

Official Journal

of the European Communities

ISSN 0378-6978

L 340

Volume 40

11 December 1997

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2444/97
of 22 September 1997
amending the Financial Regulation of 21 December 1977 applicable to the
general budget of the European Communities

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 209 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Court of Auditors ⁽³⁾,

Whereas Article 5 (2) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁴⁾ provides for a new system of clearance of the accounts of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; whereas this system comprises the splitting of the old clearance of the accounts into two separate types of decision, one covering the financial clearance of the accounts submitted by the Member States and the other concerning the possible refusal of financing by the Fund of expenditure which was not disbursed in compliance with Community rules; whereas Article 102 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁵⁾ should be aligned on the new clearance of accounts procedure in order to specify in particular the budgetary treatment of refusals of financing;

Whereas the conciliation procedure provided for by the Joint Declaration of the European Parliament, the Council and the Commission of 4 March 1975 ⁽⁶⁾ and by Article 140 of the Financial Regulation has taken place,

⁽¹⁾ OJ C 377, 31. 12. 1994, p. 15
and OJ C 150, 17. 6. 1995, p. 6.

⁽²⁾ OJ C 89, 10. 4. 1995, p. 222.

⁽³⁾ OJ C 383, 31. 12. 1994, p. 31.

⁽⁴⁾ OJ L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EC) No 1287/95 (OJ L 125, 8. 6. 1995, p. 1).

⁽⁵⁾ OJ L 356, 31. 12. 1977, p. 1. Regulation as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 (OJ L 240, 7. 10. 1995, p. 12).

⁽⁶⁾ OJ C 89, 22. 4. 1975, p. 1.

Article 1

Article 102 of the Financial Regulation shall be replaced by the following:

Article 102

1. The object of the clearance of accounts decision, provided for in Article 5 (2) (b) of Regulation (EEC) No 729/70, shall be to determine the amount of expenditure effected in each Member State during the financial year in question which must be recognized as being chargeable to the EAGGF, without prejudice to decisions taken subsequently in accordance with paragraph 2 (c) of that Article.
2. The object of the decisions referred to in Article 5 (2) (c) of Regulation (EEC) No 729/70 shall be to determine the expenditure which, because the relevant measures were not implemented in compliance with Community rules, shall be deducted from the Community financing referred to in Articles 2 and 3 of that Regulation.
3. The schedule for the clearance of the accounts is set out in Regulation (EEC) No 729/70.
4. The outcome of the decision referred to in paragraph 1, namely and discrepancy which may exist between the total expenditure booked to the accounts for a financial year pursuant to Articles 100 and 101 and the total expenditure recognized as allowable by the Commission when clearing the accounts, shall be booked, under a single article, as additional expenditure or a reduction in expenditure.
5. The outcome of the decisions referred to in paragraph 2 shall be booked under a single article as a reduction in expenditure.

Article 2

This Regulation shall enter into force on the seventh 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 Brussels, 22 September 1997.

For the Council

The President

F. BODEN

**COUNCIL REGULATION (EC) No 2445/97
of 8 December 1997**

**fixing, for the 1998 fishing year, the guide prices for the fishery products listed in
Annex I (A), (D) and (E) of Regulation (EEC) No 3759/92**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, and in particular Article 9 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 (1) and (2) of Regulation (EEC) No 3759/92 provides that a guide price shall be fixed for each of the products listed in Annex I (A), (D) and (E) of the said Regulation at a level which will help to stabilize market prices and avoid the formation of surpluses in the Community; whereas that level must also help support producers' income and at the same time take account of consumers' interest;

Whereas the guide price shall be based on the average of prices as defined in Article 9 (2) of that Regulation and on an assessment of production and demand prospects;

Whereas the application of these criteria involves for the 1998 fishing year, an increase for certain products and the stabilization or decrease of prices for others compared with prices applicable during the current fishing year,

HAS ADOPTED THIS REGULATION:

Article 1

The guide prices for the fishing year from 1 January to 31 December 1998 for the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92 and the commercial specifications to which they relate are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 8 December 1997.

For the Council

The President

J. POOS

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 3318/94 (OJ L 350, 31. 12. 1994, p. 15).

ANNEX

Species	Commercial specifications (1)			Guide price (ECU/tonne)
	Freshness category	Size	Presentation	
1. Herrings of the species <i>Clupea harengus</i>	Extra, A	1	Whole fish	274
2. Sardines of the species <i>Sardina pilchardus</i>	Extra	3	Whole fish	521
3. Picked dogfish (<i>Squalus acanthias</i>)	Extra, A	2	Whole fish Gutted fish with head	} 1 026
4. Catshanks (<i>Scyliorhinus</i> spp.)	Extra, A	1	Whole fish Gutted fish with head	
5. Redfish (<i>Sebastes</i> spp.)	A	2	Whole fish	1 132
6. Cod of the species <i>Gadus morhua</i>	A	2	Gutted fish with head	} 1 476
	or A	3	Gutted fish with head	
7. Coalfish (<i>Pollachius virens</i>)	A	2	Gutted fish with head	} 762
	or A	3	Gutted fish with head	
8. Haddock (<i>Melanogrammus aeglefinus</i>)	A	2	Gutted fish with head	} 1 026
	or A	3	Gutted fish with head	
9. Whiting (<i>Merlangius merlangus</i>)	A	2	Gutted fish with head	} 893
	or A	3	Gutted fish with head	
10. Ling (<i>Molva</i> spp.)	Extra, A	1, 2	Gutted fish with head	1 139
11. Mackerel of the species <i>Scomber scombrus</i>	Extra	1	Whole fish	} 288
	or A	2	Whole fish	
12. Mackerel of the species <i>Scomber japonicus</i>	Extra	1	Whole fish	} 306
	or A	2	Whole fish	
13. Anchovies (<i>Engraulis</i> spp.)	Extra	2	Whole fish	1 168
14. Plaice (<i>Pleuronectes platessa</i>)	A	2	Gutted fish with head	} 1 032
	or A	3	Gutted fish with head	
15. Hake of the species <i>Merluccius merluccius</i>	A	1	Gutted fish with head	3 623
16. Megrim (<i>Lepidorhombus</i> spp.)	Extra, A	1, 2	Whole fish, gutted fish with head	2 289
17. Ray's bream (<i>Brama</i> spp.)	Extra, A	1	Whole fish	1 782
18. Monkfish (<i>Lophius</i> spp.)	Extra, A	2, 3	Whole, or gutted with head	2 664
	Extra, A	2, 3	Without head	5 503

Species	Commercial specifications ⁽¹⁾			Guide price (ECU/tonne)
	Freshness category	Size	Presentation	
19. Shrimps of the species <i>Crangon crangon</i>	A	1	Simply boiled in water	2 382
20. Edible crab (<i>Cancer pagurus</i>)	—	1	Whole	1 749
21. Norway lobster (<i>Nephrops norvegicus</i>)	Extra, A	1, 2	Whole	5 180
	Extra, A	2	Tails	4 345
22. Dab (<i>Limanda limanda</i>)	Extra, A	1	Gutted fish with head	961
23. Flounder (<i>Platichthys flesus</i>)	Extra, A	1	Gutted fish with head	558
24. Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	Extra, A	1	Whole fish	2 103
		1	Gutted fish with head	2 428
25. Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	Extra, A	1, 2	Whole	1 574
26. Sole (<i>Solea</i> spp.)	Extra, A	2, 3	Gutted fish with head	6 326
27. Deep-water prawns (<i>Pandalus borealis</i>)	A	1	Simply boiled in water	6 387
	A	1	Fresh or chilled	1 673

⁽¹⁾ The freshness categories, sizes and presentation are defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

**COUNCIL REGULATION (EC) No 2446/97
of 8 December 1997**

**fixing, for the 1998 fishing year, the guide prices for the fishery products listed in
Annex II to Regulation (EEC) No 3759/92**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾ and in particular Article 9 (3),

Having regard to the proposal from the Commission,

Whereas Article 9 (1) of Regulation (EEC) No 3759/92 provides that a guide price shall be fixed annually for each of the products or groups of products listed in Annex II to that Regulation;

Whereas, according to the data available at present concerning prices for the products in question and the criteria laid down in Article 9 (2) of that Regulation, these

prices should be increased, maintained or decreased according to the species for the 1998 fishing year,

HAS ADOPTED THIS REGULATION:

Article 1

The guide prices for the fishing year 1 January to 31 December 1998 for the products listed in Annex II to Regulation (EEC) No 3759/92 and the commercial specifications to which they relate are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 8 December 1997.

For the Council

The President

J. POOS

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 3318/94 (OJ L 350, 31. 12. 1994, p. 15).

ANNEX

(ECU/tonne)

Group of products	Commercial specifications	Guide price
1. Sea-bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	Frozen, in lots or in original packages containing the same products	1 556
2. Squid of the species <i>Loligo patagonica</i>	Frozen, not cleaned, in original packages containing the same products	1 057
3. Squid (<i>Ommastrephes sagittatus</i>)	Frozen, not cleaned, in original packages containing the same products	961
4. <i>Illex argentinus</i>	Frozen, not cleaned, in original packages containing the same products	888
5. Cuttlefish of the species <i>Sepia officinalis</i> , <i>Rossia macrosoma</i> and <i>Sepiola Rondeletti</i>	Frozen, in original packages containing the same products	1 948
6. Octopus (<i>Octopus</i> spp.)	Frozen, in original packages containing the same products	1 987
7. Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Frozen, in original packages containing the same products	1 919
8. Whole hake of the genus <i>Merluccius</i> spp.	Frozen, in original packages containing the same products	1 290
9. Fillets of hake of the genus <i>Merluccius</i> spp.	Frozen, in original packages containing the same products	1 561
10. — Prawns of the species <i>Parapenaeus longirostris</i>	Frozen, in original packages containing the same products	4 120
— Other species of the family <i>Penaeidae</i>	Frozen, in original packages containing the same products	7 985

**COUNCIL REGULATION (EC) No 2447/97
of 8 December 1997**

**fixing, for the 1998 fishing year, the Community producer price for tuna
intended for the industrial manufacture of products falling with CN Code 1604**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾ and in particular Article 17 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 17 (1) of Regulation (EEC) No 3759/92 provides that a Community producer price should be fixed for tuna (of the genus *Thunnus*), skipjack or stripe-bellied bonito [*Euthynnus (Katsuwonus) pelamis*] and other species of the genus *Euthynnus* intended for the industrial manufacture of products falling within CN code 1604;

Whereas, on the basis of the criteria laid down in the first and second indents of Article 9 (2) and in Article 17 (1) of the abovementioned Regulation, that price for the 1998 fishing year should be increased,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer price for the fishing year 1 January to 31 December 1998 for tuna (of the genus *Thunnus*), skipjack or stripe-bellied bonito *Euthynnus (Katsuwonus) pelamis* and other species of the genus *Euthynnus* for the industrial manufacture of products falling within CN code 1604 and the commercial specifications to which it relates is hereby fixed as follows:

(ECU/tonne)		
Species	Commercial specifications	Community producer price
Yellowfin tuna (<i>Thunnus albacares</i>)	Whole, weighing more than 10 kg each	1 222

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 8 December 1997.

For the Council
The President
J. POOS

⁽¹⁾ OJ L 388, 31. 12. 1992, p. 1. Regulation as amended by Regulation (EC) No 3318/94. (OJ L 350, 31. 12. 1994, p. 15.)

COMMISSION REGULATION (EC) No 2448/97
of 10 December 1997

amending Regulation (EC) No 1260/97 adopting the balance and fixing the aid for the supply of products from the eggs and poultrymeat sectors to the Canary Islands under the arrangements provided for in Articles 2, 3 and 4 of Council Regulation (EEC) No 1601/92, regarding the amounts of aid

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

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

Whereas Commission Regulation (EC) No 1260/97⁽³⁾ fixed the amounts of the aid for the supply to the archipelago, of meat and eggs, originating in the rest of the Community; whereas such aid must be fixed taking into account in particular the costs of supply from the world market, conditions due to the geographical situation of the archipelago and the basis of the current prices on export to third countries for the animals or products concerned;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that

the amounts of aid for such deliveries should be adjusted, taking account of their current volume and ensuring that the share of supplies from the Community is maintained;

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 II to Regulation (EC) No 1260/97 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 174, 2. 7. 1997, p. 12.

ANNEX

ANNEX II

Amounts of aid granted for products from the Community market

(ECU/100 kg)	
Product code	Amount of aid
0207 12 10 9900	24
0207 12 90 9190	24
0207 14 20 9900	
0207 14 60 9900	
0207 14 70 9190	7
0207 14 70 9290	
0408 11 80 9100	50
0408 91 80 9100	39

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

COMMISSION REGULATION (EC) No 2449/97
of 10 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 11 December 1997.

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

Done at Brussels, 10 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 10 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	51,5
	624	206,7
	999	129,1
0707 00 40	052	79,0
	999	79,0
0709 10 40	220	211,4
	999	211,4
0709 90 79	052	108,3
	204	138,4
	999	123,3
0805 10 61, 0805 10 65, 0805 10 69	052	37,7
	204	46,6
	388	34,8
	448	28,3
	528	44,3
	999	38,3
	999	67,2
0805 20 31	052	78,7
	204	55,8
	999	67,2
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	69,2
	999	69,2
	999	69,2
0805 30 40	052	75,9
	400	65,6
	600	110,9
	999	84,1
0808 10 92, 0808 10 94, 0808 10 98	060	49,2
	064	43,0
	400	86,1
	404	86,3
	999	66,2
0808 20 67	064	91,4
	400	99,2
	999	95,3

⁽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 2450/97

of 10 December 1997

fixing the representative prices and the additional import duties for molasses 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 market in sugar⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not rep-

resentative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 December 1997.

⁽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. 12.

⁽⁴⁾ OJ L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,33	—	0,00
1703 90 00 ⁽¹⁾	11,41	—	0,00

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 2451/97

of 10 December 1997

altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 1599/96⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2401/97⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2401/97 to the informa-

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2401/97 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 December 1997.

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

Done at Brussels, 10 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 332, 4. 12. 1997, p. 26.

ANNEX

to the Commission Regulation of 10 December 1997 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— ECU/100 kg —
1701 11 90 9100	36,59 ⁽¹⁾
1701 11 90 9910	32,08 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	36,59 ⁽¹⁾
1701 12 90 9910	32,08 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,3978
	— ECU/100 kg —
1701 99 10 9100	39,78
1701 99 10 9910	39,23
1701 99 10 9950	39,23
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,3978

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

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

COMMISSION REGULATION (EC) No 2452/97
of 10 December 1997

fixing the maximum export refund for white sugar for the 19th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1408/97

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

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

Whereas Commission Regulation (EC) No 1408/97 of 22 July 1997 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1408/97 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 19th partial invitation to

tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 19th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1408/97 the maximum amount of the export refund is fixed at ECU 42,242 per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 December 1997.

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

Done at Brussels, 10 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 194, 23. 7. 1997, p. 16.

COMMISSION REGULATION (EC) No 2453/97**of 9 December 1997****establishing unit values for the determination of the customs value of certain perishable goods**

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 82/97 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1427/97 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 December 1997.

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

Done at Brussels, 9 December 1997.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ L 17, 21. 1. 1997, p. 1.

⁽³⁾ OJ L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ L 196, 24. 7. 1997, p. 31.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	79,79 476,46 692,85	1 109,30 527,62 3 251,85	157,63 60,67 53,50	600,15 154 537,27	24 737,37 177,63	13 319,66 16 102,26
1.30	Onions (other than seed) 0703 10 19	a) b) c)	38,50 229,90 334,31	535,26 254,58 1 569,07	76,06 29,27 25,81	289,58 74 566,80	11 936,19 85,71	6 426,96 7 769,61
1.40	Garlic 0703 20 00	a) b) c)	95,02 567,40 825,10	1 321,04 628,33 3 872,55	187,72 72,25 63,71	714,71 184 034,74	29 459,15 211,54	15 862,07 19 175,80
1.50	Leeks ex 0703 90 00	a) b) c)	44,18 263,82 383,63	614,23 292,14 1 800,56	87,28 33,59 29,62	332,31 85 567,82	13 697,17 98,35	7 375,14 8 915,88
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 452,87 658,55	1 054,39 501,50 3 090,87	149,83 57,66 50,85	570,44 146 886,91	23 512,75 168,84	12 660,27 15 305,12
1.70	Brussels sprouts 0704 20 00	a) b) c)	91,88 548,65 797,83	1 277,39 607,56 3 744,58	181,52 69,86 61,61	691,09 177 953,18	28 485,65 204,55	15 337,90 18 542,12
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	21,35 127,49 185,39	296,82 141,18 870,12	42,18 16,23 14,32	160,59 41 350,68	6 619,16 47,53	3 564,04 4 308,60
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 632,67 920,01	1 473,00 700,60 4 318,00	209,31 80,56 71,04	796,92 205 203,96	32 847,78 235,87	17 686,66 21 381,56
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	49,40 294,99 428,96	686,80 326,66 2 013,30	97,59 37,56 33,12	371,57 95 677,92	15 315,53 109,98	8 246,54 9 969,32
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	152,67 911,65 1 325,69	2 122,54 1 009,54 6 222,08	301,61 116,08 102,36	1 148,33 295 691,26	47 332,43 339,88	25 485,81 30 810,03
1.120	Endives ex 0705 29 00	a) b) c)	21,82 130,30 189,47	303,36 144,29 889,28	43,11 16,59 14,63	164,12 42 260,98	6 764,88 48,58	3 642,50 4 403,45
1.130	Carrots ex 0706 10 00	a) b) c)	37,45 223,63 325,19	520,66 247,64 1 526,28	73,99 28,48 25,11	281,69 72 533,16	11 610,66 83,37	6 251,68 7 557,71
1.140	Radishes ex 0706 90 90	a) b) c)	124,18 741,53 1 078,30	1 726,45 821,15 5 060,97	245,33 94,42 83,26	934,04 240 511,82	38 499,65 276,45	20 729,86 25 060,52
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	437,75 2 613,98 3 801,15	6 085,95 2 894,66 17 840,55	864,82 332,84 293,51	3 292,61 8 47 834,20	135 716,07 974,53	73 075,36 88 341,45

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	118,23 706,00 1 026,64	1 643,73 781,81 4 818,48	233,58 89,90 79,27	889,29 228 987,86	36 654,97 263,21	19 736,61 23 859,76
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	89,74 535,87 779,25	1 247,64 593,41 3 657,36	177,29 68,23 60,17	674,99 173 808,43	27 822,18 199,78	14 980,66 18 110,25
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 554,33 806,08	1 290,60 613,85 3 783,30	183,39 70,58 62,24	698,24 179 793,14	28 780,18 206,66	15 496,48 18 733,84
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	432,20 2 580,84 3 752,96	6 008,79 2 857,96 17 614,35	853,85 328,62 289,79	3 250,87 837 084,96	133 995,40 962,18	72 148,87 87 221,42
1.200.2	— other ex 0709 20 00	a) b) c)	333,39 1 990,81 2 894,96	4 635,05 2 204,57 13 587,34	658,65 253,49 223,54	2 507,65 645 709,75	103 361,24 742,20	55 654,13 67 280,77
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	161,98 967,25 1 406,54	2 251,98 1 071,11 6 601,51	320,01 123,16 108,61	1 218,36 313 722,86	50 218,82 360,60	27 039,97 32 688,86
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	60,11 358,94 521,96	835,70 397,48 2 449,79	118,75 45,70 40,30	452,13 116 421,05	18 635,96 133,82	10 034,40 12 130,68
1.230	Chantarelles 0709 51 30	a) b) c)	1 040,25 6 211,75 9 032,90	14 462,39 6 878,74 42 395,49	2 055,12 790,95 697,48	7 824,42 2 014 756,20	322 509,75 2 315,84	173 653,09 209 930,77
1.240	Sweet peppers 0709 60 10	a) b) c)	128,26 765,89 1 113,73	1 783,17 848,13 5 227,25	253,39 97,52 86,00	964,73 248 413,97	39 764,58 285,54	21 410,95 25 883,89
1.250	Fennel 0709 90 50	a) b) c)	73,55 439,20 638,66	1 022,55 486,36 2 997,54	145,31 55,92 49,31	553,22 142 451,64	22 802,78 163,74	12 278,00 14 842,98
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	72,70 434,12 631,28	1 010,73 480,73 2 962,90	143,63 55,28 48,74	546,83 140 805,36	22 539,25 161,85	12 136,10 14 671,44
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	178,55 1 066,19 1 550,42	2 482,34 1 180,68 7 276,82	352,74 135,76 119,72	1 342,99 345 815,64	55 356,04 397,49	29 806,07 36 032,82
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	63,08 376,68 547,75	876,99 417,12 2 570,83	124,62 47,96 42,29	474,47 122 173,34	19 556,76 140,43	10 530,20 12 730,05

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	92,79 554,09 805,73	1 290,04 613,58 3 781,67	183,32 70,55 62,22	697,94 179 715,67	28 767,78 206,57	15 489,81 18 725,76
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	85,42 510,08 741,74	1 187,58 564,85 3 481,30	168,76 64,95 57,27	642,50 165 441,46	26 482,85 190,16	14 259,50 17 238,44
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	124,90 745,83 1 084,56	1 736,46 825,91 5 090,31	246,75 94,97 83,74	939,46 241 906,32	38 722,87 278,06	20 850,06 25 205,82

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.90	Grapefruit, fresh:							
2.90.1	— white	a)	44,38	617,01	87,68	333,81	13 759,18	7 408,53
	ex 0805 40 90	b)	265,01	293,47	33,74	85 955,18	98,80	8 956,24
	ex 0805 40 20	c)	385,37	1 808,71	29,76			
	ex 0805 40 95							
2.90.2	— pink	a)	45,88	637,86	90,64	345,09	14 224,22	7 658,93
	ex 0805 40 90	b)	273,97	303,39	34,88	88 860,38	102,14	9 258,95
	ex 0805 40 20	c)	398,39	1 869,84	30,76			
	ex 0805 40 95							
2.100	Table grapes	a)	267,03	3 712,46	527,54	2 008,51	82 787,58	44 576,39
	0806 10 21	b)	1 594,54	1 765,76	203,04	517 183,70	594,47	53 888,79
	0806 10 29	c)	2 318,73	10 882,83	179,04			
	0806 10 61							
	0806 10 30							
	0806 10 69							
2.110	Water melons	a)	31,08	432,10	61,40	233,77	9 635,76	5 188,31
	0807 11 00	b)	185,59	205,52	23,63	60 195,74	69,19	6 272,19
		c)	269,88	1 266,67	20,84			
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro	a)	49,08	682,35	96,96	369,16	15 216,32	8 193,12
	ex 0807 19 00	b)	293,08	324,55	37,32	95 058,14	109,26	9 904,74
		c)	426,18	2 000,26	32,91			
2.120.2	— other	a)	105,59	1 468,00	208,60	794,21	32 736,17	17 626,56
	ex 0807 19 00	b)	630,52	698,22	80,29	204 506,71	235,07	21 308,91
		c)	916,88	4 303,33	70,80			
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>)	a)	—	—	—	—	—	—
	ex 0808 20 41	b)	—	—	—	—	—	—
		c)	—	—	—	—	—	—
2.140.2	Other	a)	—	—	—	—	—	—
	ex 0808 20 41	b)	—	—	—	—	—	—
		c)	—	—	—	—	—	—
2.150	Apricots	a)	236,66	3 290,24	467,55	1 780,08	73 371,94	39 506,60
	0809 10 10	b)	1 413,19	1 564,93	179,94	458 363,09	526,86	47 759,88
	0809 10 50	c)	2 055,01	9 645,10	158,68			
2.160	Cherries	a)	296,82	4 126,63	586,40	2 232,58	92 023,40	49 549,35
	0809 20 11	b)	1 772,43	1 962,75	225,69	574 880,98	660,79	59 900,65
	0809 20 19	c)	2 577,40	12 096,93	199,02			
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	251,81	3 500,86	497,48	1 894,03	78 068,91	42 035,65
	0809 30 19	b)	1 503,66	1 665,11	191,46	487 705,61	560,59	50 817,27
	0809 30 59	c)	2 186,56	10 262,54	168,84			
2.180	Nectarines	a)	234,45	3 259,51	463,18	1 763,46	72 686,77	39 137,68
	ex 0809 30 11	b)	1 399,99	1 550,32	178,26	454 082,76	521,94	47 313,89
	ex 0809 30 51	c)	2 035,82	9 555,03	157,20			

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.190	Plums 0809 40 10 0809 40 40	a) b) c)	272,87 1 629,42 2 369,44	3 793,66 1 804,37 11 120,84	539,08 207,48 182,96	2 052,44 528 494,62	84 598,16 607,47	45 551,28 55 067,35
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	380,29 2 270,86 3 302,21	5 287,10 2 514,70 15 498,76	751,30 289,15 254,98	2 860,42 736 545,67	117 901,69 846,61	63 483,33 76 745,56
2.205	Raspberries 0810 20 10	a) b) c)	1 173,21 7 005,71 10 187,44	16 310,90 7 757,94 47 814,29	2 317,79 892,05 786,63	8 824,50 2 272 273,13	363 731,47 2 611,84	195 848,64 236 763,16
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 114,75 6 656,62 9 679,81	15 498,15 7 371,37 45 431,75	2 202,30 847,60 747,43	8 384,78 2 159 047,80	345 607,06 2 481,69	186 089,68 224 965,47
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	65,25 389,63 566,59	907,16 431,47 2 659,27	128,91 49,61 43,75	490,79 126 376,20	20 229,52 145,26	10 892,44 13 167,97
2.230	Pomegranates ex 0810 90 85	a) b) c)	100,35 599,23 871,38	1 395,15 663,57 4 089,77	198,25 76,30 67,28	754,80 194 357,88	31 111,61 223,40	16 751,83 20 251,43
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	90,62 541,13 786,89	1 259,87 599,23 3 693,23	179,03 68,90 60,76	681,61 175 512,82	28 095,01 201,74	15 127,56 18 287,84
2.250	Lychees ex 0810 90 30	a) b) c)	308,40 1 841,58 2 677,96	4 287,62 2 039,32 12 568,87	609,28 234,49 206,78	2 319,68 597 309,12	95 613,56 686,57	51 482,45 62 237,59

COMMISSION REGULATION (EC) No 2454/97**of 10 December 1997****laying down detailed rules for the implementation of Council Regulation (EC)
No 2494/95 as regards minimum standards for the quality of HICP weightings****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices⁽¹⁾, and in particular Articles 4 and 5 (3) thereof,

After consulting the European Monetary Institute,

Whereas by virtue of Article 5 (1) (b) of Regulation (EC) No 2494/95, each Member State is required to produce a harmonized index of consumer prices (HICP) starting with the index for January 1997;

Whereas Commission Regulation (EC) No 1749/96⁽²⁾ established initial implementing measures for Regulation (EC) No 2494/95;

Whereas further implementing measures are necessary for ensuring comparability of HICPs and for maintaining the reliability and relevance of HICPs in accordance with Article 5 (3) of Regulation (EC) No 2494/95; whereas such implementing measures should be adopted taking the greatest account of cost-effectiveness in accordance with Article 13 of the said Regulation;

Whereas Article 8 (3) of Regulation (EC) No 2494/95 requires the weighting of HICPs to be updated with a frequency sufficient to meet the comparability requirement but does not require family budget surveys to be carried out more frequently than once every five years, except in Member States which are acknowledged as experiencing changes in consumption patterns such as to make more frequent surveys necessary; whereas consumer price indices from which HICP weightings are derived are updated at different frequencies with the result that the HICPs based thereon may fail to meet the comparability requirement of Article 4 of that Regulation; whereas an operational measure of non-comparability is required in order to establish which weightings should be updated in order to ensure comparability;

Whereas Article 9 of Regulation (EC) No 2494/95 requires HICPs to be price indices of the Laspeyres type; whereas, when relative prices of different goods and

services change, consumers' expenditure patterns can change to an extent that makes it necessary for weightings of the corresponding expenditure groups, and in particular their underlying quantities, to be updated in order to ensure their relevance;

Whereas, by virtue of Article 4 of Regulation (EC) No 1749/96, the HICP should be compiled to include the price changes of newly significant goods or services;

Whereas this Regulation should not require Member States to carry out new statistical surveys;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee,

HAS ADOPTED THIS REGULATION:

*Article 1***Aim**

The aim of this Regulation is to ensure that the HICPs are constructed using weightings which are sufficiently reliable and relevant for the purpose of international comparisons.

*Article 2***Definition**

For the purpose of this Regulation, the 'weighting reference period' of an HICP is defined as the 12-month period of consumption or expenditure from which the weightings are estimated for the compilation of the latest HICP index figure. 'Sub-indices' are as defined in Commission Regulation (EC) No 2214/96⁽³⁾.

*Article 3***Minimum standards for weightings**

1. Each month Member States shall produce HICPs using weightings which reflect consumers' expenditure patterns in a weighting reference period ending no more than seven years before the preceding December.

⁽¹⁾ OJ L 257, 27. 10. 1995, p. 1.

⁽²⁾ OJ L 229, 10. 9. 1996, p. 3.

⁽³⁾ OJ L 296, 21. 11. 1996, p. 8.

2. Each year, Member States shall carry out a review of weightings in order to ensure that they are sufficiently reliable and relevant to meet the comparability requirement established in Article 4 of Regulation (EC) No 2494/95. The review may be confined to weightings at the level of sub-indices and their major components.

3. In the review, Member States shall check whether or not there have been any important changes since the weighting reference period in current use regarding price developments of each major component index relative to the HICP, or sustained market developments in each major component group.

4. Where reliable evidence shows that changes referred to in paragraph 3 indicate a weighting change that would affect the change in the HICP by more than 0,1 percentage point on average over one year against the previous year, Member States shall adjust the weightings of the HICP appropriately. Member States shall not be obliged to take account of any changes occurring within a two-year period ending in December before the review.

5. Any adjustments made pursuant to paragraph 4 shall be implemented by Member States, at the latest, in the index for January following the year of the review.

Article 4

Quality control

Member States shall provide the Commission (Eurostat) at its request with sufficient information on the weightings used to construct the HICP including the weighting reference period used, the outcome of the annual review and the adjustments made for compliance with this Regulation to be evaluated.

Article 5

Entry into force

This Regulation shall enter into force on the 20th 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, 10 December 1997.

For the Commission

Yves-Thibault DE SILGUY

Member of the Commission

COMMISSION REGULATION (EC) No 2455/97

of 10 December 1997

amending Regulation (EEC) No 3061/84 laying down detailed rules for the application of the system of production aid for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 1581/96⁽²⁾, and in particular Article 5 (5) thereof,

Whereas Commission Regulation (EEC) No 3061/84⁽³⁾, as last amended by Regulation (EC) No 1110/97⁽⁴⁾, provides for the lodging of crop declarations by 30 November of each marketing year at the latest;

Whereas, in the aftermath of the earthquake of October 1997 in the Italian Regions of Marche and Umbria, olive growers in those Regions should be allowed, by way of an exception, to lodge their crop declarations for the 1997/98 marketing year up to 31 January 1998; whereas the deadline for the submission of crop declarations by producer organizations should also be extended;

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

Article 1

Regulation (EEC) No 3061/84 is hereby amended as follows:

1. the second and third subparagraphs of Article 1 (1) are replaced by the following:

'However, in the case of olive growers whose areas fall totally or partially within the Italian Regions of Marche and Umbria, the crop declarations referred to in the first subparagraph and relating to the 1997/98 marketing year shall be lodged by 31 January 1998 at the latest.'

2. the second and third paragraphs of Article 4 are replaced by the following:

'However, in the case of the crop declarations of members whose areas fall totally or partially within the Italian Regions of Marche and Umbria, that deadline shall be extended to 28 February 1998 for the 1997/98 marketing year.'

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 December 1997.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 11.

⁽³⁾ OJ L 288, 1. 11. 1984, p. 52.

⁽⁴⁾ OJ L 162, 19. 6. 1997, p. 14.

COMMISSION REGULATION (EC) No 2456/97
of 10 December 1997

**amending Regulation (EEC) No 2257/92 laying down detailed rules for
implementing specific arrangements for supplying Madeira with certain
vegetable oils**

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

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

Whereas, pursuant to Article 2 of Regulation (EEC) No
1600/92, Commission Regulation (EEC) No 2257/92⁽³⁾,
as last amended by Regulation (EC) No 1325/97⁽⁴⁾, es-
tablishes the forecast supply balance for certain vegetable
oils for Madeira for the 1996/97 marketing year;

Whereas, pending a communication from the competent
authorities updating the requirements for Madeira and in
order to avoid a break in the application of the specific
supply arrangements, the balance was drawn up for the
period 1 July to 31 December 1997 by Regulation (EC)
No 1325/97; whereas the balance for the whole of the
1997/98 marketing year has been drawn up following the
presentation of data on the requirements for Madeira by
the Portuguese authorities; whereas Article 1 of Regula-
tion (EEC) No 2257/92 should therefore be amended
accordingly;

Whereas the supply balances provided for in the specific
supply arrangements are drawn up for the period 1 July
to 30 June; whereas the definitive supply balance for the

1997/98 marketing year should therefore apply from the
start of that year, i.e. 1 July 1997;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2257/92 is hereby amended as
follows:

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

‘1. The quantities of certain vegetable oils in the
forecast supply balance for Madeira which qualify for
exemption from customs duties on import from third
countries or for aid for supply from the rest of the
Community shall be as set out in the Annex.’;

2. the Annex hereto is added as an 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, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ L 320, 11. 12. 1996, p. 1.

⁽³⁾ OJ L 219, 4. 8. 1992, p. 44.

⁽⁴⁾ OJ L 182, 10. 7. 1997, p. 15.

ANNEX

Forecast supply balance for Madeira of certain vegetable oils for the period 1 July 1997 to 30 June 1998

<i>(tonnes)</i>		
CN code	Description	Quantity
1507 to 1516 (excluding 1509 and 1510)	Vegetable oils (excluding olive oil)	3 000

COMMISSION REGULATION (EC) No 2457/97

of 10 December 1997

on the collection of samples in connection with physical checks of boneless beef cuts qualifying for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2321/97⁽²⁾, and in particular Article 13 (12) thereof,

Having regard to Council Regulation (EEC) No 386/90 of 12 February 1990 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts⁽³⁾, as amended by Regulation (EC) No 163/94⁽⁴⁾, and in particular Article 6 thereof,

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

Whereas Commission Regulation (EEC) No 3665/87⁽⁵⁾, as last amended by Regulation (EC) No 2114/97⁽⁶⁾, lays down common detailed rules for the application of the system of export refunds on agricultural products;

Whereas Commission Regulation (EEC) No 3846/87⁽⁷⁾, as last amended by Regulation (EC) No 2333/97⁽⁸⁾, establishes an agricultural product nomenclature for export refunds;

Whereas Sector 5 of the Annex to Regulation (EEC) No 3846/87 on the nomenclature applicable to beef and veal provides, *inter alia*, that refunds are to be granted on certain boneless cuts on condition they are individually wrapped and have a minimum lean meat content;

Whereas practice in collecting samples has proved to vary from one Member State to another; whereas, where obligations are not met, the consequences of such failures should be brought more closely into line with their seriousness;

Whereas, for the purposes of checks, samples are collected in principle at the time the export declaration is

verified or the products are placed under the customs warehousing procedure;

Whereas Commission Regulation (EC) No 2221/95⁽⁹⁾, as amended by Regulation (EC) No 1167/97⁽¹⁰⁾, lays down detailed rules for the application of Regulation (EEC) No 386/90; whereas this Regulation lays down further detailed rules; whereas the physical checks of the products concerned described herein should count as physical checks within the meaning of Article 3 of Regulation (EEC) No 386/90 regarding the nature and characteristics of the products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply in the event of checks regarding:

(a) compliance with the obligation on the individual wrapping of boneless cuts covered by the following product codes:

— 0201 30 00 9100,

— 0201 30 00 9120,

— 0201 30 00 9150,

— 0202 30 90 9400;

(b) the minimum average lean meat content of boneless cuts covered by the following product codes:

— 0201 30 00 9100,

— 0201 30 00 9120,

— 0201 30 00 9150,

— 0201 30 00 9190,

— 0202 30 90 9400,

— 0202 30 90 9500.

2. The description of the products referred to in paragraph 1 shall be as set out in Sector 5 of the Annex to Regulation (EEC) No 3846/87.

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 322, 25. 11. 1997, p. 25.

⁽³⁾ OJ L 42, 16. 2. 1990, p. 6.

⁽⁴⁾ OJ L 24, 29. 1. 1994, p. 2.

⁽⁵⁾ OJ L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ L 295, 29. 10. 1997, p. 3.

⁽⁷⁾ OJ L 366, 24. 12. 1987, p. 1.

⁽⁸⁾ OJ L 323, 26. 11. 1997, p. 25.

⁽⁹⁾ OJ L 224, 21. 9. 1995, p. 13.

⁽¹⁰⁾ OJ L 169, 27. 6. 1997, p. 12.

Article 2

1. For the purposes of physical checks, samples shall consist of two full cartons collected from two different parts of the consignment. The first carton shall be intended for the authorities responsible for the checks while the second shall be kept in reserve under the supervision of the customs authorities.

2. The quantity of products covered by a declaration as referred to in Article 3 (1) or, as regards storage only, Article 25 (1) of Regulation (EEC) No 3665/87 that has been accepted shall be deemed to comprise a consignment.

3. Pursuant to Article 68 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾ and without prejudice to Article 78 thereof, samples shall be collected and checks shall be carried out at the time of verification of declarations as referred to in paragraph 2 that have been accepted.

Article 3

1. For the purposes of checks of compliance with the obligation referred to in Article 1 (a), the customs authorities shall check that each cut in the first carton is individually wrapped and that each package does not contain more than one cut. If those conditions are not observed, the same checks shall be conducted on the reserve sample.

Where, taking the two cartons together, at most one cut turns out not to have been wrapped individually or one package to contain more than one cut, no irregularity shall be deemed to have occurred and the refund shall be

granted, subject to compliance with all the other conditions applying.

Where the conditions referred to in the second subparagraph are not met, the refund payable in respect of the consignment shall be calculated on the basis of the corrected weight. The corrected weight shall be obtained by reducing the declared net weight by a percentage expressing the weight of cuts failing to comply in relation to the total net weight of the sample.

2. For the purposes of checks of compliance with the condition referred to in Article 1 (b), the whole contents of the first carton shall be minced and mixed to form a homogeneous sample with a view to ascertaining the average lean meat content. Where the average lean meat content of the sample is below the minimum laid down, the contents of the second carton shall be examined in the same way. Where the average for the two cartons is below the minimum average lean meat content laid down, no refund shall be granted.

Article 4

The provisions of this Regulation shall be applied at the time physical checks as referred to in Article 5 of Regulation (EC) No 2221/95 regarding the nature and characteristics of the products are carried out.

Article 5

This Regulation shall enter into force on 19 January 1998.

It shall apply to operations covered by a declaration as referred to in Article 3 (1) or, as regards storage only, Article 25 (1) of Regulation (EEC) No 3665/87 that has been accepted and is accompanied by an export licence issued from the date of entry into force of this Regulation.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 302, 19. 10. 1992, p. 1.

COMMISSION REGULATION (EC) No 2458/97**of 10 December 1997****establishing rules for the management and distribution of textile quotas
established for the year 1998 pursuant to Council Regulation (EC) No 517/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the year 1997 pursuant Regulation (EC) No 517/94
proved to be satisfactory;

Having regard to the Treaty establishing the European Community,

Whereas in order to satisfy the greatest possible number of operators it therefore seems appropriate to make the 'first come, first served' allocation method based on the chronological order of receipt of the notifications from Member States more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method;

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, as last amended by Commission Regulation (EC) No 1457/97⁽²⁾, and in particular Articles 17 (3) and (6) and 21 (2) and (3), in conjunction with Article 25 (3), thereof,

Whereas efforts should nevertheless be made to guarantee a degree of continuity in trade; whereas this consideration and the desirability of efficient quota administration make it appropriate for operators to be allowed to make their initial import authorization application for 1998 equivalent to the quantity (for each textile category and each third country) which they imported in 1997;

Whereas the Council, through Regulation (EC) No 517/94, established quantitative restrictions on imports of certain textile products originating in certain third countries and envisaged, in Article 17 (2), that these quotas would be allocated in chronological order of receipt of notifications from the Member States according to the principle of first come, first served;

Whereas it has also proved necessary to revise the maximum quantities previously established for certain categories in order to allow commercially significant transactions to take place;

Whereas Article 17 (3) of Regulation (EC) No 517/94 stipulates that it is possible, in certain circumstances, to make use of allocation methods which differ from the method based exclusively on the chronological order of receipt of notifications from Member States, as well as to envisage the division of the quotas into tranches or to set aside part of a specific quantitative limit exclusively for applications which are backed up by proof of the results of previous imports;

Whereas for optimum use of the quantities it is appropriate to envisage that each operator, after 50 % utilization of a licence, can introduce a new request for a licence, not exceeding a predetermined quantity, provided quantities are available in the quotas;

Whereas it is advisable, in order not to affect unduly the continuity of trade flows, to adopt rules for management and distribution of the quotas established for 1998 pursuant to Regulation (EC) No 517/94 before the quota year begins;

Whereas it is appropriate for the sake of sound administration to make import authorizations valid for nine months from the date of issue and to stipulate that the Member States can issue licences only after being notified of the Commission's decision and only if an operator can prove the existence of a contract and certify (except where specifically provided otherwise) that he has not already been allocated a Community import authorization pursuant to this Regulation for the categories and countries concerned; whereas the competent national authorities are, however, authorized, in response to importers' applications, to extend by three months and up to 31 March 1999 licences of which at least 60 % has been used by the application date;

Whereas the measures contained in Commission Regulation (EC) No 2339/96⁽³⁾ establishing rules for the management and distribution of textiles quotas established for

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EC) No 517/94,

⁽¹⁾ OJ L 67, 10. 3. 1994, p. 1.

⁽²⁾ OJ L 199, 26. 7. 1997, p. 6.

⁽³⁾ OJ L 318, 7. 12. 1996, p. 5.

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation specifies certain rules concerning the management of quantitative quotas established by Regulation (EC) No 517/94 and applicable for 1998.

Article 2

The quotas referred to in Article 1 and shown in Annexes III B and IV to Regulation (EC) No 517/94 shall be allocated on a 'first come, first served' basis according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator stipulated in the Annex hereto.

These maximum quantities shall not, however, apply to operators able to prove to the competent national authorities when making their first application for 1998 that they imported, for given categories, given third countries and under import licences granted to them for 1997, more than the maximum quantities specified for each category. In the case of such operators, the competent authorities may authorize imports of no more than the quantities imported in 1997 for given third countries and given categories, provided that enough quota is available.

Article 3

Any importer who has used 50 % or more of the amount allocated to him through a licence pursuant to this Regu-

lation may make a further application for a licence, for the same category and country of origin, for amounts not exceeding the maximum quantities laid down in the Annex hereto, provided that enough of the quota is available.

Article 4

The requests for import authorizations can be submitted to the Commission as of 2 January 1998 at 10 a.m., Brussels time. Import authorizations shall be valid for nine months from the date of issue, but in no case later than 31 December 1998. At the importer's request, the competent national authorities may, however, grant a three-month extension for licences which are at least 60 % used up at the time of the request. The extension must in no case last beyond 31 March 1999.

The competent authorities of the Member States shall issue authorizations only after being notified of the Commission's decision and only if an operator can prove the existence of a contract and, without prejudice to the provisions of Article 3, certify in writing that he has not already been allocated a Community import authorization pursuant to this Regulation for the categories and countries concerned.

Article 5

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels, 10 December 1997.

For the Commission

Leon BRITTAN

Vice-President

ANNEX

Maximum amounts referred to in Article 2

Country concerned	Category	Unit	Maximum amount
North Korea	1	kilograms	5 000
	2	kilograms	5 000
	3	kilograms	5 000
	4	pieces	5 000
	5	pieces	5 000
	6	pieces	5 000
	7	pieces	5 000
	8	pieces	5 000
	9	kilograms	5 000
	12	pairs	5 000
	13	pieces	5 000
	14	pieces	5 000
	15	pieces	5 000
	16	pieces	5 000
	17	pieces	5 000
	18	kilograms	5 000
	19	pieces	5 000
	20	kilograms	5 000
	21	pieces	5 000
	24	pieces	5 000
	26	pieces	5 000
	27	pieces	5 000
	28	pieces	5 000
	29	pieces	5 000
	31	pieces	5 000
	36	kilograms	5 000
	37	kilograms	5 000
	39	kilograms	5 000
	59	kilograms	5 000
	61	kilograms	5 000
	68	kilograms	5 000
	69	pieces	5 000
	70	pieces	5 000
	73	pieces	5 000
	74	pieces	5 000
	75	pieces	5 000
	76	kilograms	5 000
	77	kilograms	2 500
	78	kilograms	2 500
	83	kilograms	5 000
	87	kilograms	5 000
	109	kilograms	5 000
	117	kilograms	5 000
	118	kilograms	5 000
	142	kilograms	5 000
	151 A	kilograms	5 000
	151 B	kilograms	5 000
	161	kilograms	5 000
Republics of Bosnia-Herzegovina and Croatia	1	kilograms	20 000
	2	kilograms	20 000
	2 a	kilograms	5 000
	3	kilograms	5 000
	5	pieces	5 000
	6	pieces	5 000
	7	pieces	5 000
	8	pieces	5 000
	9	kilograms	5 000
	15	pieces	5 000
	16	pieces	5 000
	67	kilograms	5 000

Country concerned	Category	Unit	Maximum amount
Federal Republic of Yugoslavia	1	kilograms	20 000
	2	kilograms	20 000
	2 a	kilograms	5 000
	3	kilograms	5 000
	5	pieces	5 000
	6	pieces	5 000
	7	pieces	5 000
	8	pieces	5 000
	9	kilograms	5 000
	15	pieces	5 000
	16	pieces	5 000
	67	kilograms	5 000

COMMISSION REGULATION (EC) No 2459/97

of 10 December 1997

fixing the import duties in the rice sector

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⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽²⁾, as last amended by Regulation (EC) No 1403/97 ⁽³⁾, and in particular Article 4 (1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11 (1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 11 December 1997.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 189, 30. 7. 1996, p. 71.

⁽³⁾ OJ L 194, 23. 7. 1997, p. 2.

ANNEX I

to the Commission Regulation of 10 December 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties ⁽¹⁾			
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁵⁾
1006 10 21	(7)	130,91		202,88
1006 10 23	(7)	130,91		202,88
1006 10 25	(7)	130,91		202,88
1006 10 27	(7)	130,91		202,88
1006 10 92	(7)	130,91		202,88
1006 10 94	(7)	130,91		202,88
1006 10 96	(7)	130,91		202,88
1006 10 98	(7)	130,91		202,88
1006 20 11	319,10	155,21		239,33
1006 20 13	319,10	155,21		239,33
1006 20 15	319,10	155,21		239,33
1006 20 17	238,27	114,80	0,00	178,70
1006 20 92	319,10	155,21		239,33
1006 20 94	319,10	155,21		239,33
1006 20 96	319,10	155,21		239,33
1006 20 98	238,27	114,80	0,00	178,70
1006 30 21	(7)	251,59		399,75
1006 30 23	(7)	251,59		399,75
1006 30 25	(7)	251,59		399,75
1006 30 27	(7)	251,59		399,75
1006 30 42	(7)	251,59		399,75
1006 30 44	(7)	251,59		399,75
1006 30 46	(7)	251,59		399,75
1006 30 48	(7)	251,59		399,75
1006 30 61	(7)	251,59		399,75
1006 30 63	(7)	251,59		399,75
1006 30 65	(7)	251,59		399,75
1006 30 67	(7)	251,59		399,75
1006 30 92	(7)	251,59		399,75
1006 30 94	(7)	251,59		399,75
1006 30 96	(7)	251,59		399,75
1006 30 98	(7)	251,59		399,75
1006 40 00	(7)	78,38		123,00

(1) Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ L 84, 30. 3. 1990, p. 85).

(2) In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(3) The import levy on rice entering the overseas department of Réunion is specified in Article 11 (3) of Regulation (EC) No 3072/95.

(4) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9. 4. 1991, p. 7).

(5) No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ L 263, 19. 9. 1991, p. 1).

(6) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of ECU 250 per tonne applies (Article 4a of amended Regulation (EC) No 1503/96).

(7) Duties fixed in the Common Customs Tariff.

(8) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15. 11. 1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1. 2. 1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	(¹)	238,27	533,00	319,10	533,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	361,94	284,11	307,79	350,79	—
(b) fob price (ECU/tonne)	—	—	—	280,63	323,63	—
(c) Sea freight (ECU/tonne)	—	—	—	27,16	27,16	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 2460/97
of 10 December 1997
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
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⁾,

Having regard to Council Regulation (EC) No 903/97 of 21 May 1997 concerning a protective measure applicable to imports of garlic from China⁽²⁾, and in particular Article 1 (3) thereof,

Whereas pursuant to Commission Regulation (EEC) No 1859/93⁽³⁾, as amended by Regulation (EC) No 1662/94⁽⁴⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1 (1) of Regulation (EC) No 903/97, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1997 to 31 May 1998;

Whereas, given the criteria laid down in Article 1 (2) of that Regulation and the import licences already issued, the quantity applied for on 5 December 1997 is in excess of the maximum monthly quantity given in the Annex to

that Regulation for the month of December 1997; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to applications lodged after 5 December 1997 and before 8 January 1998 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for on 5 December 1997 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 0,05701 % of the quantity applied for, having regard to the information available to the Commission on 9 December 1997.

For the abovementioned products applications for import licences lodged after 5 December 1997 and before 8 January 1998 shall be refused.

Article 2

This Regulation shall enter into force on 11 December 1997.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ L 130, 22. 5. 1997, p. 6.

⁽³⁾ OJ L 170, 13. 7. 1993, p. 10.

⁽⁴⁾ OJ L 176, 9. 7. 1994, p. 1.

COMMISSION REGULATION (EC) No 2461/97
of 10 December 1997
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat⁽¹⁾,

Whereas Commission Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2 (f);

Whereas Article 2 (f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1997 to 30 June 1998 at 11 500 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of

validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 December 1997 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2 (f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of January 1998 for 2 670 tonnes.

Article 2

This Regulation shall enter into force on 11 December 1997.

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

Done at Brussels, 10 December 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 137, 28. 5. 1997, p. 10.

COMMISSION REGULATION (EC) No 2462/97**of 10 December 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 2409/97 ⁽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 11 December 1997.

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

Done at Brussels, 10 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 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 332, 11. 12. 1997, p. 40.

ANNEX

to the Commission Regulation of 10 December 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⁾	26,55	3,32
1701 11 90 ⁽¹⁾	26,55	8,26
1701 12 10 ⁽¹⁾	26,55	3,19
1701 12 90 ⁽¹⁾	26,55	7,83
1701 91 00 ⁽²⁾	26,80	11,83
1701 99 10 ⁽²⁾	26,80	7,31
1701 99 90 ⁽²⁾	26,80	7,31
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 2463/97
of 10 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⁾, as amended by Regulation (EC) No 2393/97⁽⁶⁾;

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 amended 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 11 December 1997.

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

Done at Brussels, 10 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.

⁽⁶⁾ OJ L 330, 2. 12. 1997, p. 16.

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 ⁽³⁾	29,27	19,27
	medium quality	53,62	43,62
	low quality	57,83	47,83
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

(period from 28 November 1997 to 9 December 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	116,35	94,83	211,71 ⁽¹⁾	97,59 ⁽¹⁾
Gulf premium (ECU/tonne)	—	16,67	10,49	9,34	—	—
Great Lakes premium (ECU/tonne)	18,19	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 13,17 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).

**COMMISSION REGULATION (EC) No 2464/97
of 10 December 1997**

altering the export refunds on cereals and on wheat or rye flour, groats and meal

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

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

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 2411/97 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2411/97 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾, as last amended by Regulation (EC) No 150/95 ⁽⁵⁾, are used to convert amounts expressed in third country currencies

and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁶⁾, as last amended by Regulation (EC) No 1482/96 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to Regulation (EC) No 2411/97 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 11 December 1997.

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

Done at Brussels, 10 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 334, 5. 12. 1997, p. 3.
⁽⁴⁾ OJ L 387, 31. 12. 1992, p. 1.
⁽⁵⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ L 108, 1. 5. 1993, p. 106.
⁽⁷⁾ OJ L 188, 27. 7. 1996, p. 22.

ANNEX

**to the Commission Regulation of 10 December 1997 altering the export refunds on cereals and on
wheat or rye flour, groats and meal**

<i>(ECU / tonne)</i>			<i>(ECU / tonne)</i>		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	—	—	1101 00 15 9100	01	12,50
1001 90 91 9000	—	—	1101 00 15 9130	01	11,50
1001 90 99 9000	03	2,00	1101 00 15 9150	01	10,75
	02	0	1101 00 15 9170	01	10,00
1002 00 00 9000	03	17,00	1101 00 15 9180	01	9,50
	02	0	1101 00 15 9190	—	—
1003 00 10 9000	—	—	1101 00 90 9000	—	—
1003 00 90 9000	03	4,00	1102 10 00 9500	01	36,50
	02	0	1102 10 00 9700	—	—
1004 00 00 9200	—	—	1102 10 00 9900	—	—
1004 00 00 9400	—	—	1103 11 10 9200	—	— ⁽²⁾
1005 10 90 9000	—	—	1103 11 10 9400	—	— ⁽²⁾
1005 90 00 9000	—	—	1103 11 10 9900	—	—
1007 00 90 9000	—	—	1103 11 90 9200	01	0 ⁽²⁾
1008 20 00 9000	—	—	1103 11 90 9800	—	—

⁽¹⁾ The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Liechtenstein.

⁽²⁾ No refund is granted when this product contains compressed meal.

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

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1863/97 of 22 September 1997 establishing certain measures concerning imports of processed agricultural products from Switzerland in order to take account of the results of the Uruguay Round negotiations in the agricultural sector

(Official Journal of the European Communities L 265 of 27 September 1997)

On page 3, in the Annex, the text shall be replaced by the following:

	ecus / ECU / Ecu / ecu / écus / ecua / 100 kg
Trigo blando / Blød hvede / Weichweizen / Μαλακό σιτάρι / Common wheat / Blé tendre / Grano tenero / Zachte tarwe / Trigo mole / Tavallinen vehnä / Vete	9,771
Trigo duro / Hård hvede / Hartweizen / Σκληρό σιτάρι / Durum wheat / Blé dur / Grano duro / Durumtarwe / Trigo duro / Durumvehnä / Durumvete	15,168
Centeno / Rug / Roggen / Σίκαλη / Rye / Seigle / Segala / Rogge / Centeio / Ruis / Råg	11,900
Cebada / Byg / Gerste / Κριθάρι / Barley / Orge / Orzo / Gerst / Cevada / Ohra / Korn	11,900
Maíz / Majs / Mais / Καλαμπόκι / Maize / Maïs / Granturco / Maïs / Milho / Maissi / Majs	11,040
Arroz descascarillado de grano largo / Ris, afskallet, langkornet / Reis, langkörnig, geschält / Αποφλοιωμένο ρύζι μακρόσπερμο / Long-grain husked rice / Riz décortiqué à grains longs / Riso semigreggio a grani lunghi / Langkorrelige gedopte rijst / Arroz em películas de grãos longos / Pitkäjyväinen esikuorittu riisi / Ris, skalat långkornigt	33,850
Leche desnatada en polvo / Skummetmælkspulver / Magermilchpulver / Αποδουτυρωμένο γάλα σε σκόνη / Skimmed-milk powder / Lait écrémé en poudre / Latte scremato in polvere / Magere-melkpoeder / Leite desnatado em pó / Rasvaton maitojauhe / Skummjölkspulver	133,700
Leche entera en polvo / Sædmælkspulver / Vollmilchpulver / Πλήρες γάλα σε σκόνη / Whole-milk powder / Lait entier en poudre / Latte intero in polvere / Volle-melkpoeder / Leite inteiro em pó / Rasvainen maitojauhe / Mjölkspulver	167,100
Mantequilla / Smør / Butter / Βούτυρο / Butter / Beurre / Burro / Boter / Manteiga / Voi / Smör	242,900
Azúcar blanco / Hvidt sukker / Weißzucker / Λευκή ζάχαρη / White sugar / Sucre blanc / Zucchero bianco / Witte suiker / Açúcar branco / Valkoinen sokeri / Vitt socker	47,200'

Corrigendum to Council Regulation (EC) No 1890/97 of 26 September 1997 imposing a definitive anti-dumping duty on imports of farmed Atlantic salmon originating in Norway

(Official Journal of the European Communities L 267 of 30 September 1997)

On page 16, in the Annex, second column:

for: 'Hydrotech-gruppen AS 8161',

read: 'Hydrotech-gruppen AS 8428'.

Corrigendum to Council Regulation (EC) No 1891/97 of 26 September 1997 imposing a definitive countervailing duty on imports of farmed Atlantic salmon originating in Norway

(Official Journal of the European Communities L 267 of 30 September 1997)

On page 43, in the Annex, second column:

for: 'Hydrotech-gruppen AS 8161',

read: 'Hydrotech-gruppen AS 8428'.

Corrigendum to Council Regulation (EC) No 2309/97 of 17 November 1997 amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops

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

On page 4, in Article 2, second subparagraph:

for: '... 1999/2000 crop year.',

read: '... 1999/2000 marketing year.'
