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## Legislation

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## I

*(Acts whose publication is obligatory)*

## COUNCIL REGULATION (EC) No 1412/97

of 22 July 1997

fixing the monthly increases in the intervention price for cereals for the 1997/98 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

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 <sup>(1)</sup>, and in particular Article 3 (4) thereof,Having regard to the proposal from the Commission <sup>(2)</sup>,Having regard to the opinion of the European Parliament <sup>(3)</sup>,Having regard to the opinion of the Economic and Social Committee <sup>(4)</sup>,

Whereas, when the amounts and the number of the monthly increases are fixed and the first month in which they are to apply is determined, account should be taken of the storage costs and financing charges for storing cereals in the Community and of the need to ensure that the disposal of stocks of cereals is in line with market requirements;

Whereas, under the reform of the common agricultural policy, provision was made for the fixing of a single intervention price for all cereals; whereas this price has been fixed at a substantially reduced level applied in stages; whereas this fact should be taken into account in the fixing of the size of monthly increases;

Whereas the intervention price for maize and sorghum applicable in July, August and September is to be the price valid in May of the previous marketing year, in

accordance with Article 3 (3) of Regulation (EEC) No 1766/92,

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the last subparagraph of Article 3 (3) of Regulation (EEC) No 1766/92, for the 1997/98 marketing year, the monthly increases to be applied to the intervention price applicable for the first month of the marketing year, shall be as follows:

*(in ecus per tonne)*

	Monthly increase in the intervention price
July 1997	—
August 1997	—
September 1997	—
October 1997	—
November 1997	1,0
December 1997	2,0
January 1998	3,0
February 1998	4,0
March 1998	5,0
April 1998	6,0
May 1998	7,0
June 1998	7,0

*Article 2*

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

It shall apply with effect from the 1997/98 marketing year.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EC) No 923/96 (OJ No L 126, 24. 5. 1996, p. 37).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 1.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

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## COUNCIL REGULATION (EC) No 1413/97

of 22 July 1997

fixing the monthly increases in the intervention price for paddy rice for the  
1997/98 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

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 <sup>(1)</sup>, and in particular Article 3 (2) thereof,Having regard to the proposal from the Commission <sup>(2)</sup>,Having regard to the opinion of the European Parliament <sup>(3)</sup>,Having regard to the opinion of the Economic and Social Committee <sup>(4)</sup>,

Whereas, when the amounts of the monthly increases are fixed, account should be taken on the one hand of the storage costs and the financing charges for storing rice in

the Community and on the other hand of the need to ensure that the disposal of stocks of rice is in line with market requirements,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997/1998 marketing year, the monthly increases provided for in Article 3 (2) of Regulation (EC) No 3072/95 shall be ECU 2 per tonne for the intervention price.

*Article 2*

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

It shall apply from 1 September 1997.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 3.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

**COUNCIL REGULATION (EC) No 1414/97**  
**of 22 July 1997**

**fixing, for the 1997/98 marketing year, the prices, aids and percentages of aid to be retained in the olive oil sector, together with the maximum guarantee quantity**

THE COUNCIL OF THE EUROPEAN UNION,

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<sup>(1)</sup>, and in particular Articles 4 (4), 5 (1) and 11 (6) thereof,

Having regard to the proposal from the Commission<sup>(2)</sup>,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(4)</sup>,

Whereas the target price for olive oil production must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas the representative market price must be fixed according to the criteria laid down in Article 7 of Regulation No 136/66/EEC;

Whereas, if producers are to receive a fair income, production aid must be fixed in the light of the impact

which the consumption aid has on part only of production;

Whereas, in accordance with Articles 5 (4) and 20d (1) of Regulation No 136/66/EEC, the percentages of production aid to be allocated to finance measures to improve the quality of olive oil production and to finance expenditure incurred in the work done by recognized producer organizations or associations thereof in administering and controlling olive oil production aid, should be determined;

Whereas, pursuant to Article 11 (5) and (6) of Regulation No 136/66/EEC, a certain percentage of the consumption aid during each olive oil marketing year is to be used, on the one hand, to finance measures by the recognized trade organizations referred to in paragraph 3 of the abovementioned Article and, on the other hand, to finance measures to promote olive oil consumption in the Community; whereas the said percentages for the 1997/98 marketing year should be fixed; whereas having regard to the financing already laid down for the promotion actions referred to in the abovementioned Article 11 (6), the percentage relating thereto is set at zero for the 1997/98 marketing year;

Whereas Article 5 (1) of Regulation No 136/66/EEC fixes, for a specified period, the maximum quantity in respect of which the unit amount of production aid fixed for the marketing year in question is to be payable; whereas, in compliance with the terms laid down therein, the maximum quantity applicable for the 1997/98 marketing year should be maintained,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 1997/1998 marketing year, the production target price and the intervention price for olive oil shall be as follows:

- |                              |                               |
|------------------------------|-------------------------------|
| (a) production target price: | ECU 383,77 per 100 kilograms; |
| (b) intervention price:      | ECU 180,58 per 100 kilograms. |

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1581/96 (OJ No L 206, 16. 8. 1996, p. 11).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 8.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).



2. The prices fixed in paragraph 1 shall be for ordinary virgin olive oil with a free fatty-acid content, expressed as oleic acid, of 3,3 g per 100 g.

#### *Article 2*

For the 1997/98 marketing year, the representative market price for olive oil shall be ECU 229,50 per 100 kilograms.

#### *Article 3*

For the 1997/98 marketing year, the production aid shall be as follows:

- (a) production aid: ECU 142,20 per 100 kilograms;  
(b) production aid for growers whose average production is less than 500 kilograms of olive oil per marketing year: ECU 151,48 per 100 kilograms.

#### *Article 4*

1. For the 1997/98 marketing year, 1,4 % of the production aid earmarked for olive-oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.

2. For the 1997/98 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20d (1) of Regulation No 136/66/EEC for organizations of olive-oil producers or associations thereof recognized under the said Regulation shall be 0,8 %.

#### *Article 5*

1. For the 1997/98 marketing year, the percentage of consumption aid referred to in Article 11 (5) of Regulation No 136/66/EEC shall be 8 %.
2. For the 1997/98 marketing year, the percentage of consumption aid to be allocated to the measures referred

to in Article 11 (6) of Regulation No 136/66/EEC shall be zero.

#### *Article 6*

For the 1997/98 marketing year, the maximum production of olive oil referred to in Article 5 (1) of Regulation No 136/66/EEC shall be 1 350 000 tonnes.

#### *Article 7*

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

It shall apply from 1 November 1997.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

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## COUNCIL REGULATION (EC) No 1415/97

of 22 July 1997

**fixing the amounts of aid for flax fibre and hemp and the amount withheld to finance measures to promote the use of flax fibre for the 1997/98 marketing year**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp <sup>(1)</sup>, and in particular Articles 2 (3) and 4 (3) thereof,

Having regard to the proposal from the Commission <sup>(2)</sup>,

Having regard to the opinion of the European Parliament <sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(4)</sup>,

Whereas Article 4 of Regulation (EEC) No 1308/70 provides that the amounts of aid for flax grown mainly for fibre and for hemp grown in the Community are to be fixed each year;

Whereas, in accordance with Article 4 (2) of that Regulation, this amount shall be fixed per hectare of area sown and harvested so as to ensure an even balance between the volume of production required in the Community and the amount that can be marketed; whereas it must be fixed, taking into account the price for fibres and flax and hemp seed on the world market;

Whereas, during the last few years, there have been major fluctuations in the price of flax fibre and the areas planted to flax in the Community have increased considerably; whereas, given the proposed reduction in the proportion of the aid withheld to finance Community measures to promote the use of flax fibre, the aid should be reduced accordingly;

Whereas there is an upward trend in the area planted to hemp; whereas, in order to alleviate the impact on budget expenditure, the amount of aid should be adjusted accordingly;

Whereas Article 2 (3) of Regulation (EEC) No 1308/70 provides that the portion of aid for financing Community measures to encourage the use of flax fibre is to be fixed when the aid is fixed for the marketing year in question in accordance with the criteria referred to in the said Article 2 (3); whereas it is to be fixed in the light of trends on the market in flax, the amount of the aid for flax and the cost of the measures to be introduced; whereas account should also be taken of the financing already provided for;

Whereas application of the abovementioned criteria entails fixing the amount of aid and the portion of the aid to be used for financing measures to promote the use of flax fibre at the levels set out below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997/98 marketing year, the amounts of aid provided for in Article 4 of Regulation (EEC) No 1308/70 shall be:

- (a) ECU 815,86 per hectare as regards flax;
- (b) ECU 716,63 per hectare as regards hemp.

*Article 2*

For the 1997/98 marketing year, the amount of the aid for flax to be used to finance the measures to promote the use of flax fibre referred to in Article 2 of Regulation (EEC) No 1308/70 shall be ECU 0,0 per hectare.

*Article 3*

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

It shall apply from 1 August 1997.

<sup>(1)</sup> OJ No L 146, 4. 7. 1970, p. 1. Regulation as last amended by Regulation (EC) No 3290/94 (OJ No L 349, 31. 12. 1994, p. 105).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 10.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

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## COUNCIL REGULATION (EC) No 1416/97

of 22 July 1997

fixing the basic price, and the seasonal adjustments to the basic price, for  
sheepmeat for the 1998 marketing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, and in particular Article 3 (1) and (2) thereof,

Having regard to the proposal from the Commission<sup>(2)</sup>,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(4)</sup>,

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 3013/89;

Whereas, when the basic price for sheep carcasses is fixed, account should be taken of the objectives of the common agricultural policy; whereas the main objectives of the common agricultural policy are, in particular, to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas these factors result in the price for the 1998 marketing year being fixed at the level laid down in this Regulation;

Whereas the weekly seasonally adjusted amounts applicable to the basic price should be fixed in the light of

experience gained during the 1991, 1992, 1993, 1994, 1995 and 1996 marketing years concerning private storage,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1998 marketing year, the basic price for sheepmeat is hereby fixed at ECU 504,07 for 100 kg carcass weight.

*Article 2*

The basic price referred to in Article 1 is hereby seasonally adjusted in accordance with the table set out in the Annex to this Regulation.

*Article 3*

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

It shall apply from the beginning of the 1998 marketing year.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EC) No 1589/96 (OJ No L 206, 16. 8. 1996, p. 25).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 16.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

ANNEX  
1998 MARKETING YEAR

*(ECU/100 kilograms carcase weight)*

Week beginning	Week	Basic price
5 January 1998	1	515,06
12 January 1998	2	518,58
19 January 1998	3	522,67
26 January 1998	4	525,59
2 February 1998	5	528,51
9 February 1998	6	531,42
16 February 1998	7	534,35
23 February 1998	8	537,27
2 March 1998	9	539,61
9 March 1998	10	541,94
16 March 1998	11	543,11
23 March 1998	12	543,11
30 March 1998	13	541,94
6 April 1998	14	540,30
13 April 1998	15	538,09
20 April 1998	16	534,94
27 April 1998	17	532,60
4 May 1998	18	529,09
11 May 1998	19	525,59
18 May 1998	20	520,92
25 May 1998	21	515,08
1 June 1998	22	509,23
8 June 1998	23	502,24
15 June 1998	24	496,39
22 June 1998	25	491,72
29 June 1998	26	487,05
6 July 1998	27	483,55
13 July 1998	28	481,20
20 July 1998	29	480,01
27 July 1998	30	479,45
3 August 1998	31	478,83
10 August 1998	32	478,83
17 August 1998	33	478,83
24 August 1998	34	478,83
31 August 1998	35	478,83
7 September 1998	36	478,83
14 September 1998	37	478,83
21 September 1998	38	478,83
28 September 1998	39	478,86
5 October 1998	40	478,98
12 October 1998	41	479,10
19 October 1998	42	479,20
26 October 1998	43	479,30
2 November 1998	44	480,00
9 November 1998	45	480,95
16 November 1998	46	482,00
23 November 1998	47	483,20
30 November 1998	48	486,10
7 December 1998	49	490,75
14 December 1998	50	496,60
21 December 1998	51	503,85
28 December 1998	52	511,50

**COUNCIL REGULATION (EC) No 1417/97**  
**of 22 July 1997**  
**amending Regulation (EEC) No 822/87 on the common organization of the**  
**market in wine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas Member States should be permitted to authorize new planting of areas intended for graft nurseries; whereas steps should be taken to avoid this derogation determining an increase in must or wine production;

Whereas, to take account of the special conditions in which table wines are produced in Spain and Portugal, temporary derogations concerning blending of wines in Spain and the total acidity of certain table wines produced in the two Member States concerned should be laid down; whereas the derogation concerning total acidity should also be extended to table wines produced in France and Italy;

Whereas Article 17 (3) of Regulation (EEC) No 822/87 <sup>(4)</sup> provides that one particular form of deacidification is permitted on a transitional basis only; whereas, so that a final decision can be taken during the 1997/98 wine year regarding that technique, the provision in question should be extended for a further wine year;

Whereas the characteristics of Austrian wine growing production and the lack of equipment necessary for carrying out the distillation of by-products of wine-making do not permit this measure to be applied; whereas, under these conditions, compulsory distillation should be replaced for Austria by compulsory withdrawal of the said by-products under supervision;

Whereas, pending Council decisions on reform of the sector and in order to avoid any legal hiatus, the provisions referred to in Article 39 of Regulation (EEC) No 822/87 should be extended for a further wine year;

Whereas Article 46 (4) of Regulation (EEC) No 822/87 provides that campaigns to promote the consumption of grape juice may only be conducted until the 1996/97 wine year; whereas they should be continued for one wine year so that their effectiveness may be assessed;

Whereas Article 65 (5) of Regulation (EEC) No 822/87 provides that, during the 1996/97 wine year, the Commission is to submit to the Council a report on maximum sulphur dioxide levels in wine and any proposals arising therefrom; whereas the significance for the sector of the sulphur dioxide problem calls for proposals taking account in particular of the work of the International Vine and Wine Office (IWO); whereas that time limit must therefore be deferred by one wine year;

Whereas, with regard to wine growing potential, any replanting of vines is subject to arrangements for replanting rights; whereas a certain number of operators hold rights which are expiring during the 1996/97 and 1997/98 wine years; whereas, taking into account the market situation in the wine sector, the validity of the said replanting rights should, pending Council decisions on reform of the sector, be extended until 1 January 1999,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 822/87 is hereby amended as follows:

1. in Article 6 (2), the following indent shall be added after the first indent:

‘— the areas intended for graft nurseries, grapes coming from these vines may not be harvested or, if they are harvested, they must be destroyed; Member States shall adopt the measures necessary to guarantee the application of that provision;’
2. in the third subparagraph of Article 16 (5), ‘between 1 January 1996 and 31 August 1997’ shall be replaced by ‘between 1 September 1997 and 31 August 1998’;

<sup>(1)</sup> OJ No C 101, 27. 3. 1997, p. 19.

<sup>(2)</sup> OJ No C 200, 30. 6. 1997.

<sup>(3)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

<sup>(4)</sup> OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 536/97 (OJ No L 83, 25. 3. 1997, p. 5).

3. in Article 17 (3), '31 August 1997' shall be replaced by '31 August 1998';
4. in Article 35, paragraph 4 shall be replaced by the following:

'4. Any natural or legal person or group of persons who processes grapes harvested in wine-growing zone A or in the German part of wine-growing zone B or on areas planted with vines in Austria shall be required to withdraw the by-products of such processing under supervision and subject to conditions to be determined.';
5. in Article 39:
  - (a) in the third subparagraph of paragraph 3, 'until the end of the 1996/97 wine year' shall be replaced by 'until the end of the 1997/98 wine year';
  - (b) in the fourth subparagraph of paragraph 3, 'from the 1997/98 wine year onwards' shall be replaced by 'from the 1998/99 wine year onwards';
  - (c) in paragraph 10, in the first and second subparagraphs '1996/97' shall be replaced by '1997/98';
  - (d) in paragraph 11, '1996/97' shall be replaced by '1997/98';
6. in Article 46 (4), '1996/97' shall be replaced by '1997/98';
7. in Article 65 (5), '1 April 1997' shall be replaced by '1 April 1998' and '1 September 1997' shall be replaced by '1 September 1998'.
8. in Annex I, point 13, the third subparagraph shall be replaced by:

'For the 1997/98 wine year, table wine produced in France, Italy, Portugal and Spanish areas of wine growing zone C other than the regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Giupúzcoa and Vizcaya, and released to the French, Italian, Portuguese and Spanish markets respectively, may have a total acidity content expressed as tartaric acid, of not less than 3,5 grams per litre.';
9. in Annex V, point (e), the following subparagraph shall be added:

'The period of applicability of the replanting rights which expire during the 1996/97 and 1997/98 wine years shall be extended until 1 January 1999.'

#### Article 2

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

It shall apply as from 1 September 1997.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

## COUNCIL REGULATION (EC) No 1418/97

of 22 July 1997

fixing the guide price for wine for the 1997/98 wine year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, and in particular Article 27 (5) thereof,

Having regard to the proposal from the Commission <sup>(2)</sup>,

Having regard to the opinion of the European Parliament <sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(4)</sup>,

Whereas, when the guide prices for the various types of table wine are fixed, account should be taken of the objectives of the common agricultural policy; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas, if these objectives are to be achieved, it is of prime importance that the gap between production and demand should not be opened further; whereas, to that end, the guide prices for the 1997/98 wine year should be set at the same levels as the previous year;

Whereas the guide prices, as defined in Annex III to Regulation (EEC) No 822/87, must be fixed for each type of table wine representative of Community production,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997/98 wine year, the guide prices for table wine shall be as follows:

Type of wine	Guide price
R I	ECU 3,828/% vol/hl
R II	ECU 3,828/% vol/hl
R III	ECU 62,15/hl
A I	ECU 3,828/% vol/hl
A II	ECU 82,81/hl
A III	ECU 94,57/hl

*Article 2*

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

It shall apply from 1 September 1997.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1417/97 (see page 10 of this Official Journal).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 21.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29. 5. 1997 (not yet published in the Official Journal).



## COUNCIL REGULATION (EC) No 1419/97

of 22 July 1997

amending Regulation (EEC) No 2332/92 as regards sparkling wines produced in the Community and Regulation (EEC) No 4252/88 on the preparation and marketing of liqueur wines produced in the Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas Articles 11 and 16 of Regulation (EEC) No 2332/92 <sup>(4)</sup> and Article 6 (2) of Regulation (EEC) No 4252/88 <sup>(5)</sup> fix the maximum sulphur dioxide content of sparkling wines and of liqueur wines; whereas those Articles provide for the presentation by 1 April 1997 of a report from the Commission to the Council on those contents, together, where appropriate, with proposals; whereas the measures proposed should be consistent with others that the Commission is required to draft; whereas the abovementioned deadline should therefore be postponed; whereas the same is true for the deadlines provided for in Article 4 (2) of Regulation (EEC) No 4252/88,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2332/92 is hereby amended as follows:

1. In Article 11 (3), '1 April 1997' and '1 September 1997' shall be replaced respectively by '1 April 1998' and '1 September 1998'.
2. In Article 16 (3), '1 April 1997' and '1 September 1997' shall be replaced respectively by '1 April 1998' and '1 September 1998'.

*Article 2*

Regulation (EEC) No 4252/88 is hereby amended as follows:

1. In Article 4 (2), '1 April 1997' and '1 September 1997' shall be replaced respectively by '1 April 1998' and '1 September 1998'.
2. In Article 6 (2), '1 April 1997' and '1 September 1997' shall be replaced respectively by '1 April 1998' and '1 September 1998'.

*Article 3*

This Regulation shall enter into force on the third 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 July 1997.

*For the Council*

*The President*

F. BODEN

<sup>(1)</sup> OJ No C 101, 27. 3. 1997, p. 22.

<sup>(2)</sup> OJ No C 200, 30. 6. 1997.

<sup>(3)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

<sup>(4)</sup> OJ No L 231, 13. 8. 1992, p. 1. Regulation as last amended by Regulation (EC) No 1594/96 (OJ No L 206, 16. 8. 1996, p. 35).

<sup>(5)</sup> OJ No L 373, 31. 12. 1988, p. 59. Regulation as last amended by Regulation (EC) No 1594/96.

## COUNCIL REGULATION (EC) No 1420/97

of 22 July 1997

fixing, for the 1997 harvest, the premiums for leaf tobacco by group of tobacco varieties

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco<sup>(1)</sup>, and in particular Article 4 (1) thereof,

Having regard to the proposal from the Commission<sup>(2)</sup>,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Whereas, when the premiums for raw tobacco are fixed, account should be taken of the objectives of the common agricultural policy; whereas the common agricultural policy aims in particular to guarantee a fair standard of living for the farming community and to ensure that supplies are available and that they reach consumers at reasonable prices; whereas the premiums must take

account in particular of past and foreseeable possibilities of disposal of the various tobaccos under normal conditions of competition,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997 harvest, the premium referred to in Article 4 of Regulation (EEC) No 2075/92 for each group of raw tobacco varieties, and the supplementary amounts, shall be as set out in Annex hereto.

*Article 2*

This Regulation shall enter into force on the third 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 July 1997.

*For the Council*

*The President*

F. BODEN

<sup>(1)</sup> OJ No L 215, 30. 7. 1992, p. 70. Regulation as last amended by Regulation (EC) No 2444/96 (OJ No L 333, 21. 12. 1996, p. 4).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 23.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

## ANNEX

## PREMIUMS FOR LEAF TOBACCO FROM THE 1997 HARVEST

	I Flue-cured	II Light air-cured	III Dark air-cured	IV Fire-cured	V Sun-cured	VI Basmas	VII Katerini	VIII Kaba Koulak
ECU/kg	2,70965	2,16748	2,16748	2,38362	2,16748	3,75415	3,18541	2,27615

## SUPPLEMENTARY AMOUNTS

Variety	ECU/kg
Badischer Geudertheimer, Pereg, Korso	0,4238
Badischer Burley E and hybrids thereof	0,6786
Virgin D and hybrids thereof, Virginia and hybrids thereof	0,3876
Paraguay and hybrids thereof, Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appelsterre	0,3163
Nijkerk	0,1847
Misionero and hybrids thereof, Rio Grande and hybrids thereof	0,2016

**COUNCIL REGULATION (EC) No 1421/97**  
**of 22 July 1997**  
**fixing the amounts of aid for seeds for the 1998/99 and 1999/2000 marketing**  
**years**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds <sup>(1)</sup>, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission <sup>(2)</sup>,

Having regard to the Opinion of the European Parliament <sup>(3)</sup>,

Having regard to the Opinion of the Economic and Social Committee <sup>(4)</sup>,

Whereas the present situation and the outlook on the Community market for seeds listed in the Annex to Regulation (EEC) No 2358/81 that will be sold during the 1998/99 and 1999/2000 marketing years do not offer the assurance of a fair return to producers; whereas part of their costs should therefore be met by the granting of aid;

Whereas Article 3 (2) of Regulation (EEC) No 2358/71 provides that the aid shall be fixed, taking into account,

on the one hand, the need to ensure a balance between the volume of production required in the Community and the possible outlets for that production and, on the other hand, the prices of the products on external markets;

Whereas the application of these provisions results in the fixing of the amounts of aid applicable for the 1998/99 and 1999/2000 marketing years at the levels set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1998/99 and 1999/2000 marketing years the amounts of the aid granted for seeds referred to in Article 3 of Regulation (EEC) No 2358/71 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 July 1998.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

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<sup>(1)</sup> OJ No L 246, 5. 11. 1971, p. 1. Regulation as last amended by Regulation (EC) No 3290/94 (OJ No L 349, 31. 12. 1994, p. 105).

<sup>(2)</sup> OJ No C 101, 27. 3. 1997, p. 25.

<sup>(3)</sup> OJ No C 200, 30. 6. 1997.

<sup>(4)</sup> Opinion delivered on 29 May 1997 (not yet published in the Official Journal).

## ANNEX

## 1998/99 AND 1999/2000 MARKETING YEARS

## Aid applicable in the Community

(ECU/100 kg)

CN code	Description	Amount of aid	
		1998/1999	1999/2000
	1. CERES		
1001 90 10	Triticum spelta L.	14,37	14,37
1006 10 10	Oryza sativa L.		
	— japonica type varieties	14,85	14,85
	— indica type varieties	17,27	17,27
	2. OLEAGINEAE		
ex 1204 00 10	Linum usitatissimum L. (textile flax)	28,38	28,38
ex 1204 00 10	Linum usitatissimum L. (linseed)	22,46	22,46
ex 1207 99 10	Cannabis sativa L. (monica)	20,53	20,53
	3. GRAMINEAE		
ex 1209 29 10	Agrostis canina L.	75,95	75,95
ex 1209 29 10	Agrostis gigantea Roth.	75,95	75,95
ex 1209 29 10	Agrostis stolonifera L.	75,95	75,95
ex 1209 29 10	Agrostis capillaris L.	75,95	75,95
ex 1209 29 80	Arrhenatherum elatius (L.) P. Beauv. ex J.S. and K.B. Presl.	67,14	67,14
ex 1209 29 10	Dactylis glomerata L.	52,77	52,77
ex 1209 23 80	Festuca arundinacea Schreb.	58,93	58,93
ex 1209 23 80	Festuca ovina L.	43,59	43,59
1209 23 11	Festuca pratensis Huds.	43,59	43,59
1209 23 15	Festuca rubra L.	36,83	36,83
ex 1209 29 80	Festulolium	32,36	32,36
1209 25 10	Lolium multiflorum Lam.	21,13	21,13
1209 25 90	Lolium perenne L.		
	— of high persistence, late or medium late	34,90	34,90
	— new varieties and others	25,96	25,96
	— of low persistence, medium late, medium early or early	19,20	19,20
ex 1209 29 80	Lolium × boucheanum Kunth	21,13	21,13
ex 1209 29 80	Phleum Bertolinii (DC)	50,96	50,96
1209 26 00	Phleum pratense L.	83,56	83,56
ex 1209 29 80	Poa nemoralis L.	38,88	38,88
1209 24 00	Poa pratensis L.	38,52	38,52
ex 1209 29 10	Poa palustris and Poa trivialis L.	38,88	38,88
	4. LEGUMINOSAE		
ex 1209 29 80	Hedysarum coronarium L.	36,47	36,47
ex 1209 29 80	Medicago lupulina L.	31,88	31,88
ex 1209 21 00	Medicago sativa L. (ecotypes)	22,10	22,10
ex 1209 21 00	Medicago sativa L. (varieties)	36,59	36,59
ex 1209 29 80	Onobrichis viciifolia Scop.	20,04	20,04
ex 0713 10 10	Pisum sativum L. (partim) (field pea)	0	0
ex 1209 22 80	Trifolium alexandrinum L.	45,76	45,76
ex 1209 22 80	Trifolium hybridum L.	45,89	45,89
ex 1209 22 80	Trifolium incarnatum L.	45,76	45,76
1209 22 10	Trifolium pratense L.	53,49	53,49
ex 1209 22 80	Trifolium repens L.	75,11	75,11
ex 1209 22 80	Trifolium repens L. var. giganteum	70,76	70,76
ex 1209 22 80	Trifolium resupinatum L.	45,76	45,76
ex 0713 50 10	Vicia faba L. (partim) (horse bean)	0	0
ex 1209 29 10	Vicia sativa L.	30,67	30,67
ex 1209 29 10	Vicia villosa Roth.	24,03	24,03

**COUNCIL REGULATION (EC) No 1422/97****of 22 July 1997****amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas the support system for producers of certain arable crops introduced by Regulation (EEC) No 1765/92 <sup>(3)</sup> provides that when the sum of the individual areas for which aid is claimed is in excess of the regional base area, two types of measures are to be applied, one in the form of a reduction in eligible area, the other in the form of extraordinary set-aside; whereas Regulation (EEC) No 1765/92 also provides that where exceptional climatic conditions have caused a reduction in yields and an overshoot of the regional base area, the producers concerned may be exempted from extraordinary set-aside; whereas severe climatic conditions have adverse financial consequences for the producers in the affected regions; whereas it is thus justified to broaden the scope of the exemption possible to include the reduction in eligible area provided that the budgetary situation allows it; whereas severe climatic conditions were noted in certain regions of the Community in 1995; whereas the exemption from one or both measures under such conditions should apply already from 1995 onwards;

Whereas Member States may apply one or more national base areas; whereas, in such a case, the measures to be applied in the case of a possible overshoot of the base area are currently applied on a national basis; whereas it is considered appropriate that the Member States which choose this option should be able to divide each national base area into sub-base areas of a minimum size or into individual sub-base areas; whereas the minimum size of such sub-base areas should be laid down; whereas, when a national base area has been exceeded, the Member State concerned should be allowed to concentrate the application of the measures totally or partially on those areas for which the overshoot has been noted; whereas the Member States should be required to notify the Commission and

producers, in due time, of the exercise of this option and how they intend to apply the measures;

Whereas the conditions under which durum wheat is grown in Pannonia entitle that region to be designated as a traditional production area; whereas, for that reason, the production of durum wheat in that area, which currently receives reduced aid, is henceforth eligible for the supplement to compensatory payments;

Whereas Regulation (EEC) No 1765/92 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1765/92 is hereby amended as follows:

1. Article 2 (6) shall be replaced by the following:

'6. In the case of a regional base area, when the sum of the individual areas for which aid is claimed under the arable producers' scheme, including the set-aside provided for under that scheme and land counted as being set-aside pursuant to Article 7 (2), is in excess of the regional base area, the following measures will be applied in the region in question:

- during the same marketing year, the eligible area per farmer will be reduced proportionately for all the aids granted under this Title,
- in the following marketing year, producers in the general scheme will be required to make, without compensation, an extraordinary set-aside. The percentage rate for extraordinary set-aside shall be equal to the percentage by which the regional base area has been exceeded, established by deducting 85 % of the area set aside under voluntary set-aside in accordance with Article 7 (6). This shall be additional to the set-aside requirement given in Article 7. However, if the excess in the regional base area leads to a level of extraordinary set-aside of less than 1 % being applied in respect of the 1996 harvest, the extraordinary set-aside shall not be applied.

<sup>(1)</sup> OJ No C 243, 22. 8. 1996, p. 3.

<sup>(2)</sup> OJ No C 20, 20. 1. 1997, p. 401.

<sup>(3)</sup> OJ No L 181, 1. 7. 1992, p. 12. Regulation as last amended by Regulation (EC) No 922/97 (OJ No L 133, 24. 5. 1997, p. 1).

Areas which are the subject of extraordinary set-aside in accordance with the second indent of the preceding subparagraph shall not be taken into account in applying this paragraph.

Should exceptional climatic conditions have affected production in a marketing year in which it is found that the regional base area has been exceeded, and should those conditions have had the effect of lowering yields to a level considerably below the normal and of causing the excess in question, then, provided that the budgetary situation so allows, the Commission may, pursuant to the procedure laid down in Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(\*)</sup>, totally or partially exempt producers in the regions affected from one or both measures applicable under this paragraph.

(\*) OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EC) No 923/96 (OJ No L 126, 24. 5. 1996, p. 37).

2. The following paragraph shall be added to Article 2:

'7. Without prejudice to Article 3, where a Member State has chosen to establish one or more national base areas, it may subdivide each national base area into sub-base areas of a minimum size to be determined established pursuant to paragraph 2.

For the purposes of applying this paragraph, the 'Secano' and 'Regadió' base areas shall be considered as national base areas.

By way of derogation from the first subparagraph, Member States may establish, in accordance with detailed rules to be determined pursuant to the procedure provided for in Article 12, individual sub-base areas established on the basis of objective references.

Where there is an overshoot of a national base area, the Member State concerned may, in accordance with objective criteria, concentrate the measures applicable under paragraph 6 totally or partially on the sub-base areas for which the overshoot has been noted.

The Member State which has decided to apply the possibilities provided for in this paragraph shall notify producers and the Commission by 15 May of its choices and the detailed rules for their application. However, for the 1997/98 marketing year, that date shall be postponed to 15 September 1997.

Where the provisions provided for in this paragraph are applied, the consequences must be the same as those that would result from application at national level.

If the option provided for in the first subparagraph is applied, the expression "regional base area" shall, for the purposes of Article 5 (1) (f), be understood to mean a sub-base area.'

3. In Article 4 (4), the terms 'In France and Italy' shall be replaced by the terms 'In France, Italy and Austria'.

4. In Article 4 (5), the second subparagraph shall be deleted.

5. The following shall be added at the end of the first indent of Article 12:

'and (7), including the detailed rules for determining sub-base areas and the special conditions to be applied in the case of Germany.'

6. The following shall be added to Annex III:

'AUSTRIA

— Pannonia: 5 000'.

## 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*.

However, in Article 1, point 1 shall apply from the 1995/96 marketing year and points 3, 4 and 6 shall apply as from the 1998/99 marketing year.

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

Done at Brussels, 22 July 1997.

*For the Council*

*The President*

F. BODEN

## COMMISSION REGULATION (EC) No 1423/97

of 23 July 1997

**fixing the maximum export refund for white sugar for the 48th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96 <sup>(2)</sup>, and in particular the second subparagraph of Article 17 (5) (b) thereof,

Whereas Commission Regulation (EC) No 1464/96 of 25 July 1996 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar <sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1464/96 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 48th 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 48th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 39,600 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 24 July 1997.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 187, 26. 7. 1996, p. 42.



## COMMISSION REGULATION (EC) No 1424/97

of 23 July 1997

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 1 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 1785/81 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 17a of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar<sup>(3)</sup>, as amended by Regulation (EC) No 3290/94<sup>(4)</sup>; whereas, furthermore, this refund should be fixed in accordance with Article 17a (4) of Regulation (EEC) No 1785/81; whereas candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector<sup>(5)</sup>; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(6)</sup>, as last amended by Regulation (EC) No 150/95<sup>(7)</sup>, 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<sup>(8)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(9)</sup>;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 24 July 1997.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 89, 10. 4. 1968, p. 3.

<sup>(4)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(5)</sup> OJ No L 214, 8. 9. 1995, p. 16.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(7)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(8)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(9)</sup> OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 23 July 1997.

*For the Commission*  
 Franz FISCHLER  
*Member of the Commission*

# ANNEX

to the Commission Regulation of 23 July 1997 fixing 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	33,55 <sup>(1)</sup>
1701 11 90 9910	33,53 <sup>(1)</sup>
1701 11 90 9950	<sup>(2)</sup>
1701 12 90 9100	33,55 <sup>(1)</sup>
1701 12 90 9910	33,53 <sup>(1)</sup>
1701 12 90 9950	<sup>(2)</sup>
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 9000	0,3647
	— ECU/100 kg —
1701 99 10 9100	36,47
1701 99 10 9910	36,47
1701 99 10 9950	36,47
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 9100	0,3647

<sup>(1)</sup> 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.

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

## COMMISSION REGULATION (EC) No 1425/97

of 23 July 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<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>,

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<sup>(3)</sup>, 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<sup>(4)</sup>; 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 representative 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 24 July 1997.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ No 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, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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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 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	8,43	—	0,00
1703 90 00 <sup>(1)</sup>	12,53	—	0,00

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

<sup>(2)</sup> 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.

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**COMMISSION REGULATION (EC) No 1426/97****of 22 July 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 82/97 <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EC) No 89/97 <sup>(4)</sup>, 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 25 July 1997.

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

Done at Brussels, 22 July 1997.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 17, 21. 1. 1997, p. 1.

<sup>(3)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(4)</sup> OJ No L 17, 21. 1. 1997, p. 28.

## 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)	131,29 767,16 1 124,65	1 828,86 878,09 5 366,81	259,92 96,70 86,37	989,78 253 077,23	40 807,69 292,62	21 887,62 26 242,38
1.30	Onions (other than seed) 0703 10 19	a) b) c)	61,73 360,70 528,79	859,89 412,86 2 523,37	122,21 45,47 40,61	465,37 118 991,98	19 186,98 137,58	10 291,13 12 338,65
1.40	Garlic 0703 20 00	a) b) c)	79,04 461,85 677,07	1 101,02 528,63 3 230,96	156,48 58,22 51,99	595,87 152 359,08	24 567,29 176,17	13 176,92 15 798,59
1.50	Leeks ex 0703 90 00	a) b) c)	48,53 283,57 415,72	676,02 324,58 1 983,79	96,08 35,74 31,92	365,86 93 547,40	15 084,14 108,16	8 090,53 9 700,22
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 443,15 649,66	1 056,44 507,23 3 100,15	150,15 55,86 49,89	571,75 146 190,70	23 572,66 169,03	12 643,44 15 158,98
1.70	Brussels sprouts 0704 20 00	a) b) c)	91,88 536,88 787,06	1 279,88 614,51 3 755,82	181,90 67,67 60,44	692,67 177 109,73	28 558,23 204,78	15 317,50 18 365,07
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	22,43 131,06 192,14	312,45 150,02 916,88	44,41 16,52 14,76	169,10 43 236,52	6 971,72 49,99	3 739,35 4 483,33
1.90	Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 619,09 907,59	1 475,87 708,61 4 330,97	209,76 78,04 69,70	798,74 204 231,34	32 931,48 236,14	17 663,14 21 177,39
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	49,40 288,66 423,17	688,14 330,40 2 019,35	97,80 36,39 32,50	372,42 95 224,43	15 354,56 110,10	8 235,57 9 874,12
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	87,89 513,56 752,88	1 224,30 587,83 3 592,72	174,00 64,74 57,82	662,59 169 418,52	27 318,06 195,89	14 652,32 17 567,54
1.120	Endives ex 0705 29 00	a) b) c)	21,82 127,50 186,91	303,95 145,94 891,95	43,20 16,07 14,35	164,50 42 060,67	6 782,11 48,63	3 637,66 4 361,40
1.130	Carrots ex 0706 10 00	a) b) c)	37,45 218,83 320,80	521,67 250,47 1 530,86	74,14 27,58 24,64	282,33 72 189,37	11 640,25 83,47	6 243,36 7 485,54
1.140	Radishes ex 0706 90 90	a) b) c)	149,40 872,98 1 279,79	2 081,13 999,22 6 107,10	295,78 110,04 98,28	1 126,31 287 986,43	46 436,66 332,98	24 906,77 29 862,22
1.160	Peas ( <i>Pisum sativum</i> ) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	405,65 2 370,31 3 474,87	5 650,66 2 713,06 16 581,96	803,09 298,78 266,85	3 058,14 781 939,05	126 084,54 904,12	67 626,72 81 081,73

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)	240,19 1 403,49 2 057,51	3 345,82 1 606,44 9 818,37	475,52 176,91 158,00	1 810,76 462 995,05	74 656,10 535,34	40 042,56 48 009,42
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)	113,14 661,10 969,18	1 576,03 756,70 4 624,88	223,99 83,33 74,43	852,95 218 090,93	35 166,29 252,17	18 861,80 22 614,54
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 542,43 795,20	1 293,11 620,86 3 794,66	183,78 68,37 61,07	699,83 178 940,96	28 853,51 206,90	15 475,87 18 554,95
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	633,74 3 703,09 5 428,72	8 827,93 4 238,57 25 905,71	1 254,66 466,78 416,89	4 777,68 1 221 609,90	196 979,70 1 412,49	105 652,06 126 672,58
1.200.2	— other ex 0709 20 00	a) b) c)	272,45 1 591,99 2 333,85	3 795,20 1 822,20 11 137,07	539,39 200,67 179,23	2 053,96 525 180,07	84 683,18 607,24	45 420,68 54 457,58
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	105,14 614,36 900,65	1 464,59 703,20 4 297,86	208,15 77,44 69,16	792,64 202 669,97	32 679,72 234,34	17 528,10 21 015,49
1.220	Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	60,11 351,24 514,91	837,33 402,03 2 457,15	119,00 44,27 39,54	453,16 115 869,24	18 683,45 133,97	10 021,06 12 014,85
1.230	Chantarelles 0709 51 30	a) b) c)	478,83 2 797,92 4 101,74	6 670,05 3 202,51 19 573,37	947,97 352,68 314,99	3 609,83 923 002,28	148 830,42 1 067,22	79 826,71 95 709,02
1.240	Sweet peppers 0709 60 10	a) b) c)	87,89 513,56 752,88	1 224,30 587,83 3 592,72	174,00 64,74 57,82	662,59 169 418,52	27 318,06 195,89	14 652,32 17 567,54
1.250	Fennel 0709 90 50	a) b) c)	73,55 429,77 630,04	1 024,54 491,92 3 006,54	145,61 54,17 48,38	554,48 141 776,45	22 860,88 163,93	12 261,67 14 701,25
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	61,73 360,70 528,79	859,89 412,86 2 523,37	122,21 45,47 40,61	465,37 118 991,98	19 186,98 137,58	10 291,13 12 338,65
2.10	Chestnuts ( <i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	159,46 931,76 1 365,96	2 221,26 1 066,50 6 518,33	315,69 117,45 104,90	1 202,15 307 378,29	49 563,52 355,41	26 583,90 31 873,02
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	63,86 373,15 547,04	889,56 427,11 2 610,44	126,43 47,04 42,01	481,43 123 097,81	19 849,03 142,33	10 646,23 12 764,40

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)	113,98 666,01 976,37	1 587,73 762,32 4 659,22	225,65 83,95 74,98	859,28 219 710,13	35 427,38 254,04	19 001,83 22 782,44
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	115,19 673,08 986,74	1 604,59 770,41 4 708,68	228,05 84,84 75,78	868,40 222 042,55	35 803,47 256,74	19 203,56 23 024,29
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	17,65 103,13 151,19	245,86 118,05 721,49	34,94 13,00 11,61	133,06 34 022,49	5 485,99 39,34	2 942,47 3 527,90
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	54,77 320,03 469,17	762,94 366,31 2 238,86	108,43 40,34 36,03	412,90 105 575,75	17 023,67 122,07	9 130,82 10 947,48
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	44,20 258,27 378,62	615,70 295,62 1 806,79	87,51 32,56 29,08	333,22 85 200,80	13 738,29 98,51	7 368,67 8 834,74
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	102,70 600,10 879,75	1 430,60 686,88 4 198,12	203,32 75,64 67,56	774,24 197 966,57	31 921,32 228,90	17 121,32 20 527,78
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	73,74 430,88 631,67	1 027,19 493,19 3 014,31	145,99 54,31 48,51	555,92 142 142,70	22 919,94 164,35	12 293,34 14 739,22
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	88,70 518,30 759,82	1 235,58 593,24 3 625,83	175,61 65,33 58,35	668,70 170 979,89	27 569,82 197,70	14 787,35 17 729,44
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	71,75 419,25 614,62	999,47 479,88 2 932,96	142,05 52,85 47,20	540,91 138 306,73	22 301,41 159,92	11 961,59 14 341,46
2.85	Limes ( <i>Citrus aurantifolia</i> ), fresh ex 0805 30 90	a) b) c)	107,02 625,34 916,75	1 490,78 715,77 4 374,71	211,87 78,83 70,40	806,81 206 293,89	33 264,06 238,53	17 841,52 21 391,26



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)	27,62	384,74	54,68	208,22	8 584,88	4 604,59
	ex 0805 40 90	b)	161,39	184,73	20,34	53 240,86	61,56	5 520,71
	ex 0805 40 20	c)	236,60	1 129,04	18,17			
	ex 0805 40 95							
2.90.2	— pink	a)	37,86	527,39	74,95	285,42	11 767,68	6 311,72
	ex 0805 40 90	b)	221,23	253,21	27,89	72 979,69	84,38	7 567,49
	ex 0805 40 20	c)	324,32	1 547,62	24,91			
	ex 0805 40 95							
2.100	Table grapes	a)	—	—	—	—	—	—
	0806 10 21	b)	—	—	—	—	—	—
	0806 10 29	c)	—	—	—	—	—	—
	0806 10 61							
	0806 10 30							
	0806 10 69							
2.110	Water melons	a)	32,68	455,23	64,70	246,37	10 157,63	5 448,15
	0807 11 00	b)	190,96	218,57	24,07	62 994,62	72,84	6 532,11
		c)	279,94	1 335,88	21,50			
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)	109,27	1 522,12	216,33	823,77	33 963,41	18 216,62
	ex 0807 19 00	b)	638,49	730,82	80,48	210 631,04	243,54	21 841,00
		c)	936,03	4 466,68	71,88			
2.120.2	— other	a)	56,56	787,88	111,98	426,40	17 580,04	9 429,23
	ex 0807 19 00	b)	330,49	378,28	41,66	109 026,19	126,06	11 305,27
		c)	484,50	2 312,03	37,21			
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)	312,80	4 357,27	619,27	2 358,16	97 224,81	52 147,51
	0809 10 10	b)	1 827,77	2 092,07	230,39	602 959,54	697,17	62 522,78
	0809 10 50	c)	2 679,50	12 786,48	205,77			
2.160	Cherries	a)	—	—	—	—	—	—
	0809 20 11	b)	—	—	—	—	—	—
	0809 20 19	c)	—	—	—	—	—	—
	0809 20 21							
	0809 20 29							
	0809 20 71							
	0809 20 79							
2.170	Peaches	a)	—	—	—	—	—	—
	0809 30 19	b)	—	—	—	—	—	—
	0809 30 59	c)	—	—	—	—	—	—
2.180	Nectarines	a)	—	—	—	—	—	—
	ex 0809 30 11	b)	—	—	—	—	—	—
	ex 0809 30 51	c)	—	—	—	—	—	—

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)	— — —	— — —	— — —	— — —	— — —	— — —
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	183,50 1 072,23 1 571,89	2 556,14 1 227,28 7 501,02	363,29 135,16 120,71	1 383,38 353 718,27	57 035,65 408,99	30 591,65 36 678,16
2.205	Raspberries 0810 20 10	a) b) c)	1 173,21 6 855,35 10 049,92	16 342,70 7 846,65 47 957,89	2 322,69 864,13 771,77	8 844,67 2 261 503,06	364 658,31 2 614,86	195 588,19 234 502,39
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 428,23 8 345,49 12 234,46	19 895,10 9 552,27 58 382,47	2 827,57 1 051,97 939,53	10 767,23 2 753 084,71	443 923,88 3 183,25	238 103,08 285 476,04
2.220	Kiwi fruit ( <i>Actinidia chinensis Planch.</i> ) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	110,57 646,09 947,16	1 540,23 739,51 4 519,83	218,90 81,44 72,74	833,57 213 136,94	34 367,48 246,44	18 433,35 22 100,84
2.230	Pomegranates ex 0810 90 85	a) b) c)	124,96 730,17 1 070,43	1 740,68 835,76 5 108,05	247,39 92,04 82,20	942,06 240 875,40	38 840,19 278,51	20 832,33 24 977,13
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	161,70 944,85 1 385,15	2 252,46 1 081,48 6 609,89	320,13 119,10 106,37	1 219,03 311 696,15	50 259,76 360,40	26 957,33 32 320,76
2.250	Lychees ex 0810 90 30	a) b) c)	335,80 1 962,16 2 876,52	4 677,66 2 245,89 13 726,66	664,81 247,33 220,90	2 531,55 647 294,80	104 373 ,69 748,43	55 981,89 67 120,04

**COMMISSION REGULATION (EC) No 1427/97**  
**of 23 July 1997**

**amending Regulation (EEC) No 2454/93 laying down provisions for the  
implementation of Council Regulation (EEC) No 2913/92 establishing the  
Community Customs Code**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 82/97 of the European Parliament and of the Council<sup>(2)</sup>, and in particular Article 249 thereof,

Whereas application of the measures referred to in Article 20 (3) (d), (e) and (f) of Regulation (EEC) No 2913/92 (hereinafter referred to as 'the Code'), may be restricted to a certain volume of imports by reason of the existence of tariff quotas or tariff ceilings;

Whereas, since 1988, the Council has systematically delegated to the Commission the responsibility for managing tariff quotas on a first-come first-served basis and for the surveillance of imports within the framework of preferential tariff measures; whereas the general principles and rules of this management should be codified in the interests of stability and transparency, and with a view to greater efficiency in their operation; whereas the availability of those tariff quotas is limited to goods declared for release for free circulation between the opening date and the closing date of the relevant tariff quota;

Whereas the management rules for these tariff quotas must ensure the uniform and fair treatment of all importers throughout the Community; whereas, accordingly, all Community importers should be ensured equal and continuous access to those tariff quotas until exhaustion thereof, and allocations should be made once per working day, except where technical conditions make that impossible;

Whereas the lodging of security for the import duties potentially not payable as a result of a drawing on a tariff quota, in cases where there is no reason to suppose that the tariff quota will be very shortly exhausted, creates an unnecessary burden for economic operators; whereas in the interests of uniform treatment, Member States may refrain from taking security for import duties in cases where it is determined that a particular tariff quota will not very shortly be exhausted;

Whereas the details of individual commercial transactions should be protected by rules of confidentiality;

Whereas the management of tariff quotas and preferential surveillance requires a high degree of administrative cooperation between the Commission and the customs authorities of the Member States;

Whereas provision should be made for invalidating the declaration of release for free circulation for mail order goods returned by a customer to a third country;

Whereas it is convenient and useful to allow the application, by means of a stamp, of the pictogram identifying consignments transported by rail under the Community transit procedure;

Whereas the existence of the Single Market implies making appropriate use of the special facilities required for the loading and unloading of large containers;

Whereas in order to allow for a more coherent publication of the list of free zones in existence and in operation within the Community, it is appropriate to make such publication in the C series of the *Official Journal of the European Communities*;

Whereas Article 859 of Commission Regulation (EEC) No 2454/93<sup>(3)</sup>, as last amended by Regulation (EC) No 89/97<sup>(4)</sup>, contains a restrictive list of cases having no significant effect, in which no customs debt is incurred even if one of the situations referred to in Article 204 (1) (a) or (b) of the Code pertains; whereas the following cases should be added to that list: goods re-imported after outward processing and placed in temporary storage or under a suspensive customs procedure before being released for free circulation and goods which have undergone an inward processing operation where the renewal of the authorization was not requested in time;

Whereas it is appropriate, in order to facilitate trade activities, in certain limited cases, not to require re-export of goods for which a repayment or a remission of import duties is granted and to permit their placing under the customs warehousing arrangements, or in a free zone or free warehouse;

<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 17, 21. 1. 1997, p. 1.

<sup>(3)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(4)</sup> OJ No L 17, 21. 1. 1997, p. 28.

Whereas the list of standard rates of yield applicable to inward processing of olive oil should be amended to facilitate uniform application throughout the Community and simplify discharge of the procedure;

Whereas it is desirable to define more clearly the conditions in which equivalent compensation may be used for inward processing operations in the maize sector in order to avoid distortions within the sector;

Whereas the list in Annex 78 to Regulation (EEC) No 2454/93 should be expanded in order to define in greater detail the instances and conditions in which equivalent compensation may be used for inward processing operations in the olive oil sector;

Whereas the list of compensating products to which specific duties may apply should be extended;

Whereas it is desirable to extend the list in Annex 87 to that Regulation on economic grounds;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EEC) No 2454/93 is hereby amended as follows:

1. the following paragraph 4 shall be added to Article 248:

‘4. Notwithstanding paragraph 1, the customs authorities may refrain from taking security in respect of goods which are the subject of a drawing request on a tariff quota if they determine, at the time when the declaration for release for free circulation is accepted, that the tariff quota in question is non-critical within the meaning of Article 308c.’;

2. the following point 1b shall be added to Article 251:

‘1b. in the case of mail order goods which are returned, the customs authorities shall invalidate the declarations of release for free circulation if a request to that effect is made within three months of the date of acceptance of the declaration, provided that the goods have been exported to the original supplier’s address or to another address indicated by the said supplier.’

3. Article 256 (2) shall be replaced by the following text:

‘2. Where a reduced or zero rate of import duty is applicable to goods released for free circulation within tariff quotas or, provided that the levying of normal import duties is not re-introduced, within tariff ceilings or other preferential tariff measures, the

benefit of the tariff quota or preferential tariff measure shall only be granted after presentation to the customs authorities of the document on which the granting of the reduced or zero rate is conditional. The document must in any case be presented:

- before the tariff quota has been exhausted, or
- in other cases, before the date on which a Community measure re-introduces the levying of normal import duties.’;

4. the following Chapter 3 shall be added to Part II, Title I:

#### *CHAPTER 3*

##### ***Management of tariff measures***

##### *Section 1*

##### **Management of tariff quotas designed to be used following the chronological order of dates of customs declarations**

##### *Article 308a*

1. Save as otherwise provided, where tariff quotas are opened by a Community provision, those tariff quotas shall be managed in accordance with the chronological order of dates of acceptance of declarations for release for free circulation.

2. Where a declaration for release for free circulation incorporating a valid request by the declarant to benefit from a tariff quota is accepted, the Member State concerned shall draw from the tariff quota, through the Commission, a quantity corresponding to its needs.

3. Member States shall not present any request for drawing until the conditions laid down in Article 256 (2) and (3) are satisfied.

4. Subject to paragraph 8, allocations shall be granted by the Commission on the basis of the date of acceptance of the relevant declaration for release for free circulation, and to the extent that the balance of the relevant tariff quota so permits. Priority shall be established in accordance with the chronological order of these dates.

5. The Member States shall communicate to the Commission all valid requests for drawing without delay. Those communications shall include the date referred to in paragraph 4, and the exact amount applied for on the relevant customs declaration.

6. For the purposes of paragraphs 4 and 5, the Commission shall fix order numbers where none are provided by the Community provision opening the tariff quota.

7. If the quantities requested for drawing from a tariff quota are greater than the balance available, allocation shall be made on a pro rata basis with respect to the requested quantities.

8. For the purposes of this Article, acceptance of a declaration by the customs authorities on 1, 2 or 3 January shall be regarded as acceptance on 3 January. However, if one of those days falls on a Saturday or a Sunday, such acceptance shall be regarded as having taken place on 4 January.

9. Where a new tariff quota is opened, drawings shall not be granted by the Commission before the 11th working day following the date of publication of the provision which created that tariff quota.

10. Member States shall immediately return to the Commission the amount of drawings which they do not use. However, where an erroneous drawing representing a customs debt of ECU 10 or less is discovered after the first month following the end of the period of validity of the tariff quota concerned, Member States need not make a return.

11. If the customs authorities invalidate a declaration for release for free circulation in respect of goods which are the subject of a request for benefit of a tariff quota, the complete request shall be cancelled in respect of those goods. The Member States concerned shall immediately return to the Commission any quantity drawn, in respect of those goods, from the tariff quota.

12. Details of drawings requested by individual Member States shall be treated by the Commission and other Member States as confidential.

#### *Article 308b*

1. The Commission shall make an allocation each working day, except:

- days which are holidays for the Community institutions in Brussels, or
- in exceptional circumstances, any other day, provided that the competent authorities of the Member States have been informed in advance.

2. Subject to Article 308a (8), any allocation shall take into account all unanswered requests which relate to declarations for release for free circulation accepted up to and including the second previous day, and which have been communicated to the Commission.

#### *Article 308c*

1. A tariff quota shall be considered, after the first allocation, as non-critical in cases where:

- a tariff quota for the same products and origins, opened in each of the last two years for a minimum period of six months, was not exhausted before the last working day of the seventh month of its quota period during those two years, and
- the initial volume of the new tariff quota is not less than each of those of the last two years.

2. As soon as 75 % of the initial volume of a non-critical tariff quota has been used, or at the discretion of the competent authorities, that tariff quota shall thereafter be considered as critical.

### Section 2

#### Surveillance of preferential imports

##### *Article 308d*

1. Where Community surveillance of preferential imports is to be made, the Member States shall provide to the Commission once each month, or at more frequent intervals if requested by the Commission, details of the quantities of products put into free circulation with the benefit of preferential tariff arrangements during the previous months.

2. The surveillance reports of the Member States shall indicate the total quantities put into free circulation, since the first day of the period concerned, with the benefit of the preferential tariff arrangements.

3. The Member States shall transmit their monthly surveillance reports to the Commission no later than the 15th day of the month following the end of the period being reported on.

4. The information communicated by individual Member States shall be treated as confidential;

5. the following paragraph shall be added to Article 417:

'The label referred to in the first paragraph may be replaced by a stamp reproducing the pictogram shown in Annex 58 in green ink.'

6. Article 426 shall be replaced by the following text:

##### *Article 426*

Where the Community transit procedure is applicable, formalities under that procedure shall be simplified in accordance with Articles 427 to 442 for goods carried by the railway companies in large containers using transport undertakings as intermediaries, under cover of transfer notes referred to as "TR

transfer notes". Such operations may include the dispatch of consignments by transport undertakings using modes of transport other than rail, to the nearest suitable railway station to the point of loading and from the nearest suitable railway station to the point of unloading, and any transport by sea in the course of the movement between those two stations.;

7. the following point 5 shall be added to Article 427:

'5. "nearest suitable railway station" means a railway station or terminal nearest to the point of loading or unloading, which is equipped to handle the large containers defined in point 2.;

8. the following paragraph shall be added to Article 432:

'The label referred to in the first paragraph may be replaced by a stamp reproducing the pictogram shown in Annex 58 in green ink.;

9. the second paragraph of Article 801 shall be deleted;

10. Article 840 (1) (a) shall be replaced by the following text:

'(a) the free zones in existence and in operation in the Community.;

11. the following points 8 and 9 shall be added to Article 859:

'8. in the case of goods eligible on release for free circulation for the total or partial relief from import duties referred to in Article 145 of the Code, the existence of one of the situations referred to in Article 204 (1) (a) or (b) of the Code while the goods concerned are in temporary storage or under another customs procedure before being released for free circulation;

9. in the case of inward processing operations carried out on an ongoing basis, the failure to request renewal of the requisite authorization even though the conditions for its issue have been met.;

12. Article 900 shall be amended as follows:

(a) in paragraph 2, the following subparagraph is inserted between the second and subparagraphs:

'However, concerning the cases referred to in paragraph 1 (g), (i) and (l), the decision-making authority may, if requested, permit re-export of the goods to be replaced by placing them under the customs warehousing arrangements, or in a free zone or free warehouse.;

(b) in paragraph 3, 'and (i)' is deleted;

13. Annex 77 shall be amended in accordance with Annex I hereto;

14. Annex 78 shall be amended in accordance with Annex II hereto;

15. Annex 79 shall be amended in accordance with Annex III hereto;

16. Annex 87 shall be amended in accordance with Annex IV hereto;

17. Annex 108 shall be deleted.

#### *Article 2*

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

Points 1 and 4 of Article 1 shall apply from 1 January 1998.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Mario MONTI

*Member of the Commission*

## ANNEX I

In Annex 77, the text of order numbers 131 and 132 is replaced by the following:

Import goods		Numerical order	Compensating products		Quantity of compensating products for each 100 kg of imported goods (kg) <sup>(2)</sup>
CN code	Description		Code <sup>(1)</sup>	Description	
(1)		(2)	(3)	(4)	(5)
'1509 10 10	Lampante virgin olive oil	131	ex 1509 90 00 ex 1519 19 90	(a) Olive oil, refined, or olive oil (b) Acid oils from refining <sup>(15)</sup>	98,00
1510 00 10	Unrefined olive-pomace oil	132	ex 1510 00 90 ex 1522 00 39 ex 1519 19 90	(a) Olive-pomace oil, refined, or olive-pomace oil (b) Stearin (c) Acid oils of refining <sup>(15a)</sup>	95,00 3,00

<sup>(1)</sup> Twice the percentage expressed as oleic acid of the lampante virgin olive oil shall be deducted from the quantity of product shown in column 5 for refined olive oil/olive oil and shall constitute the quantity of acid oil of refining.

<sup>(15a)</sup> Twice the percentage expressed as oleic acid of the unrefined olive-residue oil shall be deducted from the quantity of product shown in column 5 for refined olive-residue oil/olive-residue oil and shall constitute the quantity of acid oil of refining.'

## ANNEX II

In Annex 78, the following points are added:

**5. Maize**

Recourse to equivalent compensation between Community and non-Community maize is possible only in the following cases and subject to the following conditions:

1. In the case of maize for use in animal feed, equivalent compensation is possible provided that a customs control system is set up to ensure that the non-Community maize is in fact used for processing into animal feed.
2. In the case of maize used in the manufacture of starch and starch products, equivalent compensation is possible between all varieties with the exception of maizes rich in amylopectin (waxy-like maize or "waxy" maize) which are only equivalent between themselves.
3. In the case of maize used in the manufacture of meal products, equivalent compensation is possible between all varieties with the exception of maizes of the vitreous type ("Plata" maize of the "Duro" type, "Flint" maize) which are only equivalent between themselves.

**6. Olive oil**

A. Recourse to equivalent compensation is permitted only in the following cases and under the following conditions:

*1. Virgin olive oil*

- (a) Between Community extra virgin olive oil falling within CN code 1509 10 90 which corresponds to the description in point 1 (a) of the Annex to Council Regulation No 136/66/EEC ("), as last amended by Regulation (EC) No 1581/96 ("), and non-Community extra virgin olive oil of the same CN code, provided that the processing operation produces extra virgin olive oil falling within the same CN code and satisfying the requirements of the said point 1 (a).
- (b) Between Community virgin olive oil falling within CN code 1509 10 90 which corresponds to the description in point 1 (b) of the Annex to Regulation No 136/66/EEC and non-Community virgin olive oil of the same CN code, provided that the processing operation produces virgin olive oil falling within the same CN code and satisfying the requirements of the said point 1 (b).
- (c) Between Community ordinary virgin olive oil falling within CN code 1509 10 90 which corresponds to the description in point 1 (c) of the Annex to Regulation No 136/66/EEC and non-Community ordinary virgin olive oil of the same CN code, provided that the compensating product is:
  - refined olive oil falling within CN code 1509 90 00 which corresponds to the description in point 2 of the abovementioned Annex,
  - olive oil falling within CN code 1509 90 00 which corresponds to the description in point 3 of the said Annex and is obtained by blending with Community virgin olive oil falling within CN code 1509 10 90.
- (d) Between Community lampante virgin olive oil falling within CN code 1509 10 10 which corresponds to the description in point 1 (d) of the Annex to Regulation No 136/66/EEC and non-Community lampante virgin olive oil of the same CN code, provided that the compensating product is:
  - refined olive oil falling within CN code 1509 90 00 which corresponds to the description in point 2 of the abovementioned Annex, or
  - olive oil falling within CN code 1509 90 00 which corresponds to the description in point 3 of the said Annex and is obtained by blending with Community virgin olive oil falling within CN code 1509 10 90.



## 2. *Olive-pomace oil*

Between Community unrefined olive-pomace oil falling within CN code 1510 00 10 which corresponds to the description in point 4 of the Annex to Regulation No 136/66/EEC and non-Community unrefined olive-pomace oil of the same CN code, provided that the olive-pomace oil compensating product falling within CN code 1510 00 90 and corresponding to the description in point 6 of the said Annex is obtained by blending with Community virgin olive oil falling within CN code 1509 10 90.

- B. The blending referred to in point A.1 (c) second indent and (d) second indent and point A.2, with non-Community virgin olive oil, used in an identical manner, are authorized only where the arrangements for supervision of the procedure are organized in a manner that makes it possible to identify the proportion of non-Community virgin olive oil in the total quantity of blended oil exported.
- C. The compensating products must be put into immediate packaging of 220 litres or less. By way of derogation, in the case of agreed containers of 20 tonnes maximum, the customs authorities may allow the exportation of the oils found in the preceding points on condition that there is systematic control of the quality and quantity of the exported product.
- D. Equivalence shall be checked by using commercial records to verify the quantity of oils used for blending and, for the purpose of verifying the quality concerned, by comparing the technical characteristics of samples of the non-Community oil taken when it was entered for the procedure with the technical characteristics of the samples of the Community oil used taken when the compensating product concerned was processed against the technical characteristics of the samples taken at the time of actual exportation of the compensating product at the point of exit.

Samples shall be taken in accordance with international standards EN ISO 5555 (sampling) and EN ISO 661 (sending of samples to laboratories and preparation of samples for tests). The analysis shall be carried out with reference to the parameters in Annex I to Commission Regulation (EEC) No 2568/91 (\*\*), as last amended by Regulation (EEC) No 2527/95 (\*\*\*\*).

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(\*) OJ No L 172, 30. 9. 1996, p. 3025/66.

(\*\*) OJ No L 206, 16. 8. 1996, p. 11.

(\*\*\*) OJ No L 248, 5. 9. 1991, p. 1.

(\*\*\*\*) OJ No L 258, 28. 10. 1995, p. 49.

*ANNEX III*

In Annex 79, the following order number 69a is inserted

Serial No	CN code and description of the compensating products		Processing operations from which they result
'69a	ex 2827 51 00	Solution of potassium bromide	1,3-bromochloropropane of CN code 2903 49 80'

*ANNEX IV*

In Annex 87, the following point is added:

Order No	Column 1	Column 2
	Goods for which processing under customs control is authorized	Processing which may be carried out
'17	Motor chassis fitted with cabs, of CN code 8704 21 31	Processing into fire engines fitted with integral fire fighting and/or life-saving equipment, of CN code 8705 30 00'

## COMMISSION REGULATION (EC) No 1428/97

of 23 July 1997

amending Regulation (EEC) No 2037/93 laying down detailed rules of application of Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1068/97 <sup>(2)</sup>, and in particular Article 16 thereof,

Whereas Article 5 of Commission Regulation (EEC) No 2037/93 of 27 July 1993 laying down detailed rules of application of Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(3)</sup> provides for measures to inform the public of the meaning of 'PDO', 'PGI', 'protected designation of origin' and 'protected geographical indication' in the Community languages; whereas the adoption and application of these measures, notably by implementing a Community information campaign directed at Community producers, distributors and consumers, has shown the usefulness and effectiveness in particular of a Community symbol for communicating the desired message;

Whereas this Community symbol would thus be the best way of informing consumers of the existence of the PDOs and PGIs, and of encouraging producers to use the Community scheme and distributors to market the products in question; whereas this falls within the objectives laid down by Regulation (EEC) No 2081/92 and would respond to the expectations of the Member States and economic operators;

Whereas a Community symbol should therefore be created for which the names registered under Regulation (EEC) No 2081/92 would qualify; whereas this symbol may appear only on the agricultural products and foodstuffs that comply with that Regulation and are authorized to bear the expressions or abbreviations 'PDO', 'PGI', 'protected designation of origin', 'protected geographical indication' or the equivalent national traditional expressions; whereas these can be used without the symbol;

Whereas, given the positive and useful impact of the information measures introduced to disseminate awareness of Regulation (EEC) No 2081/92 and the abbreviations and expressions provided for by it, the time limit laid down in Regulation (EEC) No 2037/93 should be extended by four years so that their effectiveness may be prolonged and increased;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on Geographical Indications and Designations of Origin,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2037/93 is hereby amended as follows:

1. The following paragraph is added to Article 5:

"The five-year time limit provided for in the preceding paragraph is hereby extended by four years. The information measures implemented shall be evaluated."

2. The following Article 5a is inserted:

*Article 5a*

1. The names registered as protected designations of origin (PDOs) or protected geographical indications (PGIs) may be accompanied by a Community symbol to be determined in accordance with the procedure laid down in Article 15 of Regulation (EEC) No 2081/92.

2. The Community symbol may appear only on products which comply with Regulation (EEC) No 2081/92.

3. "PDO", "PGI", "protected designation of origin", "protected geographical indication" and the equivalent national traditional expressions may be used without the Community symbol."

*Article 2*

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

<sup>(1)</sup> OJ No L 208, 24. 7. 1992, p. 1.

<sup>(2)</sup> OJ No L 156, 13. 6. 1997, p. 10.

<sup>(3)</sup> OJ No L 185, 28. 7. 1993, p. 5.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1429/97

of 23 July 1997

amending Regulation (EC) No 832/97 laying down detailed rules for the application of Council Regulation (EC) No 2275/96 introducing specific measures for live plants and floricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2275/96 of 22 November 1996 introducing specific measures for live plants and floricultural products<sup>(1)</sup>, and in particular Article 5 thereof,

Whereas Article 2 (3) of Commission Regulation (EC) No 832/97<sup>(2)</sup>, as amended by Regulation (EC) No 931/97<sup>(3)</sup>, provides that measures receiving other national or regional assistance shall not be eligible; whereas it was not intended that this provision should exclude the use in the framework of measures referred to in Regulation (EC) No 832/97 of funds deriving from compulsory charges on operators in the sector of live plants and floricultural products in respect of products obtained entirely in the Member State concerned; whereas in order to dispel uncertainty on this point, it is desirable to amend the provision;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The following sentence is added to the first indent of Article 2 (3) of Regulation (EC) No 832/97:

‘The use of funds deriving from compulsory charges on operators in the sector of live plants and floricultural products in respect of products obtained entirely in the Member State concerned shall not be deemed to constitute national or regional assistance.’

*Article 2*

This Regulation shall enter into force on the day 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, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 308, 29. 11. 1996, p. 7.

<sup>(2)</sup> OJ No L 119, 8. 5. 1997, p. 17.

<sup>(3)</sup> OJ No L 135, 27. 5. 1997, p. 1.

## COMMISSION REGULATION (EC) No 1430/97

of 23 July 1997

**amending Regulation (EC) No 1588/94 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community of the one part and Bulgaria and Romania of the other part**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part<sup>(1)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part<sup>(2)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations<sup>(3)</sup>, as last amended by Regulation (EC) No 2490/96<sup>(4)</sup>, and in particular Article 8 thereof,

Whereas Article 4 (1) of Commission Regulation (EC) No 1588/94<sup>(5)</sup>, as last amended by Regulation (EC) No 1117/97<sup>(6)</sup>, stipulates that licence applications for the three months from 1 July to 30 September 1997 may only be lodged during a ten-day period starting 15 July;

Whereas, in order to permit the application from 1 July 1997 of the results of the negotiations on the Additional Protocols to the Europe Agreements as regards the agricultural sector, in anticipation of the entry into force of the Additional Protocols themselves, Regulation (EC) No 3066/95 should be amended; whereas it was not possible for the Council to decide on the proposed amendment before 1 July 1997; whereas, therefore, because of the exceptional circumstances and in order to guarantee proper administration of the arrangements, the period for the lodging of licence applications for the third quarter of 1997 should be put back by 15 additional days;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 4 (1) of Regulation (EC) No 1588/94, the last subparagraph is replaced by the following:

'However, for the three months from 1 July to 30 September 1997, licence applications may only be lodged during a period of 10 days commencing on 1 August'.

*Article 2*

This Regulation shall enter into force on the third 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, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 368, 31. 12. 1994, p. 5.

<sup>(2)</sup> OJ No L 368, 31. 12. 1994, p. 1.

<sup>(3)</sup> OJ No L 328, 30. 12. 1995, p. 31.

<sup>(4)</sup> OJ No L 338, 28. 12. 1996, p. 13.

<sup>(5)</sup> OJ No L 167, 1. 7. 1994, p. 8.

<sup>(6)</sup> OJ No L 163, 20. 6. 1997, p. 9.

## COMMISSION REGULATION (EC) No 1431/97

of 23 July 1997

amending Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agricultural sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations<sup>(1)</sup>, as last amended by Regulation (EC) No 1161/97<sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas Commission Regulation (EEC) No 2245/90<sup>(3)</sup>, as last amended by Regulation (EC) No 1313/96<sup>(4)</sup>, lays down transitional measures, applicable until 30 June 1997, to facilitate the transition to the arrangements for importing cereal substitute products and processed cereal and rice products as provided for in Regulation (EEC) No 2245/90 with a view to the implementation of the Agreement on agriculture concluded during the Uruguay Round of multilateral trade negotiations;

Whereas the period for taking the transitional measures was extended to 30 June 1998 by Regulation (EC) No 1161/97 extending the period for implementing the agreements concluded under the Uruguay Round of multilateral trade negotiations; whereas, pending the adoption by the Council of a definitive measure, the aforementioned measures should be extended until 30 June 1998;

Whereas in order to take account of the existing import arrangements in the cereals sector and those resulting from the Agreement on agriculture concluded during the Uruguay Round of multilateral trade negotiations, transitional measures are necessary to adjust the preferential concessions in the form of exemption for the import levy on certain products covered by CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and the OCT;

Whereas Regulation (EEC) No 2245/90 laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes

0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific States or in overseas countries and territories lays down detailed rules for the application of those arrangements as they concern preferential conditions in the form of exemption from the import levy for products covered by CN codes 0714 10 91 and 0714 90 11; whereas, since the levies are being replaced by customs duties and the advance fixing of the import charge is being suspended from 1 July 1995, it is necessary to make transitional adjustments to those provisions from that date;

Whereas the rates of the customs duties under the Common Customs Tariff shall be those applicable on the date of the declaration for release of the imported goods for free circulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2245/90 is hereby amended as follows:

1. Article 1 is replaced by the following articles:

*'Article 1*

1. For the purposes of Article 14 (1) of Council Regulation (EEC) No 715/90<sup>(5)</sup>, the customs duties on imports of products listed in Annex A to Regulation (EEC) No 1766/92 and Article 1 (1) (c) of Regulation (EEC) No 3072/95 and originating in the ACP States shall be as set out in the Annex hereto.

2. Without prejudice to paragraph 1, the reduced customs duties listed in the Annex hereto on imports of the products designated below and originating in the ACP States shall be reduced by:

— ECU 2,19 per 1 000 kg in the case of products falling within CN codes 0714 10 99 and ex 0714 90 19, with the exception of arrowroot,

<sup>(1)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(2)</sup> OJ No L 169, 27. 6. 1997, p. 1.

<sup>(3)</sup> OJ No L 203, 1. 8. 1990, p. 47.

<sup>(4)</sup> OJ No L 170, 9. 7. 1996, p. 11.

- ECU 4,38 per 1 000 kg in the case of products falling within CN codes 0714 10 10 and ex 1106 20, with the exception of arrowroot flour and meal,
- 50 % in the case of products falling within CN codes 1108 14 00 and ex 1108 19 90, with the exception of arrowroot starch.

3. Notwithstanding paragraph 1, the customs duties on imports of the following products originating in the ACP States shall not be levied thereon:

- sweet potatoes falling within CN code 0714 20 10,
- products falling within CN code 0714 10 91,
- arrowroot falling within CN code 0714 90 11 and ex 0714 90 19,
- arrowroot flour and meal falling within CN code ex 1106 20,
- arrowroot starch falling within CN code ex 1108 19 90.

#### Article 1a

The detailed rules for the application of the import arrangements shall be as set out in Articles 2 to 8 as regards:

- products falling within CN codes 0714 10 91 and 0714 90 11 originating in the ACP States and imported into the Community (Title I),
- products falling within CN code 0714 90 11 originating in the ACP States or the OCT and imported into the French overseas territories (Title II).

(<sup>1</sup>) OJ No L 84, 30. 3. 1990, p. 85.

2. Article 2 (2) is replaced by the following:

— *Producto ACP/PTU:*

- exención del derecho de aduana
- apartado 2 del artículo 1 y apartados 1 y 3 del artículo 14 del Reglamento (CEE) n° 715/90

— *AVS/OLT-produkt:*

- toldfritagelse
- forordning (EØF) nr. 715/90: artikel 1, stk. 2, og artikel 14, stk. 1 og 3

— *Erzeugnis AKP/ÜLG:*

- Zollfrei
- Verordnung (EWG) Nr. 715/90, Artikel 1 Absatz 2 und Artikel 14 Absätze 1 und 3

— *προϊόν ΑΚΕ/ΥΧΕ:*

- Απαλλαγή από τους τελωνειακούς δασμούς
- άρθρο 1 παράγραφος 2 και άρθρο 14 παράγραφοι 1 και 3 του κανονισμού (ΕΟΚ) αριθ. 715/90

— *ACP/OCT product:*

- exemption from customs duty
- Regulation (EEC) No 715/90, Article 1 (2) and Article 14 (1) and (3)

— *produit ACP/PTOM:*

- exemption du droit de douane
- règlement (CEE) n° 715/90, article 1<sup>er</sup> paragraphe 2 et article 14 paragraphes 1 et 3

— *prodotto ACP/PTOM:*

- esenzione dal dazio doganale
- regolamento (CEE) n. 715/90, articolo 1, paragrafo 2 e articolo 14, paragrafi 1 e 3

— *Product ACS/LGO:*

- vrijgesteld van douanerecht
- Verordening (EEG) nr. 715/90: artikel 1, lid 2, en artikel 14, leden 1 en 3

— *produto ACP/PTU:*

- isenção do direito aduaneiro
- Regulamento (CEE) n° 715/90, n° 2 do artigo 1° e n.ºs 1 e 3 do artigo 14°

— *AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote*

- Tullivapaa
- asetuksen (ETY) N:o 715/90 1 artiklan 2 kohta ja 14 artiklan 1 ja 3 kohta

— *AVS/ULT-produkt:*

- Tullfri
- Förordning (EEG) nr 715/90 artiklarna 1.2, 14.1 och 14.3.

3. Article 4 (3) is replaced by the following:

‘3. The licence shall contain one of the following entries in box 24:

— *Producto ACP/PTU:*

- exención del derecho de aduana
- apartado 1 del artículo 24 del Reglamento (CEE) n° 715/90
- exclusivamente válido para el despacho a libre práctica en los departamentos de Ultramar

— *AVS/OLT-produkt:*

- toldfritagelse
- forordning (EØF) nr. 715/90: artikel 24, stk. 1
- gælder udelukkende for overgang til fri omsætning i de oversøiske departementer



- Erzeugnis AKP/ÜLG:
  - Zollfrei
  - Verordnung (EWG) Nr. 715/90 Artikel 24 Absatz 1
  - Gilt ausschließlich für die Abfertigung zum freien Verkehr in den französischen überseeischen Departements
- προϊόν ΑΚΕ/ΥΧΕ:
  - Απαλλαγή από τους τελωνειακούς δασμούς
  - άρθρο 1 παράγραφος 2 και άρθρο 14 παράγραφοι 1 και 3 του κανονισμού (ΕΟΚ) αριθ. 715/90
  - ισχύει αποκλειστικά για τη θέση σε ελεύθερη κυκλοφορία στα υπερπόντια διαμερίσματα
- ACP/OCT product:
  - exemption from customs duty
  - Regulation (EEC) No 715/90, Article 24 (1)
  - valid exclusively for release for free circulation in the overseas departments
- produit ACP/PTOM:
  - exemption du droit de douane
  - règlement (CEE) n° 715/90, article 24 paragraphe 1
  - exclusivement valable pour une mise en libre pratique dans les départements d'outre-mer
- prodotto ACP/PTOM:
  - esenzione dal dazio doganale
  - regolamento (CEE) n. 715/90, articolo 24, paragrafo 1
  - valido esclusivamente per l'immissione in libera pratica nei DOM
- Product ACS/LGO:
  - vrijgesteld van douanerecht
  - Verordening (EEG) nr. 715/90, artikel 24, lid 1
  - geldt uitsluitend voor het in het vrije verkeer brengen in de Franse overzeese departementen
- produto ACP/PTU:
  - isenção do direito aduaneiro
  - Regulamento (CEE) n° 715/90, n° 1 do artigo 24º
  - válido exclusivamente para uma introdução em livre prática nos departamentos ultramarinos
- AKT-maista/Merentakaisista maista ja merentakaisilta alueilta peräisin oleva tuote
  - Tullivapaa
  - asetuksen (ETY) N:o 715/90 24 artiklan 1 kohta
  - voimassa ainoastaan merentakaisilla alueilla vapaaseen liikkeeseen laskemiseksi
- AVS/ULT-produkt:
  - Tullfri
  - Förordning (EEG) nr 715/90 artikel 24.1
  - Uteslutande avsedd för övergång till fri omsättning i de utomeuropeiska länderna och territorierna.

4. The Annex to this Regulation is added.

#### Article 2

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

It shall apply from 1 July 1997 to 30 June 1998.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX

CN code	Description	Customs duty applicable
1	2	3
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith:	
0714 10	— Manioc (cassava):	
0714 10 10	— — Pellets of flour and meal	ECU 11,8/100 kg/net
	— — Other:	
0714 10 91	— — — Of a kind used for human consumption in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 12,2/100 kg/net
0714 10 99	— — — Other	ECU 11,8/100 kg/net
0714 90	— Other:	
	— — Arrowroot, salep and similar roots and tubers with high starch content:	
0714 90 11	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	ECU 12,2/100 kg/net
0714 90 19	— — — Other	ECU 11,8/100 kg/net
1102	Cereal flours other than that of wheat or meslin (1):	
1102 20	— Maize (corn) flour:	
1102 20 10	— — Of a fat content not exceeding 1,5 % by weight	ECU 214,7/t
1102 20 90	— — Other	ECU 121,9/t
1102 30 00	— Rice flour	ECU 172,9/t
1102 90	— Other:	
1102 90 10	— — Barley flour	ECU 211,7/t
1102 90 30	— — Oat flour	ECU 203,2/t
1102 90 90	— — Other	ECU 121,9/t
1103	Cereal groats, meal and pellets (1):	
	Groats and meal:	
1103 12 00	— Of oats:	ECU 203,2/t
1103 13	— — Of maize (corn):	
1103 13 10	— — — Of a fat content not exceeding 1,5 % by weight:	ECU 214,7/t
1103 13 90	— — — Other	ECU 121,9/t
1103 14 00	— — Of rice	ECU 172,9/t
1103 19	— — Of other cereals:	
1103 19 10	— — — Of rye	ECU 211,7/t
1103 19 30	— — — Of barley	ECU 211,7/t
1103 19 90	— — — Other	ECU 121,9/t
	— Pellets:	
1103 21 00	— — Of wheat	ECU 217,2/t
1103 29	— — Of other cereals:	
1103 29 10	— — — Of rye	ECU 211,7/t

CN code	Description	Customs duty applicable
1	2	3
1103 29 20	— — — Of barley	ECU 211,7/t
1103 29 30	— — — Of oats	ECU 203,2/t
1103 29 40	— — — Of maize	ECU 214,7/t
1103 29 50	— — — Of rice	ECU 172,9/t
1103 29 90	— — — Other	ECU 121,9/t
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006: germ of cereals, whole, rolled, flaked or ground (!):	
	— Rolled or flaked grains:	
1104 11	— — Of barley:	
1104 11 10	— — — Rolled	ECU 120,4/t
1104 11 90	— — — Flaked	ECU 235,2/t
1104 12	— — Of oats:	
1104 12 10	— — — Rolled	ECU 115,4/t
1104 12 90	— — — Flaked	ECU 226,2/t
1104 19	— — Of other cereals:	
1104 19 10	— — — Of wheat	ECU 217,2/t
1104 19 30	— — — Of rye	ECU 211,7/t
1104 19 50	— — — Of maize	ECU 214,7/t
	— — — Other:	
1104 19 91	— — — — Flaked rice	ECU 292,7/t
1104 19 99	— — — — Other	ECU 214,7/t
	— Other worked grains (for example, hulled, pearled, sliced or kibbled):	
1104 21	— — Of barley:	
1104 21 10	— — — Hulled (shelled or husked)	ECU 188,9/t
1104 21 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 188,9/t
1104 21 50	— — — Pearled	ECU 295,2/t
1104 21 90	— — — Not otherwise worked than kibbled	ECU 120,4/t
1104 21 99	— — — Other	ECU 120,4/t
1104 22	— — Of oats:	
1104 22 20	— — — Hulled (shelled or husked)	ECU 203,9/t
1104 22 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	ECU 203,9/t
1104 22 50	— — — Pearled	ECU 181,9/t
1104 22 90	— — — Not otherwise worked than kibbled	ECU 115,4/t
1104 22 98	— — — — Other	ECU 115,4/t
1104 23	— — Of maize:	
1104 23 10	— — — Hulled (shelled or husked), whether or not sliced or kibbled	ECU 191,4/t
1104 23 30	— — — Pearled	ECU 191,4/t
1104 23 90	— — — Not otherwise worked than kibbled	ECU 121,9/t
1104 23 99	— — — Other	ECU 121,9/t
1104 29	— — Of other cereals:	
	— — — Hulled (shelled or husked) whether or not sliced or kibbled:	
1104 29 11	— — — — Of wheat	ECU 161,4/t
1104 29 15	— — — — Of rye	ECU 161,4/t

CN code	Description	Customs duty applicable
1	2	3
1104 29 19	— — — — Other	ECU 161,4/t
	— — — Pearled:	
1104 29 31	— — — — Of wheat	ECU 193,9/t
1104 29 35	— — — — Of rye	ECU 193,9/t
1104 29 39	— — — — Other	ECU 193,9/t
	— — — Not otherwise worked than kibbled:	
1104 29 51	— — — — Of wheat	ECU 123,4/t
1104 29 55	— — — — Of rye	ECU 120,4/t
1104 29 59	— — — — Other	ECU 121,9/t
	— — — Other:	
1104 29 81	— — — — Of wheat	ECU 123,4/t
1104 29 85	— — — — Of rye	ECU 120,4/t
1104 29 89	— — — — Other	ECU 121,9/t
1104 30	— Germ of cereals, whole, rolled, flaked or ground:	
1104 30 10	— — Of wheat	ECU 89,7/t
1104 30 90	— — Other	ECU 88,7/t
1106	Flour, meal and powder of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714 or of the products of Chapter 8:	
1106 20	— Of sago or of roots or tubers of heading No 0714:	
1106 20 10	— — Denatured <sup>(2)</sup>	ECU 117,9/t
1106 20 90	— — Other	ECU 188,2/t
1108	— Starches; inulin:	
	— Starches:	
1108 11 00	— — Wheat starch	ECU 262,2/t
1108 12 00	— — Maize (corn) starch	ECU 188,2/t
1108 13 00	— — Potato starch	ECU 188,2/t
1108 14 00	— — Manioc (cassava) starch	ECU 188,2/t
1108 19	— — Other starches:	
1108 19 10	— — — Rice starch	ECU 239,8/t
1108 19 90	— — — Other	ECU 188,2/t
1109 00 00	Wheat gluten, whether or not dried	ECU 437/t
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey; whether or not mixed with natural honey; caramel:	
1702 30	— Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:	
	— — Other:	
	Other:	
1702 30 51	— — — — In the form of white crystalline powder, whether or not agglomerated	ECU 22,6/100 kg/net
1702 30 59	— — — — Other	ECU 17,5/100 kg/net
1702 30 91	— — — — In the form of white crystalline powder, whether or not agglomerated	ECU 22,6/100 kg/net
1702 30 99	— — — — Other	ECU 17,5/100 kg/net

CN code	Description	Customs duty applicable
1	2	3
1702 40	– Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose:	
1702 40 90	– – Other	ECU 17,5/100 kg/net
1702 90	– Other, including invert sugar:	
1702 90 50	– – Maltodextrine and maltodextrine syrup	ECU 17,5/100 kg/net
	– – Caramel:	
	– – – Other:	
1702 90 75	– – – In the form of powder, whether or not agglomerated	ECU 23,8/100 kg/net
1702 90 79	– – – Other	ECU 16,5/100 kg/net
2106	Food preparations not elsewhere specified or included:	
2106 90	– Other:	
	– – Flavoured or coloured sugar syrups:	
	– – – Other:	
2106 90 55	– – – Glucose syrup and maltodextrine	ECU 17,5/100 kg/net
2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants:	
2302 10	– Of maize (corn):	
2302 10 10	– – With a starch content not exceeding 35 % by weight	ECU 48,8/t
2302 10 90	– – Other	ECU 106,8/t
2302 20	– Of rice:	
2302 20 10	– – With a starch content not exceeding 35 % by weight	ECU 48,8/t
2302 20 90	– – Other	ECU 106,8/t
2302 30	– Of wheat:	
2302 30 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 48,8/t
2302 30 90	– – Other	ECU 106,8/t
2302 40	– Of other cereals:	
2302 40 10	– – Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	ECU 48,8/t
2302 40 90	– – Other	ECU 106,8/t
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:	
2303 10	– Residues of starch manufacture and similar residues:	
2303 10 11	– – Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product:	
	– – – exceeding 40 % by weight	ECU 191/t

CN code	Description	Customs duty applicable
1	2	3
2309	Preparations of a kind used in animal feeding:	
ex 2309 10	— Dog or cat food, put up for retail sale:	
	— — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products:	
	— — — Containing starch, glucose, syrup, maltodextrine or maltodextrine syrup:	
	— — — — Containing no starch or containing 10 % or less by weight of starch:	
2309 10 11	— — — — — Containing no milk products or containing less than 10 % by weight of such products	exemption
2309 10 13	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 627,1/t
2309 10 31	— — — — — Containing no milk products or containing less than 10 % by weight of milk products	exemption
2309 10 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 668,1/t
2309 10 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 119,6/t
2309 10 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 728,6/t
ex 2309 90	— Other:	
	— — Other:	
	— — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products:	
	— — — — Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup:	
	— — — — — Containing no starch or containing 10 % or less by weight of starch:	
2309 90 31	— — — — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 18,6/t
2309 90 33	— — — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 627,1/t
2309 90 41	— — — — — — Containing no milk products or containing less than 10 % by weight of such products	ECU 59,6/t
2309 90 43	— — — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 668,1/t
2309 90 51	— — — — — — Containing no milk products or containing less than 10 % by weight of milk products	ECU 119,6/t
2309 90 53	— — — — — — Containing not less than 10 % but less than 50 % by weight of milk products	ECU 728,6/t

(<sup>1</sup>) For the purpose of distinguishing between products covered by CN codes 1102, 1103 and 1104 and those covered by CN codes 2302 10 to 2302 40, products covered by CN codes 1102, 1103 and 1104 are those having both of the following:

- a starch content (determined by the modified Ewers polarimetric method) exceeding 45 % by weight referred to dry matter,
- an ash content by weight, referred to dry matter (after deduction of any added mineral matter), not exceeding 1,6 % for rice, 2,5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whether or not in the form of flour, is covered in all cases by CN codes 1101 00 00 and 1102.

(<sup>2</sup>) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

## COMMISSION REGULATION (EC) No 1432/97

of 23 July 1997

amending Regulation (EC) No 3582/93 on detailed rules for the application of  
Council Regulation (EEC) No 2073/92 on promoting consumption in the  
Community and expanding the markets for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2073/92 on promoting consumption in the Community and expanding the markets for milk and milk products <sup>(1)</sup>, and in particular Article 4 thereof,

Whereas Article 6 (2) of Commission Regulation (EC) No 3582/93 of 21 December 1993 on detailed rules for the application of Council Regulation (EEC) No 2073/92 on promoting consumption in the Community and expanding the markets for milk and milk products <sup>(2)</sup>, as last amended by Regulation (EC) No 1312/97 <sup>(3)</sup>, provides that the competent bodies shall conclude contracts for the selected measures with the successful applicants within one month of notification of the decision to the Member State; whereas this time limit expired on 27 June 1997 for the marketing year 1996/1997; whereas administrative problems of an exceptional nature relating to the internal structure of the successful German applicant have precluded the conclusion of such a contract within the deadline for the marketing year 1996/1997;

Whereas, as a result, a deadline of 27 July 1997 for the conclusion of the contract should be set for the marketing year 1996/1997 in the case of Germany; whereas the delay

in the conclusion of the contract will not necessitate a prolongation in the period for the accomplishment of the measures beyond the date that would otherwise have been applicable;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The second subparagraph to Article 6 (2) of Regulation (EC) No 3582/93 is replaced by the following text:

‘However, for the marketing year 1996/1997, in the case of Germany, the contracts for the selected measures with the successful applicants shall be concluded before 27 July 1997’.

*Article 2*

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

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 215, 30. 7. 1992, p. 67.

<sup>(2)</sup> OJ No L 326, 28. 12. 1993, p. 23.

<sup>(3)</sup> OJ No L 180, 9. 7. 1997, p. 8.

## COMMISSION REGULATION (EC) No 1433/97

of 23 July 1997

fixing the quantities of banana imports for supply to the Community for the fourth quarter of 1997

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas <sup>(1)</sup>, as last amended by Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Article 20 thereof,

Whereas Article 9 (1) of Commission Regulation (EEC) No 1442/93 <sup>(3)</sup>, as last amended by Regulation (EC) No 1409/96 <sup>(4)</sup>, provides that indicative quantities, expressed where necessary as percentages of the shares allocated to the various countries or groups of countries listed in Annex I to Commission Regulation (EC) No 478/95 <sup>(5)</sup>, as last amended by Regulation (EC) No 702/95 <sup>(6)</sup>, or of the quantities of those quotas available are to be fixed using data and forecasts relating to the Community market, for the purposes of issuing import licences for each quarter;

Whereas the tariff quota quantities available for imports from the countries or groups of countries listed in Annex I to Regulation (EC) No 478/95 for the fourth quarter of 1997 should be determined taking account on the one hand of the import licences issued during the first three quarters and on the other hand of the tariff quota provided for in Article 18 of Regulation (EEC) No 404/93 plus the quantity laid down in Commission Regulation (EC) No 1154/97 <sup>(7)</sup>;

Whereas, with a view to achieving the same objectives, the indicative quantities provided for in Article 14 (1) of Regulation (EEC) No 1442/93 should be fixed for the purposes of issuing licences for traditional banana imports from the African, Caribbean and Pacific (ACP) States;

Whereas this Regulation must enter into force immediately so that licence applications can be lodged in respect of the fourth quarter of 1997;

Whereas the Management Committee for Bananas has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The quantities available for import in respect of the fourth quarter of 1997 under the tariff quota arrangements for banana imports from the countries or groups of countries listed in Annex I to Regulation (EC) No 478/95 shall be as set out in Annex I hereto.

2. Applications for import licences in respect of the fourth quarter of 1997 from individual operators may not cover a quantity exceeding the difference between the quantity allocated to the operator pursuant to Article 4 (4) and Article 6 of Regulation (EEC) No 1442/93 and the total quantity covered by import licences issued to him in respect of the first three quarters. Import licence applications shall be accompanied by copies of any import licences issued to the operator in respect of the preceding quarters.

*Article 2*

Pursuant to Article 14 (1) of Regulation (EEC) No 1442/93, quantities available for traditional imports of bananas from the ACP States for the fourth quarter of 1997 shall be as set out in Annex II hereto.

*Article 3*

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

<sup>(1)</sup> OJ No L 47, 25. 2. 1993, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 142, 12. 6. 1993, p. 6.

<sup>(4)</sup> OJ No L 181, 20. 7. 1996, p. 13.

<sup>(5)</sup> OJ No L 49, 4. 3. 1995, p. 13.

<sup>(6)</sup> OJ No L 71, 31. 3. 1995, p. 84.

<sup>(7)</sup> OJ No L 168, 26. 6. 1997, p. 65.



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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## ANNEX I

Tariff quota quantities available for bananas imports from the countries or groups of countries listed in Annex I to Regulation (EC) No 478/95 in respect of the fourth quarter of 1997

TABLE 1

Country	Quantity (tonnes net weight)	
	Categories A and C	Category B
Colombia	83 305,639	30 495,609
Costa Rica	109 083,569	34 047,311
Nicaragua	29 351,222	21 864,542
Venezuela	26 863,424	

TABLE 2

Country	Quantity (tonnes net weight)	
	Quantity	
Non-traditional imports from ACP States:		
Dominican Republic	11 415,836	
Belize	4 279,984	
Côte d'Ivoire	2 387,884	
Cameroon	7 500,000	
Other ACP States	2 422,954	

TABLE 3

Country	Quantity (tonnes net weight)	
	Quantity	
Other	240 641,060	

## ANNEX II

**Quantities available for traditional imports of bananas from the ACP States in respect of the fourth quarter of 1997**

<i>(tonnes net weight)</i>	
Country	Quantity
Traditional imports from ACP States:	
Côte d'Ivoire	34 723,000
Cameroon	36 144,000
Suriname	11 900,000
Somalia	35 300,000
Jamaica	38 000,000
Windward Islands	164 729,000
Belize	9 500,000
Cape Verde	4 800,000
Madagascar	5 900,000

## COMMISSION REGULATION (EC) No 1434/97

of 23 July 1997

**amending Regulation (EC) No 1267/94 applying the agreements between the European Union and third countries on the mutual recognition of certain spirit drinks**

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

Having regard to Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks<sup>(1)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 11 thereof,

Whereas the European Union has signed an agreement with the United Mexican States on the mutual recognition and protection of designations in the spirit drinks sector; whereas that agreement provides for the application in the European Union of the measures necessary to ensure the protection of Mexican designations; whereas, in order to provide the aforementioned products with the guarantees laid down in the agreement with regard to control and protection, they should be added to the list of products covered by the agreements concluded by the European Union given in the Annex to Commission Regulation (EC) No 1267/94 of 1 June 1994 applying the

agreements between the European Union and third countries on the mutual recognition of certain spirit drinks<sup>(2)</sup>;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Implementation Committee for Spirit Drinks,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 1267/94 is hereby supplemented by the information set out in the Annex hereto.

*Article 2*

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

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 160, 12. 6. 1989, p. 1.

<sup>(2)</sup> OJ No L 138, 2. 6. 1994, p. 7.

*ANNEX*

Product description	Country of origin
Tequila	United Mexican States
Mezcal	United Mexican States

## COMMISSION REGULATION (EC) No 1435/97

of 23 July 1997

**determining the Member States in which the campaigns to promote the consumption of grape juice may be carried out in respect of the 1996/97 wine year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 536/97 <sup>(2)</sup>, and in particular Article 46 (5) and Article 81 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 150/95 <sup>(4)</sup>,

Whereas Article 1 (2) of Commission Regulation (EEC) No 3461/85 of 9 December 1985 on the organization of campaigns to promote the consumption of grape juice <sup>(5)</sup>, as last amended by Regulation (EC) No 1646/96 <sup>(6)</sup>, provides that the Member States in which the campaigns to promote the consumption of grape juice are to be carried out and the total amounts allocated for the financing of the campaigns in each of the said Member States must be determined for each wine year;

Whereas Article 4 (2) of Commission Regulation (EEC) No 2461/88 of 25 August 1988 laying down detailed rules for the application of the aid scheme for the use of grapes, grape must and concentrated grape must to produce grape juice <sup>(7)</sup>, as last amended by Regulation (EC) No 2122/95 <sup>(8)</sup>, fixes the proportion of the aid intended for financing the promotional campaign at 25 %;

Whereas Annex VII to Commission Regulation (EC) No 1650/96 of 16 August 1996 fixing the buying-in prices, aids and certain other amounts applicable for the 1996/97 wine year to intervention measures in the wine sector <sup>(9)</sup> fixes the amount of aid for the 1996/97 wine year;

Whereas the amount available for such financing depends on the quantities of products in respect of which aid is granted; whereas the amount available for financing the 1996/97 campaign measure is estimated at ECU 6 540 000;

Whereas Member States meeting the conditions for carrying out such promotional campaigns are those where such measures have been carried out in previous wine years;

Whereas, in order to ensure better management of the budget funds, it has proved necessary to fix a deadline for the signature and payment of contracts;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 1996/97 wine year, campaigns to promote the consumption of grape juice as provided for in Article 1 (1) of Regulation (EEC) No 3461/85 shall be carried out in Germany, Austria, France, Spain and the Netherlands.

The total amount for financing those campaigns shall be:

- ECU 2 120 000 in Germany,
- ECU 600 000 in Austria,
- ECU 1 700 000 in France,
- ECU 1 500 000 in Spain,
- ECU 620 000 in the Netherlands.

2. Contracts for that campaign shall be signed within nine months at the latest following the date of entry into force of this Regulation. The payment of contracts shall be made three months at the latest after the successful fulfilment of the contracts.

3. The amounts referred to in paragraph 1 shall be converted into national currencies using the agricultural conversion rate in force on 1 September 1997.

*Article 2*

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

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 83, 25. 3. 1997, p. 5.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(5)</sup> OJ No L 332, 10. 12. 1985, p. 22.

<sup>(6)</sup> OJ No L 207, 17. 8. 1996, p. 5.

<sup>(7)</sup> OJ No L 236, 26. 8. 1988, p. 25.

<sup>(8)</sup> OJ No L 212, 7. 9. 1995, p. 7.

<sup>(9)</sup> OJ No L 207, 17. 8. 1996, p. 10.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1436/97

of 23 July 1997

amending Regulation (EEC) No 584/92 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part<sup>(1)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part<sup>(2)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic of the other part<sup>(3)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part<sup>(4)</sup>, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of Multilateral Trade Negotia-

tions<sup>(5)</sup>, as last amended by Regulation (EC) No 2490/96<sup>(6)</sup>, and in particular Article 8 thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 584/92<sup>(7)</sup>, as last amended by Regulation (EC) No 1115/97<sup>(8)</sup>, stipulates that licence applications for the three months from 1 July to 30 September 1997 may only be lodged during a ten-day period starting 15 July;

Whereas, in order to permit the application from 1 July 1997 of the results of the negotiations on the Additional Protocols to the Europe Agreements as regards the agricultural sector, in anticipation of the entry into force of the Additional Protocols themselves, Regulation (EC) No 3066/95 should be amended; whereas it was not possible for the Council to decide on the proposed amendment before 1 July 1997; whereas, therefore, because of the exceptional circumstances and in order to guarantee proper administration of the arrangements, the period for the lodging of licence applications for the third quarter of 1997 should be put back by 15 additional days;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 4 (1) of Regulation (EEC) No 584/92, the last subparagraph is replaced by the following:

‘However, for the three months from 1 July to 30 September 1997, licence applications may only be lodged during a period of 10 days commencing on 1 August.’

*Article 2*

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

<sup>(1)</sup> OJ No L 319, 21. 12. 1993, p. 1.

<sup>(2)</sup> OJ No L 319, 21. 12. 1993, p. 4.

<sup>(3)</sup> OJ No L 341, 30. 12. 1994, p. 14.

<sup>(4)</sup> OJ No L 341, 30. 12. 1994, p. 17.

<sup>(5)</sup> OJ No L 328, 30. 12. 1995, p. 31.

<sup>(6)</sup> OJ No L 338, 28. 12. 1996, p. 13.

<sup>(7)</sup> OJ No L 62, 7. 3. 1992, p. 34.

<sup>(8)</sup> OJ No L 163, 20. 6. 1997, p. 1.



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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1437/97

of 23 July 1997

fixing for the 1997/98 marketing year the minimum price to be paid to producers and the buying-in price to be applied by storage agencies for unprocessed dried figs, the amount of production aid for dried figs, and amending Regulation (EEC) No 626/85

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organization of the market in products processed from fruit and vegetables<sup>(1)</sup>, and in particular Articles 3 (3), 4 (9) and 9 (8) thereof,

Whereas Article 2 of Commission Regulation (EC) No 504/97 of 19 March 1997 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of production aid for products processed from fruit and vegetables<sup>(2)</sup> fixes the dates of the marketing years;

Whereas Articles 3 and 4 of Regulation (EC) No 2201/96 set the criteria for fixing the minimum price and the amount of the production aid respectively;

Whereas Articles 1 and 2 of Commission Regulation (EEC) No 1709/84 of 19 June 1984 on minimum prices payable to producers and amounts of production aid for certain processed fruit and vegetables eligible for production aid<sup>(3)</sup>, as last amended by Regulation (EEC) No 2322/89<sup>(4)</sup>, define the categories of unprocessed dried figs and dried figs respectively for which the minimum price and the aid are fixed; whereas, therefore, the minimum price and production aid for the 1997/98 marketing year should be fixed;

Whereas the criteria for fixing the price at which storage agencies but in dried figs are determined in Article 9 (2) (a) of Regulation (EC) No 2201/96; whereas a single buying-in price equal to the minimum price reduced by 5 %, corresponding to category D as defined in Part I of Annex I to Regulation (EEC) No 1709/84 should be fixed;

Whereas paragraph 3 of Article 2 of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and

figs by storage agencies<sup>(5)</sup>, as last amended by Regulation (EC) No 1363/95<sup>(6)</sup>, should be deleted since the provisions of that paragraph are now null and void;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1997/98 marketing year:

- (a) the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 shall be ECU 80,496 per 100 kilograms net from the producer for unprocessed dried figs in category C;
- (b) the production aid referred to in Article 4 of that Regulation shall be ECU 27,986 per 100 kilograms net for dried figs in category C.

*Article 2*

For the 1997/98 marketing year, the buying-in price referred to in Article 9 (2) of Regulation (EC) No 2201/96 shall be ECU 58,741 per 100 kilograms net.

*Article 3*

Paragraph 3 of Article 2 of Regulation (EEC) No 626/85 is hereby deleted.

*Article 4*

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

It shall apply from 1 July 1997.

<sup>(1)</sup> OJ No L 297, 21. 11. 1996, p. 29.

<sup>(2)</sup> OJ No L 78, 20. 3. 1997, p. 14.

<sup>(3)</sup> OJ No L 162, 20. 6. 1984, p. 8.

<sup>(4)</sup> OJ No L 220, 27. 9. 1989, p. 58.

<sup>(5)</sup> OJ No L 72, 13. 3. 1985, p. 7.

<sup>(6)</sup> OJ No L 132, 16. 6. 1995, p. 8.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1438/97  
of 23 July 1997**

**derogating, for Spain, from the marketing standards applicable to melons**

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<sup>(1)</sup>, and in particular Article 3 (3) thereof,

Whereas Commission Regulation (EC) No 1093/97 of 16 June 1997 laying down marketing standards applicable to melons and water melons<sup>(2)</sup> lays down specific rules on the packaging and marking of those products;

Whereas Article 3 (3) of Regulation (EC) No 2200/96 provides for the possibility of derogation from the standards in force for fruit and vegetables produced in a given region which are sold by the retail trade of the region for well-established traditional local consumption;

Whereas, because of their shape, certain varieties of melons produced in Spain are traditionally sold in the region of production loose, i.e. after being loaded directly into the means of transport or a compartment of the means of transport; whereas, therefore, such a derogation should be allowed in certain regions of the territory of Spain;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Notwithstanding Annex I to Regulation (EC) No 1093/97, melons with an elongated shape produced in Spain may be sold loose in the region of production by the retail trade.

2. For the purposes of paragraph 1, the document or, where appropriate, the notice referred to in Article 5 (2) of Regulation (EC) No 2200/96, accompanying each consignment must bear, in addition to the other information required, the following indication: 'For sale by the retail trade in ... (region of production) only'.

*Article 2*

This Regulation shall enter into force on the third 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, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 297, 21. 11. 1996, p. 1.  
<sup>(2)</sup> OJ No L 158, 17. 6. 1997, p. 21.

**COMMISSION REGULATION (EC) No 1439/97**  
**of 23 July 1997**

**determining the extent to which applications submitted in July 1997 for import  
licences for the tariff quota for beef and veal provided for in the Interim  
Agreement between the Community and the Republic of Slovenia can be  
accepted**

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

HAS ADOPTED THIS REGULATION:

Having regard to Commission Regulation (EC) No 481/97  
of 14 March 1997 laying down for 1997 detailed rules for  
the application of the tariff quota for beef and veal  
provided for in the Interim Agreement between the  
Community and the Republic of Slovenia<sup>(1)</sup>, and in par-  
ticular Article 3 (4) thereof,

*Article 1*

Import licences shall be granted for the full quantities  
covered by applications submitted for the quota referred  
to in Regulation (EC) No 481/97 for the period 1 July to  
31 December 1997.

Whereas Article 1 (3) of Regulation (EC) No 481/97 fixes  
the quantity of fresh or chilled beef and veal originating  
in Slovenia which may be imported under special condi-  
tions from 1 July to 31 December 1997; whereas the  
quantity of meat for which import licences have been  
submitted is such that applications may be granted in full,

*Article 2*

This Regulation shall enter into force on 24 July 1997.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 75, 15. 3. 1997, p. 24.

**COMMISSION REGULATION (EC) No 1440/97**  
**of 23 July 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 <sup>(1)</sup>,

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 <sup>(2)</sup>, as last amended by Regulation (EC) No 703/97 <sup>(3)</sup>, 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 24 July 1997.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No L 189, 30. 7. 1996, p. 71.

<sup>(3)</sup> OJ No L 104, 22. 4. 1997, p. 12.

## ANNEX I

## to the Commission Regulation of 23 July 1997 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties <sup>(1)</sup>			
	Third countries (except ACP and Bangladesh) <sup>(1)</sup> <sup>(7)</sup>	ACP Bangladesh <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup>	Basmati India and Pakistan <sup>(5)</sup>	Egypt <sup>(6)</sup>
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	(7)	164,91		253,88
1006 20 13	(7)	164,91		253,88
1006 20 15	(7)	164,91		253,88
1006 20 17	265,11	128,22	15,11	198,83
1006 20 92	(7)	164,91		253,88
1006 20 94	(7)	164,91		253,88
1006 20 96	(7)	164,91		253,88
1006 20 98	265,11	128,22	15,11	198,83
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

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

<sup>(2)</sup> 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.

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

<sup>(4)</sup> 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 No L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

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

<sup>(6)</sup> 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).

<sup>(7)</sup> Duties fixed in the Common Customs Tariff.

<sup>(8)</sup> 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 No L 292, 15. 11. 1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ No 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)	( <sup>1</sup> )	265,11	533,00	338,50	533,00	( <sup>1</sup> )
2. Elements of calculation:						
(a) Arag cif price (ECU/tonne)	—	383,11	347,55	301,56	347,25	—
(b) fob price (ECU/tonne)	—	—	—	274,15	319,84	—
(c) Sea freight (ECU/tonne)	—	—	—	27,41	27,41	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(<sup>1</sup>) Duties fixed in the Common Customs Tariff.



**COMMISSION REGULATION (EC) No 1441/97**  
**of 23 July 1997**

**determining the percentages of quantities which may be allowed in respect of import licence applications lodged in July 1997 under tariff quotas for meat provided for in Regulation (EC) No 2512/96 for the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

from 1 October to 31 December 1997 should accordingly be determined,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

*Article 1*

Having regard to Commission Regulation (EC) No 2512/96 of 23 December 1996 setting for 1997 rules of application for the tariff quotas for beef and veal provided for by Council Regulation (EC) No 3066/95 for the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania<sup>(1)</sup>, and in particular Article 3 (4) thereof,

Whereas Article 1 (1) and (3) of Regulation (EC) No 2512/96 fixes the quantities of fresh, chilled or frozen beef and veal originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, and of processed products originating in Poland which may be imported on special terms in respect of the period 1 July to 30 September 1997; whereas the quantities of fresh, chilled or frozen beef and veal originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, covered by import licence applications submitted are such that applications may be accepted in full; whereas, however, quantities covered by applications in respect of processed products must be reduced proportionately in accordance with Article 3 (4) of that Regulation;

Whereas Article 1 (4) of Regulation (EEC) No 2512/96 states that if for the year 1997 the quantities for which applications for import licences have been submitted for the first, second or third period specified in paragraph 3 of the Article are less than the quantities available, the remaining quantities are to be added to the quantities in respect of the third period, the quantities available for the six countries concerned for the fourth period running

1. The following percentages of quantities covered by import licence applications submitted in respect of the period 1 July to 30 September 1997 under the quotas referred to in Regulation (EC) No 2512/96 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria;
- (b) 16,667 % of quantities covered by applications in respect of products falling within CN codes 1602 50 31 and 1602 50 39 originating in Poland.

2. The quantities available for the period referred to in Article 1 (3) of Regulation (EC) No 2512/96 running from 1 October to 31 December 1997 shall amount to:

- (a) beef and veal falling within CN codes 0201 and 0202:
  - 6 053,0 tonnes for meat originating in Poland,
  - 2 297,0 tonnes for meat originating in Hungary,
  - 1 750,0 tonnes for meat originating in the Czech Republic,
  - 1 145,0 tonnes for meat originating in Slovakia,
  - 180,0 tonnes for meat originating in Bulgaria,
  - 1 068,5 tonnes for meat originating in Romania;
- (b) 110 tonnes of processed products falling within CN codes 1602 50 31 and 1602 50 39 originating in Poland.

*Article 2*

This Regulation shall enter into force on 24 July 1997.

<sup>(1)</sup> OJ No L 345, 31. 12. 1996, p. 26.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 1442/97

of 23 July 1997

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the refunds on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1225/97 <sup>(3)</sup>;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EC) No

1225/97 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1225/97 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 24 July 1997.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 173, 1. 7. 1997, p. 8.

## ANNEX

to the Commission Regulation of 23 July 1997 altering the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 9100	36,47 <sup>(2)</sup>
1702 60 10 9000	36,47 <sup>(2)</sup>
1702 60 90 9200	69,29 <sup>(4)</sup>
	— ECU/1 % sucrose × 100 kg —
1702 60 90 9800	0,3647 <sup>(1)</sup>
	— ECU/100 kg dry matter —
1702 90 30 9000	36,47 <sup>(2)</sup>
	— ECU/1 % sucrose × 100 kg —
1702 90 60 9000	0,3647 <sup>(1)</sup>
1702 90 71 9000	0,3647 <sup>(1)</sup>
1702 90 99 9900	0,3647 <sup>(1)</sup> <sup>(3)</sup>
	— ECU/100 kg dry matter —
2106 90 30 9000	36,47 <sup>(2)</sup>
	— ECU/1 % sucrose × 100 kg —
2106 90 59 9000	0,3647 <sup>(1)</sup>

<sup>(1)</sup> The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

<sup>(2)</sup> Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

<sup>(4)</sup> Applicable only to products defined under Article 13 (3) of Regulation (EEC) No 394/70.

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

## COMMISSION REGULATION (EC) No 1443/97

of 23 July 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<sup>(1)</sup>, as last amended by Regulation (EC) No 2375/96<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 24 July 1997.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ No L 325, 14. 12. 1996, p. 5.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 23 July 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

*(ECU/100 kg)*

CN code	Third country code <sup>(1)</sup>	Standard import value
0709 90 77	052	57,5
	999	57,5
0805 30 30	366	58,4
	388	65,3
	524	50,1
	528	65,6
	999	59,9
0806 10 40	052	158,8
	512	118,8
	600	237,6
	624	165,9
	999	170,3
0808 10 71, 0808 10 73, 0808 10 79	388	85,4
	400	66,6
	508	72,6
	512	56,1
	524	72,0
	528	68,1
	800	154,7
	804	79,2
	999	81,8
0808 20 51	388	62,8
	512	74,2
	528	52,5
	804	84,8
	999	68,6
0809 10 40	052	155,5
	064	99,2
	999	127,3
0809 20 59	052	239,6
	064	184,0
	068	157,0
	400	214,1
	616	180,9
	999	195,1
0809 40 30	064	96,9
	999	96,9

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1444/97****of 23 July 1997****altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas the rates of the refunds applicable from 1 July 1997 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EC) No 1234/97<sup>(3)</sup>;

Whereas it follows from applying the rules and criteria contained in Regulation (EC) No 1234/97 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of refund fixed by Regulation (EC) No 1234/97 are hereby altered as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 24 July 1997.

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

Done at Brussels, 23 July 1997.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 173, 1. 7. 1997, p. 32.

## ANNEX

to the Commission Regulation of 23 July 1997 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Product	Rate of refund in ECU/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	2,40	2,40
— in all other cases	36,47	36,47
Raw sugar:		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	2,21	2,21
— in all other cases	33,55	33,55
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	2,40	2,40
— in all other cases	36,47	36,47
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion	the rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses	—	—
Isoglucose <sup>(2)</sup> :		
— pursuant to Article 4 (5) (b) of Regulation (EC) No 1222/94	2,40 <sup>(1)</sup>	2,40 <sup>(1)</sup>
— in all other cases	36,47 <sup>(1)</sup>	36,47 <sup>(1)</sup>

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

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

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

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

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

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



## 21st COMMISSION DIRECTIVE 97/45/EC

of 14 July 1997

adapting to technical progress Annexes II, III, VI and VII to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products<sup>(1)</sup>, as last amended by Commission Directive 97/1/EC<sup>(2)</sup> and in particular Article 8 (2) thereof,

After consultation of the Scientific Committee on Cosmetology,

Whereas the available scientific data indicate that the polyaromatic hydrocarbons (PAHs) level in refined coal tar are in the same range as the PAHs level in crude coal tar; whereas several studies show that PAHs enter the skin exposed to coal tars, which may lead to dermal and systemic carcinogenesis; whereas numerous PAHs are genotoxic carcinogens, and consequently no safe level can be established, the use of crude and refined coal tars in cosmetic products should be prohibited;

Whereas a further toxicological evaluation, based on new data submitted by industry, of benzethonium chloride, shows that an acceptable safety margin is obtained as long as its use is limited to preservatives, at a limited concentration and for a reduced time of contact with the skin;

Whereas, on the basis of the latest scientific and technical research, octyl methoxycinnamate may be used as an UV filter in cosmetic products;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directive on the removal of technical barriers to trade in the cosmetics products sector,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 76/768/EEC is hereby amended as shown in the Annex.

*Article 2*

1. Member States shall take the necessary measures to ensure that as from 1 July 1998 for the substances set out in the Annex, neither manufacturers nor importers established in the Community shall place on the market products which do not comply with the requirements of this Directive.

2. Member States shall take the necessary measures to ensure that the products referred to in paragraph 1 containing the substances set out in the Annex shall not be sold or otherwise supplied to the final consumer after 30 June 1999.

*Article 3*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 30 June 1998. They shall forthwith inform the Commission thereof.

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

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

*Article 4*

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

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 14 July 1997.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 262, 27. 9. 1976, p. 169.

<sup>(2)</sup> OJ No L 16, 18. 1. 1997, p. 85.

## ANNEX

The Annexes to Directive 76/768/EEC are amended as follows:

1. In Annex II:

The following reference number 420 is added:

'420. Crude and refined coal tars'

The following reference number 415 is deleted:

'415. Diisobutyl-phenoxy-ethoxy-ethyl-dimethylbenzylammonium chloride (benzethonium chloride)'

2. In Annex VI:

(a) Part One:

The following reference number is added:

a	b	c	d	e
'53	Benzethonium chloride	0,1 %	Rinse-off products only'	

(b) Part Two:

'30. 6. 1997' is replaced by '30. 6. 1998' for reference numbers 16, 21, 29.

3. In Annex VII:

(a) Part One:

The following reference number is added:

a	b	c	d	e
'12	Octyl methoxycinnamate	10 %'		

(b) Part Two:

— Reference number 13 is deleted.

— '30. 6. 1997' is replaced by '30. 6. 1998' for reference numbers 2, 5, 6, 12, 17, 25, 26, 29 and 32.

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## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 1 July 1997

amending Decision 97/272/EC on protective measures with regard to fishery products originating in Kenya

(Text with EEA relevance)

(97/458/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Decision 97/272/EC of 4 April 1997 on protective measures with regard to fishery products originating in Kenya<sup>(3)</sup>, lays down a safeguard clause regarding fish and fishery products of Kenya ends on 30 June 1997;

Whereas that following the results of an on-the-spot inspection by Commission experts to Kenya, and pending the reception of additional guarantees given by the competent Kenyan authorities, it is needed to extend until 28 February 1998 the application of Decision 97/272/EC;

Whereas this measure must be transitional in nature pending a decision establishing the specific conditions for the importation of fishery products originating in Kenya is adopted;

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

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 5 of Commission Decision 97/272/EC, the date of 30 June 1997 shall be replaced by 28 February 1998.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

<sup>(3)</sup> OJ No L 108, 25. 4. 1997, p. 48.

**COMMISSION DECISION**  
**of 1 July 1997**  
**amending Decision 97/273/EC on protective measures with regard to fishery**  
**products originating in Uganda**  
**(Text with EEA relevance)**  
**(97/459/EC)**

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

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

Whereas Commission Decision 97/273/EC of 4 April 1997 on protective measures with regard to fishery products originating in Uganda <sup>(3)</sup>, lays down a safeguard clause regarding fish and fishery products of Uganda ends on 30 June 1997;

Whereas that following the results of an on-the-spot inspection by Commission experts to Uganda, and pending the reception of additional guarantees given by the competent Ugandan authorities, it is needed to extend until 28 February 1998 the application of Decision 97/273/EC;

Whereas this measure must be transitional in nature pending a decision establishing the specific conditions for the importation of fishery products originating in Uganda is adopted;

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

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 5 of Commission Decision 97/273/EC, the date of 30 June 1997 shall be replaced by 28 February 1998.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

<sup>(3)</sup> OJ No L 108, 24. 4. 1997, p. 50.

## COMMISSION DECISION

of 1 July 1997

amending Decision 97/274/EC on protective measures with regard to fishery products originating in Tanzania

(Text with EEA relevance)

(97/460/EC)

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

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

Whereas Commission Decision 97/274/EC of 4 April 1997 on protective measures with regard to fishery products originating in Tanzania<sup>(3)</sup>, lays down a safeguard clause regarding fish and fishery products of Tanzania ends on 30 June 1997;

Whereas that following the results of an on-the-spot inspection by Commission experts to Tanzania, and pending the reception of additional guarantees given by the competent Tanzanian authorities, it is needed to extend until 28 February 1998 the application of Decision 97/274/EC;

Whereas this measure must be transitional in nature pending a decision establishing the specific conditions for the importation of fishery products originating in Tanzania is adopted;

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

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 5 of Commission Decision 97/274/EC, the date of 30 June 1997 shall be replaced by 28 February 1998.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1997.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 162, 1. 7. 1996, p. 1.

<sup>(3)</sup> OJ No L 108, 25. 4. 1997, p. 51.

**CORRIGENDA**

**Corrigendum to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations**

*(Official Journal of the European Communities No L 349 of 31 December 1994)*

In Annex XII on page 166 in Article 3 (1), second line, and on page 170 in Article 2 (1), first line:

*for:* '... shall be subject...',

*read:* '... may be subject...'.  

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**Corrigendum to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of and fibre plants**

*(Official Journal of the European Communities No 169 of 10 July 1969)*

On page 3, in Article 13 (2) (c), third line:

*for:* '... and, in the case of flax, to that...',

*read:* '... and, in the case of flax and linseed, to that...'.  

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**Corrigendum to Council Directive 93/92/EEC of 29 October 1993 on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles**

*(Official Journal of the European Communities No L 311 of 14 December 1993)*

In Annex IV on page 37 in item 6.1.10:

*for:* 'Circuit-closed telltale: optional',

*read:* 'Circuit-closed telltale: mandatory'.  

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