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Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EC) No 2387/97 of 1 December 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables 1
- Commission Regulation (EC) No 2388/97 of 1 December 1997 on the supply of cereals as food aid 3
- Commission Regulation (EC) No 2389/97 of 1 December 1997 on the supply of split peas as food aid 9
- ★ Commission Regulation (EC) No 2390/97 of 1 December 1997 amending Regulation (EEC) No 2213/83 laying down quality standards for onions and witloof chicory 12
- ★ Commission Regulation (EC) No 2391/97 of 1 December 1997 amending for the 13th time Regulation (EC) No 413/97 adopting exceptional support measures for the market in pigmeat in the Netherlands 13
- Commission Regulation (EC) No 2392/97 of 1 December 1997 amending Regulation (EC) No 2367/97 determining the world market price for unginned cotton and the rate for the aid 15
- Commission Regulation (EC) No 2393/97 of 1 December 1997 amending the import duties in the cereals sector 16

II *Acts whose publication is not obligatory*

Commission

97/805/EC:

- ★ Commission Decision of 26 November 1997 concerning certain protective measures with regard to certain fishery products originating in China and amending Decision 97/368/EC ⁽¹⁾ 19

⁽¹⁾ Text with EEA relevance

★ Commission Decision of 26 November 1997 concerning certain protective measures with regard to certain fishery products originating in Turkey ⁽¹⁾ 21

Corrigenda

★ Corrigendum to Commission Regulation (EC) No 2317/97 of 21 November 1997 on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States (OJ L 321 of 22. 11. 1997) 22

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2387/97
of 1 December 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 2 December 1997.

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

Done at Brussels, 1 December 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 1 December 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 45	204	50,7
	624	194,0
	999	122,4
0709 10 40	220	198,2
	999	198,2
0709 90 79	052	88,1
	999	88,1
0805 20 31	052	57,1
	204	59,6
	999	58,3
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	58,5
	999	58,5
0805 30 40	052	85,6
	528	25,3
	600	84,0
	999	65,0
0808 10 92, 0808 10 94, 0808 10 98	052	50,9
	060	45,6
	064	41,9
	400	85,7
	404	83,1
	800	107,0
	999	69,0
0808 20 67	052	114,7
	064	78,1
	400	95,3
	999	96,0

⁽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 2388/97
of 1 December 1997
on the supply of cereals as food aid

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

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

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; whereas it is necessary to specify the time limits and conditions of

supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 1 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 507/96
2. **Programme**: 1996
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag (tel.: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Rwanda
6. **Product to be mobilized**: milled rice (product codes 1006 30 92 9900, 1006 30 94 9900, 1006 30 96 9900, 1006 30 98 9900)
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁵⁾: see OJ C 114, 29. 4. 1991, p. 1 (IIA (1) (f))
8. **Total quantity (tonnes)**: 1 180
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ C 267, 13. 9. 1996, p. 1 (1.0.A 1.c, 2.c and B.6)
see OJ C 114, 29. 4. 1991, p. 1 (IIA (3))
Language to be used for the marking: French
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 12. 1 — 1. 2. 1998
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 16. 12. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - a) deadline for the submission of tenders: 6. 1. 1998 (12 noon (Brussels time))
 - b) period for making the goods available at the port of shipment: 26. 1 — 15. 2. 1998
 - c) deadline for the supply: —
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 28. 11. 1997, fixed by Commission Regulation (EC) No 2161/97 (OJ L 298, 1. 11. 1997, p. 31)

LOTS B and C

1. **Operation Nos** ⁽¹⁾: 30/97 (B); 70/97 (C)
2. **Programme**: 1997
3. **Recipient** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Afghanistan
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see OJ C 114, 29. 4. 1991, p. 1 (II.A (1) (a))
8. **Total quantity (tonnes)**: 25 000
9. **Number of lots**: two (B: 22 500 tonnes; C: 2 500 tonnes)
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾:
B: see OJ 267, 13. 9. 1996, p. 1 (I.0.A 1.c, 2.c and B.2)
C: see OJ C 267, 13. 9. 1996, p. 1 (I.0.A (1) (c), (2) (c) and B (3))
see OJ C 114, 29. 4. 1991, p. 1 (II.A.(3))
Language to be used for the marking: English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: B: free at port of shipment — fob stowed and trimmed ⁽⁹⁾
C: free at port of shipment — fob stowed ⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 12. 1 — 1. 2. 1998
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 16. 12. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 6. 1. 1998 (12 noon (Brussels time))
(b) period for making the goods available at the port of shipment: 26. 1 — 15. 2. 1998
(c) deadline for the supply: —
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels; tlx: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 28. 11. 1997, fixed by Commission Regulation (EC) No 2161/97 (OJ L 298, 1. 11. 1997, p. 31)

LOT D

1. **Operation No** ⁽¹⁾: 71/97
2. **Programme**: 1997
3. **Recipient** ⁽²⁾: WFP, (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Rwanda
6. **Product to be mobilized**: maize
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see OJ C 114, 29. 4. 1991, p. 1 (IIA (1)(d))
8. **Total quantity**: 25 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁵⁾: see OJ No C 267, 13. 9. 1996, p. 1 (1.0.A(1)(c), (2)(c) and B(2))
see OJ No C 114, 29. 4. 1991, p. 1 (IIA(3))
Language to be used for the marking: French
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed and trimmed ⁽⁶⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 12. 1 — 1. 2. 1998
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 16. 12. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 1. 1998 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 26. 1 — 15. 2. 1998
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: refund applicable on 28. 11. 1997, fixed by Commission Regulation (EC) No 2161/97 (OJ No L 298, 1. 11. 1997, p. 31)

LOT E

1. **Operation No** (1): 31/97
2. **Programme**: 1997
3. **Recipient** (2): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (tel: (39-6) 65 13 29 88; fax: 65 13 28 44/3; telex: 62 66 75 WFP I)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Afghanistan
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3) (5): see OJ C 114, 29. 4. 1991, p. 1 (II.B(1)(a))
8. **Total quantity (tonnes)**: 2 116
9. **Number of lots**: one
10. **Packaging and marking** (7) (8): see OJ C 267, 13. 9. 1996, p. 1 (2.2.A 1.d, 2.d and B.1)
see OJ C 114, 29. 4. 1991, p. 1 (II.B(3))
Language to be used for the marking: English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed (9)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 12. 1 — 1. 2. 1998
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 16. 12. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 1. 1998 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 26. 1 — 15. 2. 1998
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, bâtiment Loi 130, bureau 7/46, rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
25. **Refund payable on application by the successful tenderer** (4): refund applicable on 28. 11. 1997, fixed by Commission Regulation (EC) No 2161/97 (OJ L 298, 1. 11. 1997, p. 31)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (⁵) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate,
 - lot A: fumigation certificate (the cargo shall be fumigated before shipment with phosphine gas).
- (⁶) Shipment to take place in 20-foot containers condition FCL/FCL.
- The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The supplier has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.
- The supplier has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), the number of which is to be provided to the beneficiary's forwarder.
- (⁷) Lots A, C and E: since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁸) Notwithstanding OJ C 114, point II.A (3) (c) or II.B (3) (c) is replaced by the following: 'the words "European Community"'.
- (⁹) Notwithstanding Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include all loading, handling, stowage (lots B and D: and trimming) costs.
-

COMMISSION REGULATION (EC) No 2389/97
of 1 December 1997
on the supply of split peas as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the abovementioned Regulation lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated split peas to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilize either green split peas or yellow split peas,

HAS ADOPTED THIS REGULATION:

Article 1

Split peas shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

Tenders shall cover either green split peas or yellow split peas. Tenders shall be rejected unless they specify the type of peas to which they relate.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 1 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 69/97
2. **Programme**: 1997
3. **Recipient** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma (tel.: (39 6) 65 13 29 88; fax: 65 13 28 44/3; telex: 626675 WFP I)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: North Korea
6. **Product to be mobilized**: split peas
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾ ⁽¹⁰⁾: —
8. **Total quantity (tonnes)**: 2 093
9. **Number of lots**: one
10. **Packaging and marking** ⁽¹⁾ ⁽⁶⁾ ⁽⁹⁾: see OJ C 267, 13. 9. 1996, p. 1 (1.0.A 1. c, 2. c and B. 4)
see OJ C 114, 29. 4. 1991, p. 1 (II.A (3))
Languages to be used for the marking: English and Korean
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 26. 1 — 15. 2. 1998
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 16. 12. 1997 (12 noon (Brussels time))
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 1. 1998 (12 noon (Brussels time))
 - (b) period for making the goods available at the port of shipment: 9. 2 — 1. 3. 1998
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Brussels (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) The marking in Korean must be made as follows on the reverse side of the packaging:

European Community: 구 주 공 동 체

Peas: 완 두

For free distribution: 무 상 배 급 용

- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document:
- phytosanitary certificate.
- (⁸) Notwithstanding OJ C 114, point IIA (3)(c) is replaced by the following: 'the words "European Community" and point IIA (3)(b) by the following: 'pois cassés'.
- (⁹) Tenders shall be rejected unless they specify the type of peas to which they relate.
- (¹⁰) Yellow or green peas (*Pisum sativum*) for human consumption of the most recent crop. The peas must not have been coloured artificially. The split peas must be steam-treated for at least two minutes or have been fumigated (*) and meet the following requirements:
- moisture: maximum 15 %,
 - foreign matters: maximum 0,1 %,
 - broken split peas: maximum 10 % (pea fragments passing through a sieve of circular mesh of 5 mm diameter),
 - percentage of discoloured seeds or of different colour: maximum 1,5 % (yellow peas), maximum 15 % (green peas),
 - cooking time: maximum 45 minutes (after soaking for 12 hours).

(*) The successful tender shall supply to the beneficiary or its representative, on delivery a fumigation certificate.

COMMISSION REGULATION (EC) No 2390/97
of 1 December 1997
amending Regulation (EEC) No 2213/83 laying down quality standards for
onions and witloof chicory

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables ⁽¹⁾, and in particular Article 2 (2) thereof,

Whereas Commission Regulation (EC) No 2448/95 of 10 October 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽²⁾ fixed new CN codes; whereas the definition of onions and witloof chicory in Commission Regulation (EEC) No 2213/83 of 28 July 1983 laying down quality standards for onions and witloof chicory ⁽³⁾, as last amended by Regulation (EC) No 888/97 ⁽⁴⁾, should therefore be updated;

Whereas Regulation (EEC) No 2213/83 has been interpreted variously by the operators as regards sprouting of onions; whereas Regulation (EEC) No 2213/83 should be amended to include the appropriate definition;

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

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

Done at Brussels, 1 December 1997.

Article 1

Regulation (EEC) No 2213/83 is hereby amended as follows:

1. the first paragraph of Article 1 is replaced by the following:

‘The marketing standards for onions falling within CN code 0703 10 19 and for witloof chicory falling within CN code 0705 21 00 respectively shall be as set out in Annexes I and II hereto.’;

2. Annex I is amended as follows:

in point B of Part II (provisions concerning quality):

— the second indent of the second subparagraph of point (i) is replaced by the following:

‘— without evidence of sprouting (free of externally visible shoots),’

— the second indent of the second subparagraph of point (ii) is replaced by the following:

‘— early signs of externally visible sprouting (not more than 10 % by number or weight per unit of presentation),’.

Article 2

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

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 259, 30. 10. 1995, p. 1.

⁽³⁾ OJ L 213, 4. 8. 1983, p. 13.

⁽⁴⁾ OJ L 126, 17. 5. 1997, p. 11.

COMMISSION REGULATION (EC) No 2391/97
of 1 December 1997
amending for the 13th time Regulation (EC) No 413/97 adopting exceptional
support measures for the market in pigmeat in the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas exceptional support measures for the market in pigmeat in the Netherlands were adopted by Commission Regulation (EC) No 413/97 ⁽³⁾, as last amended by Regulation (EC) No 1933/97 ⁽⁴⁾, on account of the outbreak of classical swine fever in certain production regions in that country;

Whereas, in view of the continuing veterinary and trade restrictions introduced by the Dutch authorities, the number of fattening pigs which may be delivered to the competent authorities should be increased, thereby permitting the continuation of the exceptional measures in the weeks to come;

Whereas the favourable veterinary and animal-health situation has enabled the protection and surveillance zones around Diessen, Dalfsen I and Schoondijke to be lifted; whereas those changes should be reflected in a new Annex replacing Annex II to Regulation (EC) No 413/97;

Whereas the rapid and effective application of exceptional market support measures is one of the best means of

combating the spread of classical swine fever; whereas Article 1 (1) of this Regulation should accordingly apply from 4 November 1997 in order to avoid any interruption in the support measures for fattening pigs, for which the number currently laid down was attained on 3 November 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 413/97 is hereby amended as follows:

1. Annex I is replaced by Annex I hereto;
2. Annex II is replaced by Annex II hereto.

Article 2

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

However, Article 1 (1) shall apply from 4 November 1997.

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

Done at Brussels, 1 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ L 62, 4. 3. 1997, p. 26.

⁽⁴⁾ OJ L 272, 4. 10. 1997, p. 12.

*ANNEX I**'ANNEX I*

Maximum number of animals from 18 February 1997:

Fattening pigs	2 470 000 head
Piglets and young piglets	3 800 000 head
Very young piglets	2 700 000 head
Cull sows	25 000 head'

*ANNEX II**'ANNEX II*

1. The protection and surveillance zones in the following areas:
 - Venhorst,
 - Best,
 - Nederweert,
 - Soerendonk.
 2. The zone in which the transport of pigs is banned as defined in the Ministerial Decree of 14 April 1997, published in the *Staatscourant* of 15 April 1997, page 12.'
-

COMMISSION REGULATION (EC) No 2392/97
of 1 December 1997

**amending Regulation (EC) No 2367/97 determining the world market price for
unginned cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 an error has been discovered in Commission Regulation (EC) No 2367/97⁽⁴⁾; whereas the Regulation in question should therefore be corrected,

Article 1

1. The world market price for unginnged cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at ECU 36,155 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 31,239 per 100 kilograms in Spain,
 - ECU 37,298 per 100 kilograms in Greece,
 - ECU 70,145 per 100 kilograms in other Member States.

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 from 1 December 1997.

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

Done at Brussels, 1 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽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 329, 29. 11. 1997, p. 11.

COMMISSION REGULATION (EC) No 2393/97
of 1 December 1997
amending 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 last amended by Regulation (EC) No 2092/97⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 2364/97⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2364/97,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2364/97 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 2 December 1997.

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

Done at Brussels, 1 December 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 292, 25. 10. 1997, p. 10.

⁽⁵⁾ OJ L 329, 29. 11. 1997, p. 3.

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	29,27	19,27
1001 90 99	Common high quality wheat other than for sowing ⁽¹⁾	29,27	19,27
	medium quality	53,62	43,62
	low quality	63,12	53,12
1002 00 00	Rye	76,71	66,71
1003 00 10	Barley, seed	76,71	66,71
1003 00 90	Barley, other ⁽³⁾	76,71	66,71
1005 10 90	Maize seed other than hybrid	80,57	70,57
1005 90 00	Maize other than seed ⁽³⁾	80,57	70,57
1007 00 90	Grain sorghum other than hybrids for sowing	76,71	66,71

⁽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

(for 28 November 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)	126,97	114,45	110,23	94,83	211,71 ⁽¹⁾	97,59 ⁽¹⁾
Gulf premium (ECU/tonne)	—	16,67	11,39	9,34	—	—
Great lake premium (ECU/tonne)	18,19	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 13,10 per tonne; Great Lakes — Rotterdam: ECU 23,41 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).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 26 November 1997

concerning certain protective measures with regard to certain fishery products
originating in China and amending Decision 97/368/EC

(Text with EEA relevance)

(97/805/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Directive 96/43/EC⁽²⁾, and in particular Article 19,

Whereas, upon importation of fishery products originating in several processing establishments in China, the presence of *Vibrio parahaemolyticus* has been detected;

Whereas the presence of *Vibrio parahaemolyticus* on food is a result of bad hygienic practices before and/or after processing of food and it presents a potential risk for human health;

Whereas imports of products from the establishments concerned in China must not therefore be further allowed;

Whereas Community inspections in China and the results of checks at the Community border inspection posts have shown that potential health risks with regard to the production and processing of fishery products exist;

Whereas Commission Decision 97/368/EC⁽³⁾, as amended by Decision 97/620/EC⁽⁴⁾, concerning certain protective measures with regard to certain fishery products originating in China, provides for a ban on importation of fresh fishery products originating in China and for a requirement that frozen or processed fishery

products originating in China must be systematically submitted to a microbiological examination;

Whereas Decision 97/368/EC should be reviewed before 28 February 1998 and on the ground of the current findings it should be necessary to extend the measures provided in this Decision until 30 June 1998;

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to fishery products, fresh, frozen or processed, originating in China.

Article 2

Member States shall ban the imports of fishery products, in all forms, originating in the following establishments in China: Pingyang freezing multiple-producing factory — No 60 Jiangkou Road Aojiang Pingyang, Zhejiang (plant Code No 3300/02097) and Wenzhou Hongdali aquatic products processing Co. Ltd. Yanting cold storage plant Yanting, Cangnan — Zhejiang (plant Code No 3300/02083).

Article 3

In Article 6 of Decision 97/368/EC the date '28 February 1998' shall be replaced by '30 June 1998'.

⁽¹⁾ OJ L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ L 162, 1. 7. 1996, p. 1.

⁽³⁾ OJ L 156, 13. 6. 1997, p. 57.

⁽⁴⁾ OJ L 254, 17. 9. 1997, p. 17.

Article 4

The Member States shall amend the measures they apply in respect of imports from China to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 5

All expenditure incurred by the application of this Decision shall be chargeable to the consignor, the consignee or their agent.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 26 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION**of 26 November 1997****concerning certain protective measures with regard to certain fishery products
originating in Turkey****(Text with EEA relevance)****(97/806/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Directive 96/43/EC⁽²⁾, and in particular Article 19,

Whereas, upon importation of frozen clams stripped from their shell originating in a processing establishment in Turkey, the presence of *Vibrio parahaemolyticus* has been detected;

Whereas the presence of *Vibrio parahaemolyticus* on food is a result of bad hygienic practices before and/or after processing of food and it presents a potential risk for human health;

Whereas imports of products from the establishments concerned in Turkey must not therefore be further allowed;

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

Article 1

This Decision shall apply to fishery products, fresh, frozen or processed, originating in Turkey.

Article 2

Member States shall ban the imports of fresh fishery products, in all forms, originating in the following establishment in Turkey: Dardanel Onentas Gida Sanayias (Code No 181).

Article 3

The Member States shall alter the measures they apply in trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 26 November 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ L 162, 1. 7. 1996, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 2317/97 of 21 November 1997 on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States

(Official Journal of the European Communities L 321 of 22 November 1997)

Page 25, Annex:

for: '819 Western Samoa',

read: '819 Samoa'.
