,04	-4,56	-6,08	-7,60

(ECU/tonne)

Product code	6th period 4	7th period 5	8th period 6	9th period 7	10th period 8	11th period 9
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	-7,80	-9,10	-10,40	-11,70	-13,00	-14,30
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	-7,80	-9,10	-10,40	-11,70	-13,00	-14,30
1107 20 00 9000	-9,12	-10,64	-12,16	-13,68	-15,20	-16,72

COMMISSION REGULATION (EC) No 1912/97
of 30 September 1997
altering the corrective amount applicable to the refund on cereals

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1768/97⁽³⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as last

amended by Regulation (EC) No 150/95⁽⁵⁾, 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⁽⁶⁾, as last amended by Regulation (EC) No 1482/96⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts 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, 30 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 249, 12. 9. 1997, p. 10.

⁽⁴⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 30 September 1997 altering the corrective amount
applicable to the refund on cereals

(ECU/tonne)

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

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 1913/97
of 30 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 the number of applications for export licences for cheese varies according to destinations; whereas special measures should therefore be applied according to the destination indicated on licence applications and the destination indicated on the export licence made obligatory for products falling within CN code 0406;

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

Article 11 of Regulation (EC) No 1466/95 is hereby replaced by the following:

'Article 11

1. The country of destination referred to in Article 1 (2) shall be a compulsory destination within the meaning of Article 21 (1) of Regulation (EEC) No 3665/87:

- for licences issued in accordance with Articles 6 (3) and 9a,
- for other licences issued for products falling within CN code 0406.

2. Notwithstanding Article 21 (2) of Regulation (EEC) No 3665/87, the provisions of this paragraph shall apply to licences referred to in the second indent of paragraph 1 where the product does not reach the destination indicated in box 7 of the licence.

The refund applicable pursuant to Article 20 (3) of Regulation (EEC) No 3665/87 shall be paid where the actual destination is within the same zone.

No refund shall be paid where the actual destination is in another zone.

3. The zones referred to in paragraph 2 shall be as follows:

- Zone I: destination codes 053 to 096 inclusive,
- Zone II: destination code 400,
- Zone III: all other destinations codes.'

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 to export licence applications submitted from its entry into force.

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

Done at Brussels, 30 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.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL

of 24 September 1997

on certain measures applicable with regard to Kazakhstan concerning trade in
certain steel products covered by the ECSC Treaty

(97/635/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

During the period 1 October to 31 December 1997, imports into all the Member States of steel products covered by the ECSC Treaty referred to in Annex I originating in Kazakhstan shall be subject to licensing. Licences shall be issued only within the limits defined in Article 2. Steel products originating in Kazakhstan, covered by a monitoring document or documents issued before the date of entry into force of this Decision, and which were already sent to the Community before that date, shall be admitted without the applicable document or licence for the products covered by autonomous quota.

Article 2

Quantities of authorized imports shall be determined, for each product group and for the whole of the Community, according to the quotas indicated in Annex II.

Article 3

Member States shall issue licences and inform the Commission thereof immediately. The Commission shall keep the Member States regularly informed of the extent to which the quantities have been used up.

The Member States and the Commission shall confer in order to ensure that these quantities are not exceeded.

Article 4

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

It shall apply from 1 October 1997.

Done at Brussels, 24 September 1997.

The President

J. POOS

ANNEX I

(1997)

SA. Flat-rolled products	7209 15 00	7219 32 90	7214 20 00
	7209 16 10	7219 33 10	7214 30 00
SA1. Coils	7209 16 90	7219 33 90	7214 91 10
	7209 17 10	7219 34 10	7214 91 90
	7209 17 90	7219 34 90	7214 99 10
7208 10 00	7209 18 10	7219 35 10	7214 99 31
7208 25 00	7209 18 91	7219 35 90	7214 99 39
7208 26 00	7209 18 99		7214 99 50
7208 27 00	7209 25 00	7225 40 80	7214 99 61
7208 36 00	7209 26 10		7214 99 69
7208 37 10	7209 26 90		7214 99 80
7208 37 90	7209 27 10	SB. Longs	7214 99 90
7208 38 10	7209 27 90		
7208 38 90	7209 28 10	SB1. Beams	7215 90 10
7208 39 10	7209 28 90		
7208 39 90	7209 90 10	7207 19 31	7216 10 00
		7207 20 71	7216 21 00
			7216 22 00
7211 14 10	7210 11 10	7216 31 11	7216 40 10
7211 19 20	7210 12 11	7216 31 19	7216 40 90
	7210 12 19	7216 31 91	7216 50 10
	7210 20 10	7216 31 99	7216 50 91
7219 11 00	7210 30 10	7216 32 11	7216 50 99
7219 12 10	7210 41 10	7216 32 19	7216 99 10
7219 12 90	7210 49 10	7216 32 91	
7219 13 10	7210 50 10	7216 32 99	7218 99 20
7219 13 90	7210 61 10	7216 33 10	
7219 14 10	7210 69 10	7216 33 90	7222 11 11
7219 14 90	7210 70 31		7222 11 19
	7210 70 39		7222 11 21
	7210 90 31	SB2. Wire rod	7222 11 29
7225 19 10	7210 90 33		7222 11 91
7225 20 20	7210 90 38	7213 10 00	7222 11 99
7225 30 00		7213 20 00	7222 19 10
		7213 91 10	7222 19 90
	7211 14 90	7213 91 20	7222 30 10
SA2. Heavy plate	7211 19 90	7213 91 41	7222 40 10
	7211 23 10	7213 91 49	7222 40 30
	7211 23 51	7213 91 70	
7208 40 10	7211 29 20	7213 91 90	7224 90 31
7208 51 10	7211 90 11	7213 99 10	7224 90 39
7208 51 30		7213 99 90	
7208 51 50			
7208 51 91	7212 10 10		7228 10 10
7208 51 99	7212 10 91	7221 00 10	7228 10 30
7208 52 10	7212 20 11	7221 00 90	7228 20 11
7208 52 91	7212 30 11		7228 20 19
7208 52 99	7212 40 10	7227 10 00	7228 20 30
7208 53 10	7212 40 91	7227 20 00	7228 30 20
	7212 50 31	7227 90 10	7228 30 41
	7212 50 51	7227 90 50	7228 30 49
7211 13 00	7212 60 11	7227 90 95	7228 30 61
	7212 60 91		7228 30 69
			7228 30 70
SA3. Other flat-rolled products	7219 21 10	SB3. Other longs	7228 30 89
	7219 21 90		7228 60 10
	7219 22 10	7207 19 11	7228 70 10
7208 40 90	7219 22 90	7207 19 14	7228 70 31
7208 53 90	7219 23 00	7207 19 16	7228 80 10
7208 54 10	7219 24 00	7207 20 51	7228 80 90
7208 54 90	7219 31 00	7207 20 55	
7208 90 10	7219 32 10	7207 20 57	7301 10 00

*ANNEX II***QUOTAS**

	<i>(tonnes)</i>
<i>A. Flat-rolled products</i>	
SA1. (coils)	18 764
SA2. (heavy plate)	6 570
SA3. (other flat products)	3 978
 <i>B. Long products</i>	
SB.	1 334

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL**

of 26 September 1997

**on certain measures applicable with regard to the Russian Federation con-
cerning trade in certain steel products covered by the ECSC Treaty**

(97/636/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. Pending the entry into force of the new ECSC steel agreement with the Russian Federation, and in order to avoid disrupting the trade in the products which it covers, following the expiry on 30 September 1997 of the extended 1995-96 agreement, imports into all the Member States of steel products covered by the ECSC Treaty referred to in Annex I originating in the Russian Federation shall be subjected to import authorization until 31 December 1997.

2. Authorizations shall be issued only within the limits defined in Article 2. Steel products originating in the Russian Federation covered by an import authorization issued before the date of entry into force of this Decision, and which were already sent to the Community before that date, shall be admitted without the applicable authorization for the products covered by autonomous quota.

Article 2

Quantities of authorized imports shall be determined, for each product group and for the whole of the Community, according to the quotas indicated in Annex II.

Article 3

1. For the purpose of applying Article 2, the competent authorities of the Member States, before issuing import authorizations, shall notify the Commission of the amounts of the requests for import authorizations, supported by original export licences, which they have received. By return, the Commission shall notify its confirmation that the requested amount(s) of quantities are available for importation in the chronological order in which the notifications of the Member States have been received ('first come, first served' basis).

2. The requests included in the notifications to the Commission shall be valid if they establish clearly in each case the exporting country, the product group concerned,

the amounts to be imported, the number of the export licence, the quota year and the Member State in which the products are intended to be put into free circulation.

3. The notifications referred to in paragraphs 1 and 2 shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

4. The Member States shall issue the licences and forthwith inform the Commission thereof.

The Commission shall keep the Member States regularly informed of the extent to which the quantities have been used up.

5. The Member States and the Commission shall confer in order to ensure that these quantities are not exceeded.

Article 4

Should an agreement between the European Coal and Steel Community and the Russian Federation on trade in certain steel products be concluded and enter into force during the period of application of this Decision, the provisions of that agreement together with any measures taken to give effect to it, shall, as from the date on which the agreement enters into force, replace the provisions of this Decision.

Article 5

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

In order to maintain continuity in the management of the quotas for 1997, this Decision shall apply from 1 October 1997.

Done at Brussels, 26 September 1997.

The President

J. POOS

ANNEX I

SA. Flat-rolled products		7209 15 00	7219 32 90	7214 20 00
		7209 16 10	7219 33 10	7214 30 00
SA1. <i>Coils</i>		7209 16 90	7219 33 90	7214 91 10
		7209 17 10	7219 34 10	7214 91 90
7208 10 00		7209 17 90	7219 34 90	7214 99 10
7208 25 00		7209 18 10	7219 35 10	7214 99 31
7208 26 00		7209 18 91	7219 35 90	7214 99 39
7208 27 00		7209 18 99		7214 99 50
7208 36 00		7209 25 00		7214 99 61
7208 37 90		7209 26 10	7225 40 80	7214 99 69
7208 38 90		7209 26 90		7214 99 80
7208 39 90		7209 27 10		7214 99 90
		7209 27 90	SB. Long products	
		7209 28 10		
7211 14 10		7209 28 90	SB1. <i>Beams</i>	7215 90 10
7211 19 20		7209 90 10		
			7207 19 31	7216 10 00
7219 11 00			7207 20 71	7216 21 00
7219 12 10	7210 11 10			7216 22 00
7219 12 90	7210 12 11			7216 40 10
7219 13 10	7210 12 19		7216 31 11	7216 40 90
7219 13 90	7210 20 10		7216 31 19	7216 50 10
7219 14 10	7210 30 10		7216 31 91	7216 50 91
7219 14 90	7210 41 10		7216 31 99	7216 50 99
	7210 49 10		7216 32 11	7216 99 10
	7210 50 10		7216 32 19	
7225 19 10	7210 61 10		7216 32 91	
7225 20 20	7210 69 10		7216 32 99	7218 99 20
7225 30 00	7210 70 31		7216 33 10	
	7210 70 39		7216 33 90	
	7210 90 31			7222 11 11
SA1.a. <i>Hot-rolled coils for re-rolling</i>	7210 90 33			7222 11 19
	7210 90 38		SB2. <i>Wire rod</i>	7222 11 21
				7222 11 29
				7222 11 91
7208 37 10			7213 10 00	7222 11 99
7208 38 10			7213 20 00	7222 19 10
7208 39 10	7211 14 90		7213 91 10	7222 19 90
	7211 19 90		7213 91 20	7222 30 10
	7211 23 10		7213 91 41	7222 40 10
	7211 23 51		7213 91 49	7222 40 30
SA2. <i>Heavy plate</i>	7211 29 20		7213 91 70	
	7211 90 11		7213 91 90	7224 90 31
7208 40 10			7213 99 10	7224 90 39
7208 51 10			7213 99 90	
7208 51 30	7212 10 10			
7208 51 50	7212 10 91			7228 10 10
7208 51 91	7212 20 11		7221 00 10	7228 10 30
7208 51 99	7212 30 11		7221 00 90	7228 20 11
7208 52 10	7212 40 10			7228 20 19
7208 52 91	7212 40 91		7227 10 00	7228 20 30
7208 52 99	7212 50 31		7227 20 00	7228 30 20
7208 53 10	7212 50 51		7227 90 10	7228 30 41
	7212 60 11		7227 90 50	7228 30 49
	7212 60 91		7227 90 95	7228 30 61
7211 13 00				7228 30 69
				7228 30 70
				7228 30 89
SA3. <i>Other flat-rolled products</i>	7219 21 10		SB3. <i>Other</i>	7228 60 10
	7219 21 90			7228 70 10
	7219 22 10		7207 19 11	7228 70 31
7208 40 90	7219 22 90		7207 19 14	7228 80 10
7208 53 90	7219 23 00		7207 19 16	7228 80 90
7208 54 10	7219 24 00		7207 20 51	
7208 54 90	7219 31 00		7207 20 55	
7208 90 10	7219 32 10		7207 20 57	7301 10 00

ANNEX II

QUANTITATIVE LIMITS

Products	(tonnes)	
	1 January to 31 December 1997	
SA. <i>Flat products</i>		
SA1. Coils	207 487	
SA1.a. Hot-rolled coils for re-rolling	430 000	
SA2. Heavy plate	31 115	
SA3. Other flat products	28 265	
SB. <i>Long products</i>		
SB1. Beams	12 000	
SB2. Wire rod	28 000	
SB3. Other long products	104 357	

COMMISSION

COMMISSION DECISION

of 18 September 1997

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(97/637/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) ⁽¹⁾, as last amended by Regulation (EC) No 619/96 ⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EC) No 589/96 of 2 April 1996 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 1 of Regulation (EC) No 589/96 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 September 1997, expressed in terms of boned meat, in accordance with Regulation (EC) No 589/96, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the quantities, in respect of which licences may be applied for from 1 October 1997, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽⁴⁾, as last amended by Directive 96/91/EC ⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 September 1997 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany:

— 100,000 tonnes originating in Botswana.

United Kingdom:

— 180,000 tonnes originating in Botswana,
— 1 700,000 tonnes originating in Zimbabwe,
— 450,000 tonnes originating in Namibia.

Article 2

Licence applications may be submitted, pursuant to Article 3 (3) of Regulation (EC) No 589/96 during the first 10 days of October 1997 for the following quantities of boned beef and veal:

— Botswana:	9 776,000 tonnes,
— Kenya:	142,000 tonnes,
— Madagascar:	7 144,000 tonnes,
— Swaziland:	3 168,000 tonnes,
— Zimbabwe:	4 594,659 tonnes,
— Namibia:	8 349,000 tonnes.

⁽¹⁾ OJ L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ L 89, 10. 4. 1996, p. 1.

⁽³⁾ OJ L 84, 3. 4. 1996, p. 22.

⁽⁴⁾ OJ L 302, 31. 12. 1972, p. 28.

⁽⁵⁾ OJ L 13, 16. 1. 1997, p. 26.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 September 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 19 September 1997

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards fasteners for structural timber

(Text with EEA relevance)

(97/638/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures under Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is therefore required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second

and third possibilities of point (ii) of section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with continuous surveillance, of point (ii) of section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products set out in Annex I shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 2

The procedure for attesting conformity as set out in Annex II shall be indicated in mandates for harmonized standards.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 September 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ L 220, 30. 8. 1993, p. 1.

ANNEX I

Shear plates, toothed-plate connectors, punched nail plates, nailing plates.

ANNEX II

ATTESTATION OF CONFORMITY

Product family: **Fasteners for structural timber products (1/1)**

1. Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/Cenelec are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
Shear plates, toothed-plate connectors, punched nail plates, nailing plates	For structural timber products		2 +

System 2+: See Directive 89/106/EEC, Annex III (2) (ii), first possibility, including certification of the factory production control by an approved body on the basis of initial inspection of factory and of factory production control as well as of continuous surveillance, assessment and approval of factory production control.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2.1 of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

CORRIGENDA

Corrigendum to Directive 97/16/EC of the European Parliament and of the Council of 10 April 1997 amending for the 15th time Directive 76/769/EEC on restrictions on the marketing and use of certain dangerous substances and preparations

(Official Journal of the European Communities L 116 of 6 May 1997)

Page 32, Annex, left-hand column, line 1:

for: 'xx Hexachloroethane',

read: '41 Hexachloroethane'.
