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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2418/97**of 5 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 6 December 1997.

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

Done at Brussels, 5 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 5 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	54,7
	624	194,0
	999	124,4
0707 00 40	052	93,0
	999	93,0
0709 10 40	220	242,6
	999	242,6
0709 90 79	052	103,4
	999	103,4
0805 10 61, 0805 10 65, 0805 10 69	204	32,8
	388	40,0
	448	27,9
	528	44,3
	999	36,2
0805 20 31	052	77,8
	204	57,8
	999	67,8
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	65,8
	464	139,1
	999	102,5
0805 30 40	052	87,4
	528	47,1
	600	68,6
	999	67,7
0808 10 92, 0808 10 94, 0808 10 98	052	50,9
	060	43,6
	064	43,7
	400	87,1
	404	87,1
	800	107,0
	999	69,9
0808 20 67	052	114,7
	064	87,8
	400	78,2
	999	93,6

⁽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 2419/97

of 5 December 1997

fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽²⁾, and in particular Article 9 (1) thereof,

Whereas Commission Regulation (EC) No 2094/97 ⁽³⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into

account when fixing this maximum subsidy; whereas successful tenderers shall be those whose bids are at or below the level of the maximum subsidy;

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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 1 to 4 December 1997 at ECU 320 per tonne pursuant to the invitation to tender referred to in Regulation (EC) No 2094/97.

Article 2

This Regulation shall enter into force on 6 December 1997.

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

Done at Brussels, 5 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 261, 7. 9. 1989, p. 8.

⁽³⁾ OJ L 292, 25. 10. 1997, p. 14.

COMMISSION REGULATION (EC) No 2420/97
of 5 December 1997

fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2095/97

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2095/97 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2095/97 is hereby fixed on the basis of the tenders submitted from 1 to 4 December 1997 at ECU 172 per tonne.

Article 2

This Regulation shall enter into force on 6 December 1997.

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

Done at Brussels, 5 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 16.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2421/97**of 5 December 1997****fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2096/97**

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2096/97 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2096/97 is hereby fixed on the basis of the tenders submitted from 1 to 4 December 1997 at ECU 182 per tonne.

Article 2

This Regulation shall enter into force on 6 December 1997.

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

Done at Brussels, 5 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 19.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2422/97

of 5 December 1997

fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2097/97

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2097/97 ⁽²⁾;

Whereas, Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2097/97 is hereby fixed on the basis of the tenders submitted from 1 to 4 December 1997 at ECU 347 per tonne.

Article 2

This Regulation shall enter into force on 6 December 1997.

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

Done at Brussels, 5 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 22.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2423/97

of 5 December 1997

fixing the maximum export refund on wholly milled round grain rice in
connection with the invitation to tender issued in Regulation (EC) No 2098/97

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2098/97 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2098/97 is hereby fixed on the basis of the tenders submitted from 1 to 4 December 1997 at ECU 144 per tonne.

Article 2

This Regulation shall enter into force on 6 December 1997.

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

Done at Brussels, 5 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 292, 25. 10. 1997, p. 25.

⁽³⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 2424/97

of 4 December 1997

concerning the stopping of fishing for common sole by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as last amended by Regulation (EC) No 2205/97⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 390/97 of 20 December 1996 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1997 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EC) No 1974/97⁽⁴⁾, provides for common sole quotas for 1997;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VII by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for

1997; whereas Belgium has prohibited fishing for this stock as from 14 November 1997; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VII by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1997.

Fishing for common sole in the waters of ICES division VII by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 14 November 1997.

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

Done at Brussels, 4 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 304, 7. 11. 1997, p. 1.

⁽³⁾ OJ L 66, 6. 3. 1997, p. 1.

⁽⁴⁾ OJ L 278, 11. 10. 1997, p. 1.

COMMISSION REGULATION (EC) No 2425/97

of 4 December 1997

amending Regulation (EC) No 1959/97 concerning the stopping of fishing for horse mackerel by vessels flying the flag of a Member State except Spain, Portugal, Germany, France, Ireland and the Netherlands

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as last amended by Regulation (EC) No 2205/97⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Commission Regulation (EC) No 1959/97⁽³⁾, as amended by Regulation (EC) No 2185/97⁽⁴⁾, stops fishing for horse mackerel by vessels flying the flag of a Member State except Spain, Portugal, Germany, France, Ireland and the Netherlands;

Whereas on 13 November 1997 Portugal transferred to Denmark 2 000 tonnes of horse mackerel in the waters of ICES divisions V b (EC zone), VI, VII, VIII a, b, d and e, XII and XIV; whereas fishing for horse mackerel in the waters of ICES divisions V b (EC zone), VI, VII, VIII a, b, d and e, XII and XIV by vessels flying the flag of Denmark or registered in Denmark must therefore be authorized;

Whereas the present state of uptake of the horse mackerel quota allocated to Portugal in the waters of ICES divisions

V b (EC zone), VI, VII, VIII a, b, d and e, XII and XIV means that the quota transfer in question may be made;

Whereas Regulation (EC) No 1959/97 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1959/97 is hereby amended as follows:

1. in the title, after '... Portugal', 'Denmark' is inserted;
2. the second paragraph of Article 1, after '... Portugal', 'Denmark' is inserted.

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, 4 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 304, 7. 11. 1997, p. 1.

⁽³⁾ OJ L 277, 10. 10. 1997, p. 2.

⁽⁴⁾ OJ L 299, 4. 11. 1997, p. 9.

COMMISSION REGULATION (EC) No 2426/97

of 4 December 1997

concerning the stopping of fishing for Atlantic redfish by vessels flying the flag of Portugal

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as last amended by Regulation (EC) No 2205/97⁽²⁾, and in particular Article 21 (3) thereof,

Whereas Council Regulation (EC) No 407/97 of 20 December 1996 laying down for 1997 certain conservation and management measures for fishery resources in the Convention Area as defined in the Convention on future Multilateral Cooperation in North-East Atlantic Fisheries⁽³⁾, provides for Atlantic redfish quotas for 1997;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of Atlantic redfish in the waters of ICES divisions XIV/XII/V by vessels flying the flag of Portugal or registered in Portugal have reached the quota

allocated for 1997; whereas Portugal has prohibited fishing for this stock as from 17 November 1997; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of Atlantic redfish in the waters of ICES divisions XIV/XII/V by vessels flying the flag of Portugal or registered in Portugal are deemed to have exhausted the quota allocated to Portugal for 1997.

Fishing for Atlantic redfish in the waters of ICES divisions XIV/XII/V by vessels flying the flag of Portugal or registered in Portugal is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 17 November 1997.

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

Done at Brussels, 4 December 1997.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20. 10. 1993, p. 1.

⁽²⁾ OJ L 304, 7. 11. 1997, p. 1.

⁽³⁾ OJ L 66, 6. 3. 1997, p. 133.

COMMISSION REGULATION (EC) No 2427/97

of 5 December 1997

fixing, for November 1997, the specific agricultural conversion rate for the amount of the reimbursement of storage costs 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 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⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 July 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector⁽⁵⁾, as last amended by Regulation (EC) No 59/97⁽⁶⁾, and in particular Article 1 (3) thereof,

Whereas Article 1 (2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural

conversion rates applicable during the month of storage; whereas that specific rate must be fixed each month for the previous month;

Whereas application of these provisions will lead to the fixing, for November 1997, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for November 1997 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 December 1997.

It shall apply with effect from 1 November 1997.

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

Done at Brussels, 5 December 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 387, 31. 12. 1992, p. 1.
⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.
⁽⁵⁾ OJ L 159, 1. 7. 1993, p. 94.
⁽⁶⁾ OJ L 14, 17. 1. 1997, p. 25.

ANNEX

to the Commission Regulation of 5 December 1997 fixing, for November 1997, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

Agricultural conversion rates		
ECU 1 =	40,9321	Belgian and Luxembourg francs
	7,54917	Danish kroner
	1,98243	German marks
	312,011	Greek drachmas
	167,153	Spanish pesetas
	6,68769	French francs
	0,759189	Irish pound
	1 973,93	Italian lire
	2,23273	Dutch guilders
	13,9485	Austrian schillings
	200,321	Portuguese escudos
	6,02811	Finnish marks
	8,65258	Swedish kroner
	0,695735	Pound sterling

COMMISSION REGULATION (EC) No 2428/97
of 5 December 1997
on the issuing of system B export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 5 (6) thereof,

Whereas Commission Regulation (EC) No 1744/97⁽³⁾ fixes the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid;

Whereas, in the light of information now available to the Commission, the indicative quantities have been exceeded in the case of tomatoes, shelled almonds, hazelnuts in shell, shelled hazelnuts, walnuts in shell, oranges, lemons, table grapes and apples for destination groups Y, Z and D;

Whereas as a consequence, for system B licences applied for between 17 September and 18 November 1997, a rate of refund which is lower than the indicative rate should be fixed for tomatoes, shelled almonds, hazelnuts in shell,

shelled hazelnuts, walnuts in shell, oranges, lemons, table grapes and apples for destination groups Y, Z and D,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages for the issuing of system B export licences, as referred to in Article 5 of Regulation (EC) No 2190/96, and applied for between 17 September and 18 November 1997, by which the quantities applied for and the rates of refund applicable must be multiplied, shall be as fixed in the Annex hereto.

The above subparagraph shall not apply to licences applied for in connection with food-aid operations as provided for in Article 10 (4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

Article 2

This Regulation shall enter into force on 6 December 1997.

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

Done at Brussels, 5 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ L 244, 6. 9. 1997, p. 12.

ANNEX

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 17 September and 18 November 1997

Product	Destination or group of destinations	Percentage for the issuing of licences	Rate of refund (ECU/tonne net)
Tomatoes	F	100 %	20,9
Shelled almonds	F	100 %	47,3
Hazelnuts in shell	F	100 %	33,3
Shelled hazelnuts	F	100 %	97,8
Walnuts in shell	F	100 %	48,2
Oranges	XYC	100 %	35,6
Lemons	F	100 %	54,3
Table grapes	F	100 %	27,1
Apples	X	100 %	30,0
	Y	100 %	9,3
	ZD	100 %	30,4
Peaches and nectarines	E	100 %	35,0

DIRECTIVE 97/63/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 24 November 1997

amending Directives 76/116/EEC, 80/876/EEC, 89/284/EEC and 89/530/EEC on the approximation of the laws of the Member States relating to fertilizers

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾,

Whereas Article G of the Treaty on European Union replaced the term 'European Economic Community' by the term 'European Community'; whereas the initials 'EEC' should therefore be replaced by the initials 'EC';

Whereas the term 'EEC fertilizer' is contained in certain provisions of Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers ⁽⁴⁾, Council Directive 80/876/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilizers of high nitrogen content ⁽⁵⁾, Council Directive 89/284/EEC of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers ⁽⁶⁾ and Council Directive 89/530/EEC of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilizers ⁽⁷⁾; whereas, in consequence, the term 'EEC fertilizer' should be replaced in these provisions by the term 'EC fertilizer';

Whereas, however, manufacturers normally keep in stock large quantities of packagings, labels and accompanying documents, thereby exposing themselves to the risk of incurring additional expenditure in the event of such a change being implemented with immediate effect; whereas, therefore, a period should be fixed during which packagings, labels and accompanying documents marked 'EEC fertilizer' can continue to be used,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. Directive 76/116/EEC is hereby amended as follows:

- (a) in Article 1, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (b) in Article 2, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (c) in Article 7, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (d) in Article 8 (1), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (e) in Annex II, point 1 (a), the term 'EEC FERTILIZER' shall be replaced by the term 'EC FERTILIZER'.

2. Directive 80/876/EEC is hereby amended as follows:

- (a) in Article 2, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (b) in Article 4, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (c) in Article 6, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (d) in Article 7 (1), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer';
- (e) in Article 7 (3), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

3. Directive 89/284/EEC is hereby amended as follows:

- (a) in Article 1, the term 'EEC fertilizers' shall be replaced by the term 'EC fertilizers';
- (b) in Article 2, the term 'EEC fertilizers' shall be replaced by the term 'EC fertilizers';

⁽¹⁾ OJ C 19, 18. 1. 1997, p. 6.

⁽²⁾ OJ C 89, 19. 3. 1997, p. 17.

⁽³⁾ Opinion of the European Parliament of 11 March 1997 (OJ C 115, 14. 4. 1997, p. 24), Council Common Position of 17 June 1997 (OJ C 237, 4. 8. 1997, p. 14) and Decision of the European Parliament of 17 September 1997 (OJ C 304, 6. 10. 1997, p. 79). Council Decision of 27 October 1997.

⁽⁴⁾ OJ L 24, 30. 1. 1976, p. 21. Directive as last amended by Commission Directive 96/28/EC (OJ L 140, 13. 6. 1996, p. 30).

⁽⁵⁾ OJ L 250, 23. 9. 1980, p. 7.

⁽⁶⁾ OJ L 111, 22. 4. 1989, p. 34. Directive as last amended by Commission Directive 93/69/EEC (OJ L 185, 28. 7. 1993, p. 30).

⁽⁷⁾ OJ L 281, 30. 9. 1989, p. 116.

- (c) in Article 4, the term 'EEC FERTILIZER' shall be replaced by the term 'EC FERTILIZER';
- (d) in Article 6 (a), the term 'EEC FERTILIZER' shall be replaced by the term 'EC FERTILIZER';
- (e) in Article 9 (1) and (2), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

4. Directive 89/530/EEC is hereby amended as follows:

- (a) in Article 1 (1), the term 'EEC FERTILIZER' shall be replaced by the term 'EC FERTILIZER';
- (b) in Article 1 (2), the term 'EEC FERTILIZER' shall be replaced by the term 'EC FERTILIZER';
- (c) in Article 2, the term 'EEC fertilizers' shall be replaced by the term 'EC fertilizers';
- (d) in the introductory wording to Article 3 (1), the term 'EEC fertilizers' shall be replaced by the term 'EC fertilizers';
- (e) in Article 3 (1) (b), the term 'EEC fertilizers' shall be replaced by the term 'EC fertilizers';
- (f) in Article 4 (a), the term 'EEC FERTILIZER' shall be replaced by the term 'EC FERTILIZER';
- (g) in the first subparagraph of Article 6, the term 'EEC fertilizers' shall be replaced by the term 'EC fertilizers';
- (h) in Chapters C and D of the Annex, the term 'EEC FERTILIZERS' shall be replaced by the term 'EC FERTILIZERS'.

Article 2

Packagings, labels and accompanying documents marked 'EEC FERTILIZER' can continue to be used until 31 December 1998.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply

with this Directive by 1 July 1998 at the latest. They shall forthwith inform the Commission thereof.

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

2. Member States shall forthwith communicate to the Commission the text of all provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States accordingly.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 24 November 1997.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

J. POOS

COMMISSION DIRECTIVE 97/65/EC

of 26 November 1997

**adapting, for the third time, to technical progress Council Directive 90/679/EEC
on the protection of workers from risks related to exposure to biological agents
at work**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

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,

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 last amended by Commission Directive 97/59/EC⁽³⁾ and in particular Article 19 thereof,

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

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;

Whereas the aim of Council Directive 93/88/EEC⁽⁴⁾ 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;

Whereas the list and classification of the biological agents must be regularly examined and revised on the basis of new scientific data; whereas, in particular, in the light of new scientific evidence concerning the transmissibility to humans of the bovine spongiform encephalopathy (BSE) agent, it is necessary to adjust the classification of the BSE agent and make reference to variant Creutzfeldt-Jakob disease;

Whereas, it is necessary to protect workers against possible occupational transmission of human and animal transmissible spongiform encephalopathies (TSEs);

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,

Article 1

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

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 1998. They shall immediately inform the Commission 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.

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.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 November 1997.

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 282, 15. 10. 1997, p. 33.

⁽⁴⁾ OJ L 268, 29. 10. 1993, p. 71.

ANNEX

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

1. Under the heading 'Virus':

- the wording: 'Unconventional agents associated with (i)' is replaced by: 'Unconventional agents associated with the transmissible spongiform encephalopathies (TSEs)';
- the following agents are added under 'Unconventional agents associated with the transmissible spongiform encephalopathies (TSEs)', and are classified as follows after the entry for Creutzfeldt-Jakob disease:
 - 'variant Creutzfeldt-Jakob disease', classified as group 3 ("), with the notes 'D (d)';
 - 'Bovine spongiform encephalopathy (BSE) and other related animal TSEs (i)', classified as group 3 ("), with the notes 'D (d)'.

2. The wording of footnote '(i)' which follows the list of viruses is replaced by the following:

'There is no evidence in humans of infections caused by the agents responsible for other animal TSEs. Nevertheless, the containment measures for agents categorised in risk group 3 (") are recommended as a precaution for laboratory work, except for laboratory work relating to an identified agent of scrapie where containment level 2 is sufficient.'

II

(Acts whose publication is not obligatory)

COMMISSION

DECISION No 5/97 OF THE ACP-EC CUSTOMS COOPERATION COMMITTEE

of 23 October 1997

derogating from the definition of 'originating products' to take account of the special situation of Zambia regarding the production of polyester-cotton yarn (HS heading ex 55.09)

(97/814/EC)

THE ACP-EC CUSTOMS COOPERATION COMMITTEE,

that certain conditions relating to quantities, surveillance and duration are respected;

Having regard to the Fourth ACP-EC Convention signed at Lomé on 15 December 1989 as revised by the Agreement signed in Mauritius on 4 November 1995, and in particular Article 31 (1) to (10) of Protocol 1 thereto,

HAS DECIDED AS FOLLOWS:

Whereas the said Protocol provides for derogations from the rules of origin to be granted whenever the development of an existing industry or the establishment of a new one warrants it;

Whereas on 19 June 1997 the African, Caribbean and Pacific States (ACP States) submitted a request, on behalf of the Government of Zambia, for a derogation from the rule of origin in the Protocol, in respect of polyester-cotton yarn produced by that country from 1 June 1997 to 29 February 2000, for 3 500 tonnes per year; whereas the Government of Zambia requested that polyester-staple fibre from neighbouring developing countries and countries belonging to the same coherent geographical entity be allowed in the manufacture of the polyester-cotton yarn;

Whereas the requested derogation is justified under the relevant provisions of Protocol 1, especially as regards least-developed states, the level of the added value in the proposed manufacturing process in Zambia, the economic and social impact of granting the derogation to Zambia;

Whereas the derogation would not cause serious injury to an established community industry taking into account the quantities of the importations envisaged; provided

that certain conditions relating to quantities, surveillance and duration are respected;

By way of derogation from the special provisions in the list in Annex II to Protocol 1 of the Fourth ACP-EC Convention, polyester-cotton yarn of HS heading ex 55.09 manufactured in Zambia from non-originating polyester staple fibre, supplied in accordance with the terms of the request, shall be regarded as originating in this country in accordance with the terms of this Decision.

Article 1

Article 2

The derogation provided for in Article 1 shall apply to the quantities shown in the Annex to this Decision which are exported by Zambia from 1 November 1997 to 29 February 2000.

Article 3

The quantities referred to in Article 2 shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

Where an importer presents in a Member State a declaration of entry for free circulation including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

Applications to draw showing the date of acceptance of declarations shall be transmitted to the Commission without delay.

Withdrawals shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities provided that the available balance permits.

If a Member State fails to use a withdrawal it shall return it as soon as possible to the appropriate quota.

If requests exceed the available balance of a given quota, quantities shall be allocated on a pro rata basis. The Commission shall inform the Member States of withdrawal on the quotas.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as the balance permits.

Article 4

Box 7 of EUR.1 certificates issued under this Decision shall contain the words:

'Derogation — Decision No 5/97'

Article 5

The African, Caribbean and Pacific States (ACP States) and the Member States and the European Community shall take the measures necessary on their part to implement this Decision.

Article 6

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

This Decision shall apply as from 1 November 1997.

Done at Brussels, 23 October 1997

*For the ACP-EC
Customs Cooperation Committee
The Joint Chairmen
J. CURRIE
A. MBA OLO ANDEME*

ANNEX

ZAMBIA

Order No	HS heading	Description of goods	Period	Quantities
09.1671	ex 55.09	Polyester-cotton yarn	1. 11. 1997 to 31. 12. 1997	600 tonnes
			1. 1. 1998 to 31. 12. 1998	3 500 tonnes
			1. 1. 1999 to 31. 12. 1999	3 500 tonnes
			1. 1. 2000 to 29. 2. 2000	600 tonnes