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(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1063/97**of 12 June 1997****setting the trigger level for additional import duties on certain fruit and vegetables**

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

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables (⁽¹⁾), and in particular Article 33 (4) thereof,

Whereas Article 2 of Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables (⁽²⁾) provides for the trigger levels and periods to be fixed;

Whereas Article 5 (4) of the Agreement on Agriculture (⁽³⁾) lays down the criteria in accordance with which the Commission is to set the trigger levels for additional duties on certain fruit and vegetables; whereas Article 5 (6) permits trigger periods to be set on the basis of the characteristics of perishable and seasonal products;

Whereas, pursuant to the abovementioned criteria, the trigger level for additional import duties on fruit and vegetables should be set in accordance with the Annex hereto for the relevant periods;

Whereas the trigger levels for the additional duties for tomatoes and cherries were set by Commission Regulations (EC) No 2351/96 (⁽⁴⁾) and (EC) No 905/97 (⁽⁵⁾) respectively;

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

HAS ADOPTED THIS REGULATION:

Article 1

The trigger level for the additional import duties provided for in Article 2 of Regulation (EC) No 1555/96 for the 1997/98 marketing year shall be as set out in the table in the Annex hereto.

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, 12 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

(⁽¹⁾) OJ No L 297, 21. 11. 1996, p. 1.

(⁽²⁾) OJ No L 193, 3. 8. 1996, p. 1.

(⁽³⁾) OJ No L 336, 23. 12. 1994, p. 22.

(⁽⁴⁾) OJ No L 320, 11. 12. 1996, p. 13.

(⁽⁵⁾) OJ No L 130, 22. 5. 1997, p. 10.

ANNEX

CN code	Trigger period	Trigger level (tonnes)	Description
0707 00 35 0707 00 40 0707 70 10 0707 00 15	1 November to 30 April	34 876	Cucumbers
0805 10 61 0805 10 65 0805 10 69 0805 10 01 0805 10 05 0805 10 09 0805 10 11 0805 10 15 0805 10 19 0805 10 21 0805 10 25 0805 10 29 0805 10 31 0805 10 33 0805 10 35	1 December to 31 May	1 115 541	Sweet oranges, fresh
0805 20 33 0805 20 35 0805 20 37 0805 20 39 0805 20 13 0805 20 15 0805 20 17 0805 20 19	1 November to end of February	68 300	Mandarins (including tangerines and satsumas), wilkings and similar citrus hybrids
ex 0805 30 30 ex 0805 30 40	1 September to 30 November	64 349	Lemons
ex 0805 30 40 0805 30 20	1 December to 31 May	32 718	
0806 10 40 0806 10 50	21 July to 20 November	29 849	Table grapes