

Official Journal

of the European Communities

ISSN 0378-6978

L 282

Volume 40

15 October 1997

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 1991/97 of 13 October 1997 repealing the anti-dumping measures imposed on imports of disodium carbonate originating in the United States of America** 1
- Commission Regulation (EC) No 1992/97 of 14 October 1997 on applications for import licences for rice submitted in the first five working days of October 1997 pursuant to the arrangements provided for in Council Regulation (EC) No 1522/96 4
- ★ **Commission Regulation (EC) No 1993/97 of 14 October 1997 fixing the coefficients applicable to cereals exported in the form of Irish whiskey for the period 1997/98** 5
- ★ **Commission Regulation (EC) No 1994/97 of 14 October 1997 fixing the coefficients applicable to cereals exported in the form of Scotch whisky for the period 1997/98** 7
- ★ **Commission Regulation (EC) No 1995/97 of 14 October 1997 fixing the coefficients applicable to cereals exported in the form of Spanish whisky for the period 1997/98** 9
- ★ **Commission Regulation (EC) No 1996/97 of 14 October 1997 amending Regulations (EEC) No 584/92 and (EC) No 1713/95 as regards proof of origin of certain milk products imported into the Community** 11
- ★ **Commission Regulation (EC) No 1997/97 of 14 October 1997 amending Regulation (EC) No 1854/96 establishing a list of reference methods to be applied for the analysis and quality evaluation of milk and milk products under the common market organization** 13
- Commission Regulation (EC) No 1998/97 of 14 October 1997 setting export refunds on products processed from fruit and vegetables other than those granted for added sugar 22

Commission Regulation (EC) No 1999/97 of 14 October 1997 fixing the export refunds on poultrymeat	25
Commission Regulation (EC) No 2000/97 of 14 October 1997 fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95	27
Commission Regulation (EC) No 2001/97 of 14 October 1997 amending representative prices and additional duties for the import of certain products in the sugar sector	29
Commission Regulation (EC) No 2002/97 of 14 October 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables	31
* Commission Directive 97/59/EC of 7 October 1997 adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) ⁽¹⁾	33

Corrigenda

* Corrigendum to Council Directive 95/29/EC of 29 June 1995 amending Directive 91/628/EEC concerning the protection of animals during transport (OJ L 148 of 30.6.1995)	36
--	-----------

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1991/97

of 13 October 1997

repealing the anti-dumping measures imposed on imports of disodium carbonate originating in the United States of America

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, hereinafter referred to as 'the Basic Regulation', and in particular Articles 9 and 11 (3) thereof,

Having regard to the proposal from the Commission after consulting the Advisory Committee,

Whereas:

measures in force in the Community following enlargement to include Austria, Finland and Sweden' (95/C 40/07)⁽²⁾.

B. REVIEW

- (4) Based on the above, the Commission decided to initiate, on its own initiative, an interim review of the anti-dumping measures applicable to imports of disodium carbonate originating in the USA pursuant to Article 11 (3) of the Basic Regulation⁽⁴⁾.

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 2381/95⁽³⁾, the Council imposed a definitive anti-dumping duty on imports of disodium carbonate originating in the USA and decided to collect definitively the provisional duty imposed.
- (2) Regulation (EC) No 2381/95 envisaged that the Commission would conduct a review of the measures after one year from the date of their imposition in order to examine, in particular, the situation on the Community soda ash market and the position of users of soda ash in the Community.
- (3) A request for an interim review of the measures in question under Article 11 (3) of the Basic Regulation was lodged on 13 July 1996 by four United States producers/exporters, namely FMC Corporation, General Chemical (Soda Ash) Partners, North American Chemical Company and OCI Chemical Corporation, as provided for by the Commission's 'Notice regarding the application of anti-dumping

C. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

- (5) The product under consideration is disodium carbonate (soda ash), which is characterized by having as its principal component Na_2CO_3 (Sodium Carbonate anhydrous). It falls within CN code 2836 20 00.
- (6) The main uses of soda ash are in the following industries: glass, steel, chemical, detergent, paper and pulp, food and water treatment.

2. Like product

- (7) It was established that the soda ash produced and sold in the Community and that produced in the USA and sold therein and exported to the Community were alike as regards their essential basic physical and technical characteristics and their potential use. Consequently, all these products are considered a like product within the meaning of Article 1 (4) of the Basic Regulation.

⁽¹⁾ OJ L 56, 6. 3. 1996, p. 1. Regulation as amended by Regulation (EC) No 2331/96 (OJ L 317, 6. 12. 1996, p. 1.)

⁽²⁾ OJ L 244, 12. 10. 1995, p. 32.

⁽³⁾ OJ C 40, 17. 2. 1995, p. 5.

⁽⁴⁾ OJ C 253, 31. 8. 1996, p. 23.

D. DEFINITION OF COMMUNITY INDUSTRY

- (8) The Community industry consists of the following producers, all members of the complainant European Chemical Industry Council (CEFIC), which cooperated in the investigation:
- Solvay Österreich A.G. (A),
 - Solvay SA (B),
 - Akzo Chemicals BV (NL),
 - Solvay SA (F),
 - Rhône-Poulenc SA (F),
 - Matthes & Weber GmbH (D),
 - Solvay Alkali GmbH (D),
 - Sodawerk Stassfurt GmbH (D),
 - Solvay SA, Milano (I),
 - Solvay Portugal Productos Quimicos SA (P),
 - Solvay SA (ES),
 - Brunner Mond (UK) Ltd (UK).

E. WITHDRAWAL OF SUPPORT FOR THE PROCEEDING

- (9) On 8 April 1997 four Community producers, representing around 80 % of total Community production of soda ash, withdrew their support for the anti-dumping proceeding and consequently for the ongoing review investigation for reasons which are particular to the position of these companies on the Community market. Two Community producers, representing around 20 % of total Community production, continued to support the proceeding and the continuation of the investigation.
- (10) This situation occurred at a point in time when the investigation on dumping and injury was not entirely completed.

F. ANALYSIS

- (11) The Council considers that, in the light of the provisions of Articles 3 (1), 4 (1) and 5 (4) of the Basic Regulation, a proceeding must be terminated where it is no longer supported by Community producers whose collective output represents a major proportion of the total Community production, unless this termination would not be in the interest of the Community. In accordance with the abovementioned provisions, this major proportion consists of 25 % of the total Community production of the like product.
- (12) One producer has argued that the termination of the proceeding is not in the Community interest

since it would leave the Community industry unprotected in case of sporadic dumping by the US producers, as took place in the past. This could have a negative impact on the economic, financial and employment situation of the Community industry as well as on the significant investments made. It was further argued that at least the measures in force should only be suspended for nine months in accordance with Article 14 (4) of the Basic Regulation.

- (13) The arguments submitted by the producer concerned can be summarised in that a non-major proportion of the Community industry would be injured if the proceeding is terminated. This alone is, however, not a sufficient reason to continue anti-dumping proceedings on the basis of Articles 3 (1), 4 (1) and 5 (4) of the Basic Regulation. No particular Community interest aspects were put forward why measures should be continued in spite of the withdrawal of support of other producers. For these reasons the above arguments have to be rejected. As far as the request for suspension of the measures is concerned, no arguments were put forward showing that the conditions in Article 14 (4) of the Basic Regulation are met. Therefore, the request for a suspension could not be accepted either.

G. CONCLUSIONS

- (14) In conclusion, the Council does not see any reason which would justify continuing the proceeding. Regulation (EC) No 2381/95 should therefore be repealed.
- (15) The Commission informed the interested parties of its intention to repeal the anti-dumping measures on disodium carbonate originating in the United States of America and no representations other than those mentioned in recitals 12 and 13 were made by these parties,

HAS ADOPTED THIS REGULATION:

Article 1

The anti-dumping measures imposed by Regulation (EC) No 2381/95 on imports of disodium carbonate (soda ash), falling within CN code 2836 20 00 and originating in the United States of America, are hereby repealed.

Article 2

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

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

Done at Luxembourg, 13 October 1997.

For the Council

The President

J.-C. JUNCKER

COMMISSION REGULATION (EC) No 1992/97

of 14 October 1997

on applications for import licences for rice submitted in the first five working days of October 1997 pursuant to the arrangements provided for in Council Regulation (EC) No 1522/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1522/96 of 24 July 1996 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽¹⁾, as amended by Commission Regulation (EC) No 112/97 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas, pursuant to Article 5 (2) of Regulation (EC) No 1522/96, the Commission must decide within 10 days of the closing date for the submission of licence applications the extent to which applications can be granted and must fix the available quantities for the following tranche;

Whereas, in the light of the quantities for which applications are submitted during the first five working days of

October 1997 and the quantities available, licences may be issued subject to the application of a standard percentage reduction,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences may be issued in respect of licence applications for rice submitted under the arrangements provided for in Regulation (EC) No 1522/96 in the first five working days of October 1997 and notified to the Commission, subject to the application of a standard percentage reduction to the quantities applied for of 59,0664 %.

Article 2

This Regulation shall enter into force on 15 October 1997.

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

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 190, 31. 7. 1996, p. 1.

⁽²⁾ OJ L 20, 23. 1. 1997, p. 23.

COMMISSION REGULATION (EC) No 1993/97

of 14 October 1997

fixing the coefficients applicable to cereals exported in the form of Irish whiskey
for the period 1997/98

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

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks⁽¹⁾, as amended by Regulation (EC) No 3098/94⁽²⁾, and in particular Article 5 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2825/93 provides that the quantities of cereals eligible for the refund are to be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned; whereas that coefficient expresses the ratio between the total quantities exported and the total quantities marketed of the spirituous beverage concerned on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirituous beverage in question; whereas, in view of the information provided by Ireland on the period 1 January to 31 December 1996, the average ageing period in 1996 was five years for Irish whiskey; whereas the coefficients for the period 1 July 1997 to 30 June 1998 should be fixed;

Whereas Article 10 of Protocol 3 to the Agreement on the European Economic Area⁽³⁾ precludes the grant of

refunds for exports to Liechtenstein, Iceland and Norway; whereas, therefore, pursuant to Article 7 (2) of Regulation (EEC) No 2825/93, account should be taken of this in the calculation of the coefficient for 1997/98;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July 1997 to 30 June 1998, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in Ireland for manufacturing Irish whiskey shall be as set out in the Annex.

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, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 258, 16. 10. 1993, p. 6.

⁽²⁾ OJ L 328, 20. 12. 1994, p. 12.

⁽³⁾ OJ L 1, 3. 1. 1994, p. 1.

ANNEX

Coefficients applicable in Ireland

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B ⁽¹⁾	to cereals used for the manufacture of Irish whiskey, category A
1 July 1997 to 30 June 1998	0,169	0,251

⁽¹⁾ Including barley processed into malt.

COMMISSION REGULATION (EC) No 1994/97

of 14 October 1997

fixing the coefficients applicable to cereals exported in the form of Scotch
whisky for the period 1997/98

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

Having regard to Commission Regulation (EEC) No
2825/93 of 15 October 1993 laying down certain detailed
rules for the application of Council Regulation (EEC) No
1766/92 as regards the fixing and granting of adjusted
refunds in respect of cereals exported in the form of
certain spirit drinks⁽¹⁾, as amended by Regulation (EC)
No 3098/94⁽²⁾, and in particular Article 5 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2825/93
provides that the quantities of cereals eligible for the
refund are to be the quantities placed under control and
distilled, weighted by a coefficient to be fixed annually for
each Member State concerned; whereas that coefficient
expresses the ratio between the total quantities exported
and the total quantities marketed of the spirituous
beverage concerned on the basis of the trend noted
in those quantities during the number of years cor-
responding to the average ageing period of the spirituous
beverage in question; whereas, in view of the information
provided by the United Kingdom on the period 1
January to 31 December 1996, the average ageing period
in 1996 was eight years for Scotch whisky; whereas the
coefficients for the period 1 July 1997 to 30 June 1998
should be fixed;

Whereas Article 10 of Protocol 3 to the Agreement on the
European Economic Area⁽³⁾ precludes the grant of

refunds for exports to Liechtenstein, Iceland and Norway;
whereas, therefore, pursuant to Article 7 (2) of Regulation
(EEC) No 2825/93, account should be taken of this in the
calculation of the coefficient for 1997/98;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July 1997 to 30 June 1998, the coeffi-
cients provided for in Article 4 of Regulation (EEC) No
2825/93 applying to cereals used in the United Kingdom
for manufacturing Scotch whisky shall be as set out in the
Annex.

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, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 258, 16. 10. 1993, p. 6.

⁽²⁾ OJ L 328, 20. 12. 1994, p. 12.

⁽³⁾ OJ L 1, 3. 1. 1994, p. 1.

*ANNEX***Coefficients applicable in the United Kingdom**

Period of application	Coefficient applicable	
	to barley processed into malt used in the manufacture of malt whisky	to cereals used in the manufacture of grain whisky
1 July 1997 to 30 June 1998	0,493	0,541

COMMISSION REGULATION (EC) No 1995/97

of 14 October 1997

fixing the coefficients applicable to cereals exported in the form of Spanish
whisky for the period 1997/98

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

Having regard to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks⁽¹⁾, as amended by Regulation (EC) No 3098/94⁽²⁾, and in particular Article 5 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2825/93 provides that the quantities of cereals eligible for the refund are to be the quantities placed under control and distilled, weighted by a coefficient to be fixed annually for each Member State concerned; whereas that coefficient expresses the ratio between the total quantities exported and the total quantities marketed of the spirituous beverage concerned on the basis of the trend noted in those quantities during the number of years corresponding to the average ageing period of the spirituous beverage in question; whereas, in view of the information provided by Spain on the period 1 January to 31 December 1996, the average ageing period in 1996 was four years for Spanish whisky; whereas the coefficients for the period 1 July 1997 to 30 June 1998 should be fixed;

Whereas Article 10 of Protocol 3 to the Agreement on the European Economic Area⁽³⁾ precludes the grant of

refunds for exports to Liechtenstein, Iceland and Norway; whereas, therefore, pursuant to Article 7 (2) of Regulation (EEC) No 2825/93, account should be taken of this in the calculation of the coefficient for 1997/98;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July 1997 to 30 June 1998, the coefficients provided for in Article 4 of Regulation (EEC) No 2825/93 applying to cereals used in Spain for manufacturing Spanish whisky shall be as set out in the Annex.

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, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 258, 16. 10. 1993, p. 6.

⁽²⁾ OJ L 328, 20. 12. 1994, p. 12.

⁽³⁾ OJ L 1, 3. 1. 1994, p. 1.

*ANNEX***Coefficients applicable in Spain**

Period of application	Coefficient applicable to cereals used for the manufacture of Spanish whisky, category A
1 July 1997 to 30 June 1998	0,0051

COMMISSION REGULATION (EC) No 1996/97
of 14 October 1997

**amending Regulations (EEC) No 584/92 and (EC) No 1713/95 as regards proof of
origin of certain milk products imported into the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, 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⁽²⁾, 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⁽³⁾, 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⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the agreements on free trade and trade-related matters with Estonia, Latvia and Lithuania, to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations⁽⁵⁾, and in particular Article 1 thereof,

Whereas, by Decision No 1/97 of the Association Council, Association between the European Communities

and their Member States, of the one part, and the Republic of Poland, of the other part⁽⁶⁾, Protocol 4 to the Europe Agreement was amended with effect from 1 July 1997; whereas the new Protocol provides that proof of origin of products imported into the Community can be established by a declaration by the exporter on certain conditions and by presentation of the EUR.1 certificate; whereas Commission Regulation (EEC) No 584/92⁽⁷⁾, as last amended by Regulation (EC) No 1873/97⁽⁸⁾, should accordingly be adapted as regards the provisions on the release for free circulation of products imported from the Republic of Poland;

Whereas, by Decision No 2/97 of the Association Council, Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁹⁾, Protocol 4 to the Europe Agreement was amended with effect from 9 January 1997; whereas the new Protocol provides that proof of origin of products imported into the Community can be established by a declaration by the exporter on certain conditions and by presentation of the EUR.1 certificate; whereas Regulation (EEC) No 584/92 should accordingly be adapted as regards the provisions on the release for free circulation of products imported from the Slovak Republic;

Whereas, by Decision No 1/97 of the Joint Committee, between the European Communities, of the one part, and the Republic of Estonia, of the other part⁽¹⁰⁾, Protocol 3 to the Europe Agreement on free trade and trade-related matters was amended with effect from 6 March 1997; whereas the new Protocol provides that proof of origin of products imported into the Community can be established by a declaration by the exporter on certain conditions and by presentation of the EUR.1 certificate; whereas Commission Regulation (EC) No 1713/95⁽¹¹⁾, as last amended by Regulation (EC) No 1873/97, should accordingly be adapted as regards the provisions on the release for free circulation of products imported from the Republic of Estonia;

Whereas, by Decision No 1/97 of the Joint Committee, between the European Communities, of the one part, and

⁽¹⁾ OJ L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ L 319, 21. 12. 1993, p. 4.

⁽³⁾ OJ L 341, 30. 12. 1994, p. 14.

⁽⁴⁾ OJ L 341, 30. 12. 1994, p. 17.

⁽⁵⁾ OJ L 254, 8. 10. 1996, p. 1.

⁽⁶⁾ OJ L 221, 11. 8. 1997, p. 1.

⁽⁷⁾ OJ L 62, 7. 3. 1992, p. 34.

⁽⁸⁾ OJ L 265, 27. 9. 1997, p. 23.

⁽⁹⁾ OJ L 212, 5. 8. 1997, p. 1.

⁽¹⁰⁾ OJ L 111, 28. 4. 1997, p. 1.

⁽¹¹⁾ OJ L 163, 14. 7. 1995, p. 5.

the Republic of Lithuania, of the other part ⁽¹⁾, Protocol 3 to the Agreement on free trade and trade-related matters was amended with effect from 25 February 1997; whereas the new Protocol provides that proof of origin of products imported into the Community can be established by a declaration by the exporter on certain conditions and by presentation of the EUR.1 certificate; whereas Regulation (EC) No 1713/95 should accordingly be adapted as regards the provisions on the release for free circulation of products imported from the Republic of Lithuania;

Whereas, by Decision No 1/97 of the Joint Committee, between the European Communities, of the one part, and the Republic of Latvia, of the other part ⁽²⁾, Protocol 3 to the Agreement on free trade and trade-related matters was amended with effect from 6 March 1997; whereas the new Protocol provides that proof of origin of products imported into the Community can be established by a declaration by the exporter on certain conditions and by presentation of the EUR.1 certificate; whereas Regulation (EC) No 1713/95 should accordingly be adapted as regards the provisions on the release for free circulation of products imported from the Republic of Latvia;

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 8 of Regulation (EEC) No 584/92 is hereby replaced by the following:

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

Done at Brussels, 14 October 1997.

Article 8

The products shall be released for free circulation on presentation of an EUR.1 certificate issued by the exporting country in accordance with Protocol 4 to the Europe Agreements concluded with the said countries or of a declaration by the exporter in accordance with the provisions of the said Protocol.'

Article 2

Article 8 of Regulation (EC) No 1713/95 is hereby replaced by the following:

Article 8

The products shall be released for free circulation on presentation of an EUR.1 certificate issued by the exporting country in accordance with Protocol 3 to the Europe Agreements concluded with the said countries or of a declaration by the exporter in accordance with the provisions of the said Protocol.'

Article 3

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

Article 1 shall apply from 1st January 1997 to products imported from Slovakia and from 1st July 1997 to products imported from Poland.

Article 2 shall apply with effect from 1 April 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 136, 27. 5. 1997, p. 1.

⁽²⁾ OJ L 111, 28. 4. 1997, p. 101.

COMMISSION REGULATION (EC) No 1997/97

of 14 October 1997

amending Regulation (EC) No 1854/96 establishing a list of reference methods to be applied for the analysis and quality evaluation of milk and milk products under the common market organization

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation 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 6 (6), 7 (5), 8 (4), 9 (3), 10 (3), 11 (3), 12 (3), 13 (3), 16 (1) and (4), and 17 (14) thereof,

Whereas Article 2 (1) of Commission Regulation (EC) No 2721/95 of 24 November 1995 on the establishment of rules for the application of reference and routine methods for the analysis and quality evaluation of milk and milk products under the common market organization ⁽³⁾ specifies that before 1 April each year a list of reference methods applicable for the analyses mentioned in Article 1 of that Regulation has to be established; whereas a first list was adopted by Commission Regulation (EC) No 1854/96 ⁽⁴⁾; whereas that list was updated with effect from 1 April 1997 by Commission Regulation (EC) No 658/97 ⁽⁵⁾ which replaced the annex to Regulation (EC) No 1854/96; whereas it has come to light that this annex contains certain errors which should be corrected; whereas

references to certain regulations and products were omitted and should now be added; and the details of certain reference methods should be clarified; whereas in view of the number and nature of the corrections and additions it is preferable for reasons of clarity and of legal certainty to replace the entire annex;

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 Regulation (EC) No 1854/96 is replaced by the Annex to the present regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 14 October 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 283, 25. 11. 1995, p. 7.
⁽⁴⁾ OJ L 246, 27. 9. 1996, p. 5.
⁽⁵⁾ OJ L 100, 17. 4. 1997, p. 14.

ANNEX

LIST OF REFERENCE METHODS PURSUANT TO REGULATION (EC) No 2721/95

Index:

Min. = minimum, Max. = maximum, Annex = Annex to quoted Regulation, SnF = solids not fat, FFA = free fatty acids, PV = peroxide value, A = appearance, F = flavour, C = consistency, TBC = total bacterial count, Therm = thermophilic bacterial count, MS = Member State, IDF = International Dairy Federation, ISO = International Standards Organization, IUPAC = International Union of Pure and Applied Chemistry, ADPI = American Dairy Products Institute, SCM = sweetened condensed milk, EMC = evaporated milk or cream, MSNF = milk solids non fat, WC = whey cheese.

Part A

Commission Regulation	Product	Parameter	Limit	Reference method	Remarks
Regulation (EC) No 454/95: Public Storage	Unsalted Butter	Milk-Fat	82 % Min	IDF Standard 80:1977	Note 1
		Water	16 % Max	IDF Standard 80:1977	
		S.n.F.	2 % Max	IDF Standard 80:1977	
		Fat acidity (Max)	1,2 mmol/100 g fat	IDF Standard 6B:1989	Note 3
		P.V. (Max)	0,3 mequiv. oxygen/1 000 g fat	IDF Standard 74A:1991 (English Version)	
		Coliform	not detectable in 1 g	Regulation (EC) No 1080/96 (OJ L 142, 15. 6. 1996, p. 13)	
		non milk fat	not detectable by triglyceride analysis	Annex III	Note 2
		Sterol tracers	not detectable	Regulation (EC) No 86/94 (OJ L 17, 20. 1. 1994, p. 7)	
		Other tracers	not detectable	Methods approved by competent authority	
		Sensory Characteristics	At least 4 out of 5 points for A, F, C	Annex IV	Note 6
Regulation (EC) No 454/95: Private Storage	Unsalted Butter	Water dispersion	At least 4 points	IDF Standard 112A:1989	
		Milk-Fat	82 % Min	IDF Standard 80:1977	
		Water	16 % Max	IDF Standard 80:1977	
	Salted Butter	Milk-Fat	80 % Min	IDF Standard 80:1977	Note 6
		Water	16 % Max	IDF Standard 80:1977	
		Salt	2 % Max	IDF Standard 12B:1988	

Commission Regulation	Product	Parameter	Limit	Reference method	Remarks
Regulation (EEC) No 570/88	Non-salted butter	Milk-Fat	82 % Min	IDF Standard 80:1977	Note 2
		Water	16 % Max	IDF Standard 80:1977	
		<i>Tracers</i>		Regulation (EC) No 86/94	
		Sterols		Methods approved by competent authority	
		Vanillin		Regulation (EC) No 1082/96 (OJ L 142, 15. 6. 1996, p. 26)	
Regulation (EEC) No 570/88	Salted butter	Carotenic Acid Ethyl Ester		IUPAC 2.301 sub 5	Note 2
		Triglycerides of enanthic acid			
		Milk-Fat	80 % Min	IDF Standard 80:1977	
		Water	16 % Max	IDF Standard 80:1977	
		Salt	2 % Max	IDF Standard 12B:1988	
		<i>Tracers</i>		Regulation (EC) No 86/94	
		Sterols		Methods approved by the competent authority	
		Vanillin		Regulation (EC) No 1082/96	
		Carotenic Acid Ethyl Ester		IUPAC 2.301 sub 5	
		Triglycerides of enanthic acid			
Regulation (EEC) No 570/88	Concentrated butter	Milk-Fat	99,8 % Min	IDF Standard 24:1964	Note 1
		Moisture & MSNF	0,2 % Max	IDF Standard 23A:1988 (moisture) IDF Standard 24:1964 (MSNF)	
		Fat acidity	0,35 % (oleic) Max	IDF Standard 6B:1989	
		P.V. (Max)	0,5 mequiv. oxygen/1 000 g fat	IDF Standard 74A:1991 (English Version)	
		Flavour	Fresh		
		Smell	absence of extraneous odours		
		Other	Absence of neutralising agents, antioxidants and preservatives		
		<i>Tracers</i>		Regulation (EEC) No 3942/92 (OJ L 399, 31. 12. 1992, p. 29)	
		Sterols		Methods approved by competent authority	
		Vanillin		Regulation (EC) No 1082/96	
		Carotenic Acid Ethyl Ester		IUPAC 2.301 sub 5	Note 2
		Triglycerides of enanthic acid			

Commission Regulation	Product	Parameter	Limit	Reference method	Remarks
Regulation (EEC) No 570/88	Cream	Fat	35 % — 49 %	IDF Standard 16C:1987	
		<i>Tracers</i>			
		Sterols		Methods approved by competent authority	Note 2
		Vanillin		Methods approved by competent authority	Note 2
		Carotenic Acid Ethyl Ester		Methods approved by competent authority	Note 2
Regulation (EEC) No 429/90	Concentrated butter	Triglycerides of enanthic acid		IUPAC 2 301 sub 5	
		Milk-Fat	96 % Min	Methods approved by competent authority	Note 2
		S.n.f.	2 % Max	Methods approved by competent authority	Note 2
		<i>Tracers</i>			
		stigmasterol (95 %)	15 g/100 kg Butter concentrate	Regulation (EEC) No 3942/92 (OJ L 399, 31. 12. 1992, p. 29)	
		stigmasterol (85 %)	17 g/100 kg Butter concentrate	Regulation (EEC) No 3942/92	
		triglycerides of enanthic acid	1,1 kg/100 kg Butter concentrate	IUPAC 2 301 sub 5	
		ethyl ester of butyric acid and stigmasterol	see Annex point 1 (c)	Regulation (EEC) No 3942/92 (stigmasterol) and method approved by competent authority (butyric acid)	Note 2
		lecithin (E322)	0,5 % Max	Methods approved by competent authority	Note 2
		NaCl	0,75 % Max	IDF Standard 12B:1988	
Regulation (EEC) No 2191/81	Non-salted butter	Fat acidity	0,35 % (oleic) Max	IDF Standard 6B:1989	
		P.V. (Max)	0,5 mequiv. oxygen/1 000 g fat	IDF Standard 74A:1991 (English version)	Note 1
		Flavour	fresh		
		Smell	absence of extraneous odours		
		Other	absence of neutralising agents, anti-oxidants and preservatives		
Regulation (EEC) No 2191/81	Salted butter	Milk fat	82 % Min	IDF Standard 80:1977	
		Water	16 % Max	IDF Standard 80:1977	
		Milk fat	80 % Min	IDF Standard 80:1977	
		Water	16 % Max	IDF Standard 80:1977	
		Salt	2 % Max	IDF Standard 12B:1988	

Commission Regulation	Product	Parameter	Limit	Reference method	Remarks
Regulation (EEC) No 2990/82	Non-salted butter	Milk fat Water	82 % Min 16 % Max	IDF Standard 80:1977 IDF Standard 80:1977	
Regulation (EEC) No 2990/82	Salted butter	Milk fat Water Salt	80 % Min 16 % Max 2 % Max	IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 12B:1988	
Regulation (EC) No 1081/96	Cheese made from ewes' and/or goats' milk	Cows' milk	< 1 %	Regulation (EEC) No 1081/96 (OJ L 142, 15. 6. 1996, p. 15)	
Regulation (EEC) No 2921/90	Annex I — Acid Casein	Water Fat Free acidity	12,00 % Max 1,75 % Max 0,30 % (lactic) Max	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 91:1979	
Regulation (EEC) No 2921/90	Annex I — Rennet Casein	Water Fat Ash	12,00 % Max 1,00 % Max 7,50 % Min	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 90:1979	
Regulation (EEC) No 2921/90	Annex I — Caseinate	Water Milk Protein Fat & Ash	6,00 % Max 88,00 % Min 6,00 % Max	IDF Standard 78C:1990 IDF Standard 92:1979 IDF 127A:1988 IDF Standard 89:1979 or IDF Standard 90:1979	
Regulation (EEC) No 2921/90	Annex II — Acid Casein	Water Fat Free acidity T.B.C. (Max) Coliforms Therm. (Max)	10,00 % Max 1,50 % Max 0,20 % (lactic) Max 30 000/1 g absence/0,1 g 5 000/1 g	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 91:1979 IDF Standard 100B:1991 Regulation (EC) No 1080/96 IDF Standard 100B:1991	Note 3 Note 3 Notes 3, 4
Regulation (EEC) No 2921/90	Annex II — Rennet Casein	Water Fat Ash T.B.C. (Max) Coliforms Therm. (Max)	8,00 % Max 1,00 % Max 7,50 % Min 30 000/1 g absence/0,1 g 5 000/1 g	IDF Standard 78C:1990 IDF 127A:1988 IDF Standard 90:1979 IDF Standard 100B:1991 Regulation (EC) No 1080/96 IDF Standard 100B:1991	Note 3 Note 3 Notes 3, 4

Commission Regulation	Product	Parameter	Limit	Reference method	Remarks
Regulation (EEC) No 2921/90	Annex II — Caseinate	Water	6,00 % Max	IDF Standard 78C:1990	
		Milk Protein	88,00 % Min	IDF Standard 92:1979	
		Fat & Ash	6,00 % Max	IDF 127A:1988 IDF 89:1979 or IDF 90:1979	Note 3
		T.B.C. (Max)	30 000/1 g	IDF Standard 100B:1991	Note 3
		Coliforms	absence/0,1 g	Regulation (EC) No 1080/96	Note 3, 4
		Therms (Max)	5 000/1 g	IDF Standard 100B:1991	
		Water	6,00 % Max	IDF Standard 78C:1990	
		Milk Protein	85,00 % Min	IDF Standard 92:1979	
		Fat	1,50 % Max	IDF 127A:1988	
		Lactose	1,00 % Max	IDF Standard 106:1982	
Regulation (EEC) No 2921/90	Annex III — Caseinate	Ash	6,50 % Max	IDF 89:1979 or IDF 90:1979	Note 3
		T.B.C. (Max)	30 000/1 g	IDF Standard 100B:1991	Note 3
		Coliforms	absence/0,1 g	Regulation (EC) No 1080/96	Note 3, 4
		Therm. (Max)	5 000/1 g	IDF Standard 100B:1991	
		Water (acid buttermilk powder)	5 % Max	Annex VI	
		Water (SMP)	5 % Max	IDF Standard 26A:1993	
		Fat (SMP)	11 % Max	IDF Standard 9C:1987	
		Rennet Whey (SMP)	Absence	Annex IV	
		Starch (SMP)	Absence	Annex V	
		Water (Mixture)	5 % Max in non fat dry matter	IDF Standard 26A:1993	Note 7
Regulation (EEC) No 1725/79	Compound feedingstuffs & SMP (animal grade)	Fatty material (Mixture)	—	Directive 84/4/EEC (OJ L 15, 18, 1. 1984, p. 28)	
		Rennet Whey (Mixture)	Absence	Annex IV	
		SMP content (Final Product)	50 % Minimum	Annex III	Note 7
		Fatty matter (Final Product)	2,5 % or 5 % minimum	Directive 84/4/EEC	Note 8
		Starch (Final Product)	2 % Min	Annex V	Note 9
		Copper (Final Product)	25 ppm	Directive 78/633/EEC (OJ L 206, 29. 7. 1978, p. 43)	

Commission Regulation	Product	Parameter	Limit	Reference method	Remarks
Regulation (EC) No 322/96	SMP spray	Fat	1,0 % Max	IDF Standard 9C:1987	
		Protein	31,4 % (in non-fat dry matter)	IDF Standard 20B:1993	
		Water	3,5 % Max	IDF Standard 26A:1993	
		Acidity (N/10 NaOH)	19,5 mls Max	IDF Standard 86:1981	
		Lactates	150 mg/100 g Max	IDF Standard 69B:1987	
		Phosphatase	negative	ISO Standard 3356:1975	
		Solubility	0,5 ml Max at 24 °C	IDF 129A:1988	
		Scorched Particles	disk B Min (15,0 mg)	ADPL:1990	Note 3
		T.B.C.	40 000/1 g	IDF Standard 100B:1991	Note 3
		Coliform	negative/0,1 g	Regulation (EC) No 1080/96	
		Buttermilk	negative	Annex VI	
		Whey — Rennet	negative	Annex V	
		Whey — Acid	negative	Method approved by competent authority	Note 2
		Antimicrobial agents		Annex VII	
Regulation (EEC) No 1105/68	Skimmed milk	Fat	1,0 % Max	IDF Standard 22B:1987	Note 5
		Solids non fat Total solids Freezing Point	8,75 % Min — —	IDF Standard 21B:1987 IDF 108B:1991	
Regulation (EEC) No 1105/68	Buttermilk	Fat Solids non fat Total solids	1,0 % Max 8,00 % Min —	IDF Standard 22B:1987 IDF Standard 21B:1987	Note 5

Part B

The reference methods listed under Part B are applicable to analyses of products covered by any of the regulations indicated in the first column

Commission Regulation	Product	CN code	Parameter	Limit	Reference method	Remark
Regulation (EC) No 1150/90 Regulation (EC) No 584/92 Regulation (BEC) No 1588/94 Regulation (EC) No 1466/95 Regulation (EC) No 1600/95 Regulation (BEC) No 1713/95 Regulation (EC) No 455/97	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	0401	Fat ($\leq 6\%$) Fat ($> 6\%$)	The limits are those specified in the description to the CN-code for the particular product or where applicable those specified in Part 9 of the Export Refund Nomenclature in Regulation (EEC) No 3846/87	IDF Standard 1D:1996 IDF Standard 16C:1987	
	Milk and cream, concentrated or containing added sugar or other sweetening matter	0402	Fat (liquid form) Fat (solid form) Sucrose (normal content) Sucrose (low content) Total solids (SCM) Total solids (EMC)		IDF Standard 13C:1987 IDF Standard 9C:1993 IDF Standard 35A:1992 Method approved by competent authority IDF Standard 15B:1991 IDF Standard 21B:1987	Note 2
	Buttermilk, fermented or acidified milk and cream, concentrated or unconcentrated containing added sugar or other sweetening matter	0403	Fat Sucrose (normal content) Sucrose (low content)		IDF 1D:1996, IDF 9C:1987 IDF 16C:1987, IDF 22B:1987 IDF Standard 35A:1992 Method approved by competent authority	Note 2
	Whey, concentrated containing added sugar or other sweetening matter; products consisting of natural milk constituents	0404	Fat Protein Sucrose (normal content) Sucrose (low content)		IDF 9C:1987, IDF 16C:1987 IDF 22B:1987 IDF Standard 20B:1993 IDF Standard 35A:1992 Method approved by competent authority	Note 2
	Butter and other fats derived from milk; dairy spreads	0405 Butter	Fat (if fat $\leq 85\%$) Water Solids non fat NaCl		IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 80:1977 IDF Standard 12B:1988	
		Butteroil	Fat (fat $> 99\%$) Water (if fat $> 99\%$)		IDF Standard 24:1964 IDF Standard 23A:1988	
	Cheese and curd	0406	Fat Dry matter Dry matter (Ricotta) NaCl Lactose		IDF Standard 5B:1986 IDF Standard 4A:1982 IDF Standard 58:1970 IDF Standard 88A:1988 IDF Standard 79B:1991	

Notes to List of European Union Reference Methods

Note 1: Milk fat isolation as described in IDF Standard 6B:1989 (protection from light)

Note 2: No reference method has been established

Note 3: Sample preparation to be carried out according to IDF Standard 122C:1996 or according to IDF Standard 73A:1985

Note 4: Incubation for 48 hours at a temperature of 55 °C, precautions against drying-out of the growth medium to be taken

Note 5: % Solids non fat = % Total solids - % fat

Note 6: The butter must correspond to the national quality class of the Member State of production referred to in Annex II of Commission Regulation (EC) No 454/95

Note 7: Commission Directive 84/4/EEC (OJ L 15, 18. 1. 1984, p. 28)

Note 8: Commission Regulation (EC) No 1758/94 (OJ L 183, 19. 7. 1994, p. 14)

Note 9: Commission Directive 78/633/EEC (OJ L 206, 29. 7. 1978, p. 43)

COMMISSION REGULATION (EC) No 1998/97**of 14 October 1997****setting export refunds on products processed from fruit and vegetables other than those granted for added sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, and in particular Article 16 (3),

Whereas Commission Regulation (EC) No 1429/95 ⁽²⁾, as last amended by Regulation (EC) No 1007/97 ⁽³⁾, sets implementing rules for export refunds on products processed from fruit and vegetables;

Whereas Article 16 (1) of Regulation (EC) No 2201/96 states that, to the extent necessary to permit exports in economically significant quantities of the products referred to in Article 1 (1) (a) of that Regulation, on the basis of prices for those products in international trade, the difference between those prices and prices in the Community may be covered by export refunds; whereas Article 18 (4) of Regulation (EC) No 2201/96 provides that, if the refund on sugar incorporated into the products listed in Article 1 (1) is insufficient to allow export of the products, the refund fixed in accordance with Article 17 is to be applicable to those products;

Whereas Article 17 (2) of Regulation (EC) No 2201/96 states that refunds must be fixed with regard to the existing situation and outlook for prices for products processed from fruit and vegetables on the Community market and supply availability, on the one hand, and prices in international trade on the other hand; whereas account must also be taken of the costs indicated at (b) in that paragraph and of the economic aspect of the envisaged exports;

Whereas refunds are, pursuant to Article 16 (1) of Regulation (EC) No 2201/96, to be set with due regard to the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Article 17 (3) of Regulation (EC) No 2201/96 states that prices on the Community market are to be determined taking account of those most favourable from the exportation standpoint; whereas international trade prices are to be determined taking account of the prices indicated in the second subparagraph of that paragraph;

Whereas the international trade situation or the special requirements of certain markets may make it necessary to vary the refund on a given product depending on the destination of that product;

Whereas economically significant exports can be made at the present time of provisionally preserved cherries, peeled tomatoes, preserved cherries, prepared hazelnuts and some orange juices;

Whereas the representative market rates as 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 in third-country currencies and are the basis for determining the agricultural conversion rates of the Member States' currencies; whereas rules for determining and applying these conversion rates were set by Commission Regulation (EEC) No 1068/93 ⁽⁶⁾, as last amended by Regulation (EC) No 1482/96 ⁽⁷⁾;

Whereas application of the rules mentioned above to the present and forecast market situation, in particular to prices of products processed from fruit and vegetables in the Community and in international trade, leads to the refund rates set in the Annex hereto;

Whereas, pursuant to Article 16 (2) of Regulation (EC) No 2201/96, the most efficient possible use should be made of the resources available without creating discrimination between traders; whereas, therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements;

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 29.

⁽²⁾ OJ L 141, 24. 6. 1995, p. 28.

⁽³⁾ OJ L 145, 5. 6. 1997, p. 16.

⁽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.

Whereas Commission Regulation (EEC) No 3846/87 ⁽¹⁾, as last amended by Regulation (EC) No 1490/97 ⁽²⁾, establishes an agricultural product nomenclature for export refunds;

Whereas Commission Regulation (EEC) No 3719/88 ⁽³⁾, as last amended by Regulation (EC) No 1404/97 ⁽⁴⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refund rates in the processed fruit and vegetables sector shall be those fixed in the Annex hereto.
2. Quantities for which licences are issued in the context of food aid, as referred to in Article 14a of Regulation (EEC) No 3719/88 shall not count against the eligible quantities referred to in the first paragraph.

Article 2

This Regulation shall enter into force on 24 October 1997.

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

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 366, 24. 12. 1987, p. 1.

⁽²⁾ OJ L 202, 30. 7. 1997, p. 24.

⁽³⁾ OJ L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ L 194, 23. 7. 1997, p. 5.

ANNEX

Product (The full definitions of the eligible products are given in the 'processed fruit and vegetables' sector of Commission Regulation (EEC) No 3846/87, as amended)		Product code	Destination code ⁽¹⁾	Licence issuing period November 1997 to February 1998	
				Period for submission of applications: from 24 October 1997 to 23 February 1998	
				Refund rate (ECU/tonne net)	Quantities provided (in tonnes)
Provisionally preserved cherries		0812 10 00 9100	A	61	3 022
Peeled tomatoes		2002 10 10 9100	B	45	49 349
Preserved cherries		2006 00 31 9000 2006 00 99 9100	A	139	345
Prepared hazelnuts		2008 19 19 9100 2008 19 99 9100	C	66	405
Orange juice	With a sugar content of not less than 10° Brix, but less than 22° Brix	2009 11 99 9110 2009 19 99 9110	C	6	353
	With a sugar content of not less than 55° Brix	2009 11 99 9150 2009 19 99 9150	C	32	354

⁽¹⁾ The destination codes are defined as follows:

- A: All destinations except the countries of North America,
- B: All destinations except the United States of America,
- C: All destinations.

COMMISSION REGULATION (EC) No 1999/97
of 14 October 1997
fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95⁽²⁾, and in particular Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2777/75 provides that from 1 July 1995 all exports for which refunds are requested, with the exception of exports of day-old chicks, shall be subject to the presentation of an export licence with advance fixing of the refund; whereas the specific implementing rules for these arrangements are laid down in Commission Regulation (EC) No 1372/95⁽³⁾, as last amended by Regulation (EC) No 2370/96⁽⁴⁾;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, are used to convert amounts expressed in third country currencies

and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 1482/96⁽⁸⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of product codes for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto for exports to be carried out on the basis of the export licences referred to in Article 2 of Regulation (EC) No 1372/95 or on the basis of the 'ex-post' export licences referred to in Article 9 of the same Regulation.

Article 2

This Regulation shall enter into force on 15 October 1997.

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

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ L 133, 17. 6. 1995, p. 26.

⁽⁴⁾ OJ L 323, 13. 12. 1996, p. 12.

⁽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 14 October 1997 fixing the export refunds on poultrymeat

Product code	Destination of refund (*)	Amount of refund	Product code	Destination of refund (*)	Amount of refund
		ECU/100 units			ECU/100 kg
0105 11 11 9000	01	1,40	0207 12 90 9190	02	20,00
0105 11 19 9000	01	1,40		03	13,00
0105 11 91 9000	01	1,40		04	5,50
0105 11 99 9000	01	1,40			
0105 12 00 9000	01	3,30	0207 14 20 9900	06	6,50
0105 19 20 9000	01	3,30			
		ECU/100 kg	0207 14 60 9900	06	6,50
0207 12 10 9900	02	17,00	0207 14 70 9190	06	6,50
	03	13,00	0207 14 70 9290	06	6,50
	04	5,50			

(*) The destinations are as follows:

01 All destinations except the United States of America,

02 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Yemen, Lebanon and Iran,

03 Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Lithuania, Estonia and Latvia,

04 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia, the Czech Republic, Switzerland and those of 02 and 03 above,

06 All destinations except the United States of America, Bulgaria, Poland, Hungary, Romania, Slovakia, the Czech Republic, Switzerland and those of 03 above.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 2000/97

of 14 October 1997

fixing representative prices and additional import duties in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96⁽²⁾, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽³⁾, as last amended by Commission Regulation (EC) No 2916/95⁽⁴⁾, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽⁵⁾, as last amended by Commission Regulation (EC) No 2916/95, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1484/95⁽⁶⁾, as last amended by Regulation (EC) No 1796/97⁽⁷⁾, fixes detailed rules for implementing the system of additional import duties and fixes additional import duties in the poultrymeat and egg sectors and for egg albumin;

Whereas it results from regular monitoring of the information providing the basis for the verification of the

import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices and additional duties for imports of certain products should be amended taking into account variations of prices according to origin; whereas, therefore, representative prices and corresponding additional duties should be published;

Whereas it is necessary to apply this amendment as soon as possible, given the situation on the market;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to amended Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 15 October 1997.

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

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ L 189, 30. 7. 1996, p. 99.

⁽³⁾ OJ L 282, 1. 11. 1975, p. 77.

⁽⁴⁾ OJ L 305, 19. 12. 1995, p. 49.

⁽⁵⁾ OJ L 282, 1. 11. 1975, p. 104.

⁽⁶⁾ OJ L 145, 29. 6. 1995, p. 47.

⁽⁷⁾ OJ L 255, 18. 9. 1997, p. 17.

ANNEX

ANNEX I

CN code	Description	Representative price ECU/100 kg	Additional duty ECU/100 kg	Origin (¹)
0207 14 10	Boneless cuts of fowls of the species <i>gallus domesticus</i> , frozen	216,6	25	01
		254,1	14	02
		243,8	17	03
		290,9	3	04
0207 27 10	Boneless cuts of turkey, frozen	225,4	21	05
1602 32 11	Preparations uncooked of the species <i>gallus domesticus</i>	221,6	20	01
		257,2	9	03
1602 39 21	Preparations uncooked other than turkeys and of the species <i>gallus domesticus</i>	221,6	20	01

(¹) Origin of imports:

01 China

02 Brazil

03 Thailand

04 Chile

05 Israel.

COMMISSION REGULATION (EC) No 2001/97

of 14 October 1997

amending representative prices and additional duties for the import of certain products in the sugar sector

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

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

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

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1222/97 ⁽⁵⁾, as last amended by Regulation (EC) No 1943/97 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 October 1997.

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

Done at Brussels, 14 October 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 43.

⁽³⁾ OJ L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ L 165, 24. 6. 1997, p. 11.

⁽⁵⁾ OJ L 173, 1. 7. 1997, p. 3.

⁽⁶⁾ OJ L 272, 4. 10. 1997, p. 41.

ANNEX

to the Commission Regulation of 14 October 1997 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,65	3,98
1701 11 90 ⁽¹⁾	24,65	9,21
1701 12 10 ⁽¹⁾	24,65	3,78
1701 12 90 ⁽¹⁾	24,65	8,78
1701 91 00 ⁽²⁾	26,66	11,90
1701 99 10 ⁽²⁾	26,66	7,38
1701 99 90 ⁽²⁾	26,66	7,38
1702 90 99 ⁽³⁾	0,27	0,38

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

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

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 2002/97

of 14 October 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 15 October 1997.

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

Done at Brussels, 14 October 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 14 October 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 40	052	92,9
	999	92,9
0709 90 79	052	118,6
	999	118,6
0805 30 30	052	73,1
	388	71,4
	524	58,8
	528	54,5
	999	64,4
0806 10 40	052	95,5
	064	59,9
	400	243,1
	999	132,8
0808 10 92, 0808 10 94, 0808 10 98	052	59,1
	060	46,0
	064	47,0
	400	58,6
	404	74,8
	528	47,3
	800	156,1
0808 20 57	999	69,8
	052	87,2
	064	87,1
	999	87,1

⁽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 DIRECTIVE 97/59/EC

of 7 October 1997

adapting to technical progress Council Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Annex III to Directive 90/679/EEC is hereby amended in accordance with the Annex hereto.

Having regard to Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work⁽¹⁾, and in particular Article 17 thereof,

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 March 1998. They shall immediately inform the Commission thereof.

Having regard to Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)⁽²⁾, as amended by Council Directive 93/88/EEC⁽³⁾, and Commission Directive 95/30/EC⁽⁴⁾, and in particular Article 19 thereof,

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Having regard to the opinion of the Advisory Committee on Safety, Hygiene and Health Protection at Work,

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Whereas the provisions laid down in Directive 90/679/EEC must be regarded as an important element in the overall approach towards protecting the health of workers at the workplace;

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Whereas the aim of Directive 93/88/EEC establishing a first list of biological agents on the basis of the definitions given in Article 2 (d) (2), (3) and (4) of Directive 90/679/EEC is to harmonize conditions in this field while maintaining the progress made;

Article 4

This Directive is addressed to the Member States.

Whereas the list and classification of the biological agents must be regularly examined and revised on the basis of new scientific data;

Done at Brussels, 7 October 1997.

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee set up pursuant to Article 17 of Directive 89/391/EEC,

For the Commission

Pádraig FLYNN

Member of the Commission

⁽¹⁾ OJ L 183, 29. 6. 1989, p. 1.

⁽²⁾ OJ L 374, 31. 12. 1990, p. 1.

⁽³⁾ OJ L 268, 29. 10. 1993, p. 71.

⁽⁴⁾ OJ L 155, 6. 7. 1995, p. 41.

ANNEX

Annex III to Directive 90/679/EEC is amended as follows:

1. The following agents are added and are classified as follows:

- under the heading 'Bacteria':
 - *Bartonella (Rochalimea)* spp., classified as group 2,
 - *Escherichia coli*, verocytotoxigenic strains (e.g. O157:H7 or O103), classified as group 3 (") with the note 'T',
 - *Mycoplasma hominis*, classified as group 2,
 - *Mycoplasma caviae*, classified as group 2,
 - *Shigella dysenteriae*, other than Type 1, classified as group 2,
- under the heading 'Viruses':
 - under *Arenaviridae*:
 - Guanarito, classified as group 4,
 - Sabia, classified as group 4,
 - Flexal, classified as group 3,
 - other LCM-Lassa complex viruses, classified as group 2,
 - under *Bunyaviridae*:
 - Germiston, classified as group 2,
 - Sin Nombre (formerly Muerto Canyon), classified as group 3,
 - Belgrade (also known as Dobrava), classified as group 3,
 - Bhanja, classified as group 2,
 - under *Flaviviridae*:
 - Hepatitis G, classified as group 3 (") with the note 'D',
 - under *Herpesviridae*:
 - Human herpes virus 7, classified as group 2,
 - Human herpes virus 8, classified as group 2 with the note 'D',
 - under unclassified viruses:
 - *Equine morbillivirus*, classified as group 4,
- under the heading 'Fungi':
 - *Candida tropicalis*, classified as group 2,
 - *Cladophialophora bantiana* (formerly: *Xylohypha bantiana*, *Cladosporium bantianum* or *trichoides*), classified as group 3,
 - *Scedosporium apiospermum (Pseudallescheria boydii)*, classified as group 2,
 - *Scedosporium prolificans (inflatum)*, classified as group 2.

2. Under the heading 'Bacteria' the following changes are introduced:

- the nomenclature of the agent '*Pseudomonas mallei*' is changed to '*Burkholderia mallei (Pseudomonas mallei)*';
- the nomenclature of the agent '*Pseudomonas pseudomallei*' is changed to '*Burkholderia pseudomallei (Pseudomonas pseudomallei)*';
- the nomenclature of the agent '*Rochalimaea quintana*' is changed to '*Bartonella quintana (Rochalimaea quintana)*'.

3. Under the heading 'Virus' the following changes are introduced:

- the group of *Arenaviridae* is rearranged as follows:
 - LCM-Lassa-Virus Complex (Old World arena viruses):
 - Lassa virus, classified as group 4,
 - Lymphocytic choriomeningitis virus (neurotropic strains), classified as group 3,
 - Lymphocytic choriomeningitis virus (other strains), classified as group 2,
 - Mopeia virus, classified as group 2,
 - Other LCM-Lassa complex viruses, classified as group 2,

- Tacaribe-Virus-Complex (New World arena viruses):
 - Guanarito virus, classified as group 4,
 - Junin virus, classified as group 4,
 - Sabia virus, classified as group 4,
 - Machupo virus, classified as group 4,
 - Flexal, virus, classified as group 3,
 - the wording 'Mopeia virus and other Tacaribe viruses' is replaced by 'other Tacaribe complex viruses', classified as group 2,
 - the group 'unclassified viruses' is amended as follows:
 - the wording 'blood-borne hepatitis virus not yet identified' is replaced by the following: 'Hepatitis viruses not yet identified',
 - the agent 'Hepatitis E virus' is moved from the group 'unclassified viruses' to the group '*Caliciviridae*'.
4. The wording of footnote '(i)' which follows the list of viruses is replaced by the following:
- 'There is no conclusive evidence in humans of infections caused by the agent responsible for bovine spongiform encephalopathy. Nevertheless, the containment measures for agents categorized in risk group 3 (") are recommended as a precaution for laboratory work.'
-

CORRIGENDA

Corrigendum to Council Directive 95/29/EC of 29 June 1995 amending Directive 91/628/EEC concerning the protection of animals during transport

(Official Journal of the European Communities L 148 of 30 June 1995)

On page 62 in Chapter VII of the Annex, Point 7 (a), second line:

for: '... unless the conditions laid down in point 3 and 4, apart from journey times ...',

read: '... unless the conditions laid down in points 3 and 4, except for journey times ...'.
