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(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 846/96
of 6 May 1996**

amending Regulation (EC) No 3074/95 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1996 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, under the terms of Article 8 (4) of Regulation (EEC) No 3760/92, it is incumbent upon the Council to determine the total allowable catches (TACs) for each fishery or group of fisheries;

Whereas Regulation (EC) No 3074/95⁽²⁾ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1996 and certain conditions under which they may be fished;

Whereas, since 1994, the stock of Atlanto-Scandian herring has been continuously extending its area of distribution and is now occurring both within areas under national jurisdiction of a number of States bordering the North East Atlantic, including Community fishing waters, as well as in high seas areas;

Whereas available scientific information suggests that this stock be managed in a cautious way by ensuring that the spawning stock biomass is maintained above 2,5 million tonnes;

Whereas pending agreement, by way of cooperation between all States concerned, on appropriate conservation and management measures concerning this stock, it is necessary to establish, by way of an autonomous measure, a legal framework which ensures the rational and responsible exploitation of this stock by Community fishing

vessels both within Community fishing waters and beyond; whereas that legal framework should consist of a precautionary TAC at a level compatible with scientific advice which, under prevailing circumstances, may justifiably be fixed at 150 000 tonnes;

Whereas the International Baltic Sea Fisheries Commission has recommended certain seasonal restrictions associated to the cod fishery in the Baltic for 1996;

Whereas Regulation (EC) No 3074/95 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3074/95 is hereby amended as follows:

1. The following Article shall be inserted after Article 8:

Article 8a

Fishing for cod shall be prohibited in the Baltic Sea, the Belts and the Øresund from 10 June to 20 August 1996 inclusive.'

2. In the Annex, the heading 'Species: Herring, *Clupea harengus*, Zone IIa⁽¹⁾, IVa, b' shall be replaced by 'Species: Herring, *Clupea harengus*, Zone IVa, b'.
3. The table which appears in the Annex to this Regulation shall be inserted as fourth table in the Annex.

Article 2

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

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1. Regulation as last amended by the 1994 Act of Accession.

⁽²⁾ OJ No L 330, 30. 12. 1995, p. 1.

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

Done at Brussels, 6 May 1996.

For the Council

The President

G. LOMBARDI

ANNEX

'Species: Herring <i>Clupea harengus</i>	Zone: I, II
België/Belgique	(1) Fishing of this stock is not allowed in Community waters.
Danmark	(2) Available for all Member States. Member States must inform the Commission every Tuesday of their landings the preceding week.
Deutschland	
Ελλάδα	
España (1)	(3) Catches of herring taken in ICES Zone II a from 1 April 1996 shall be counted against this quota.'
France	
Ireland	
Italia	
Luxembourg	
Nederland	
Österreich	
Portugal (1)	
Suomi/Finland (1)	
Sverige (1)	
United Kingdom	
150 000 (2) (3)	
EC	150 000
TAC	150 000

COUNCIL REGULATION (EC) No 847/96

of 6 May 1996

introducing additional conditions for year-to-year management of TACs and quotas

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 ⁽¹⁾,

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

Whereas, in addition to the provisions listed in Article 4 (2) of Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽³⁾, it is necessary to lay down conditions for the pursuit of exploitation activities which would improve the mechanisms at present available by the introduction of the appropriate year-to-year flexibility in the management of total allowable catches (TACs) and quotas which, within certain limits, is compatible with conservation policies;

Whereas, pursuant to Article 8 of Regulation (EEC) No 3760/92, it is for the Council to establish the fishing availabilities to be allocated to Member States and to determine the conditions for adjusting these availabilities from one year to the next;

Whereas stocks subject to precautionary or analytical TACs need to be defined;

Whereas permitted landings from a stock, for the purpose of this Regulation, need to be defined;

Whereas, under certain conditions, precautionary TACs and quotas for certain stocks may be revised upwards during the year with negligible danger of undermining the principle of rational and responsible exploitation of marine resources;

Whereas it is appropriate to encourage Member States to transfer part of their quotas of stocks subject to analytical TAC from one year to another within certain limits;

Whereas other stocks subject to either an analytical or a precautionary TAC may be known to be in a state of exploitation such that any increase in the TAC is undesirable;

Whereas overfishing of quotas should be penalized; whereas this can be achieved by imposing appropriate reductions in the following year's quota on the Member States responsible for the overfishing; whereas, in accordance with Article 23 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽⁴⁾, the Council is to adopt rules by which the Commission may operate deductions from the quotas when overfishing has taken place, taking into account the degree of the overfishing, any cases of overfishing in the previous year and the biological status of the resources concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. Precautionary TACs shall apply to stocks for which no scientifically-based evaluation of fishing possibilities is available specifically for the year in which the TACs are to be set; analytical TACs shall apply otherwise.

2. For the purpose of this Regulation, permitted landings from a stock shall consist, for a given Member State, of the quota allocated by the Council on the basis of Article 8 (4) of Regulation (EEC) No 3760/92, as modified by:

- the exchanges made on the basis of Article 9 of Regulation (EEC) No 3760/92,
- the compensation envisaged by Article 21 (4) of Regulation (EEC) No 2847/93,
- the quantities withheld on the basis of Article 4 (2) of this Regulation, and
- the deductions envisaged by Article 5 of this Regulation.

Article 2

When fixing TACs in accordance with Article 8 of Regulation (EEC) No 3760/92, the Council shall decide:

- which stocks are subject to a precautionary TAC and which stocks are subject to an analytical TAC, on the basis of scientific advice available on the stocks,

⁽¹⁾ OJ No C 382, 31. 12. 1994, p. 4.

⁽²⁾ OJ No C 249, 25. 9. 1995, p. 84.

⁽³⁾ OJ No L 389, 31. 12. 1992, p. 1. Regulation as last amended by the 1994 Act of Accession.

⁽⁴⁾ OJ No L 261, 20. 10. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2870/95 (OJ No L 301, 14. 12. 1995, p. 1).

- the stocks to which Articles 3 or 4 shall not apply, on the basis of the biological status of the stocks and of commitments reached with third countries,
- the stocks to which the deductions envisaged in Article 5 (2) shall apply, on the basis of their biological status.

Article 3

1. When more than 75 % of a precautionary TAC has been utilized before 31 October of the year of its application, a Member State with a quota for the stock for which that TAC has been fixed may request an increase in the TAC. Such a request, accompanied by relevant supporting biological information and an indication of the magnitude of the revision, shall be addressed to the Commission. The Commission, within 20 working days, shall examine all the elements of the request with a view to presenting to the Council a proposal for an amendment of the Regulation fixing TACs and quotas if it is found justified. The Member State shall be informed of the results of the examination.

2. Member States may take catches up to 5 % in excess of permitted landings. However, these catches shall be considered as exceeding permitted landings as regards the deductions envisaged in Article 5.

3. When more than 75 % of a quota for a stock subject to a precautionary TAC has been utilized before 31 October of the year of its application, the Member State to which such a quota has been allocated may request the Commission's permission to land additional quantities of fish of the same stock indicating the addi-

tional quantity required, this quantity not to exceed 10 % of the appropriate quota. The Commission shall decide on such requests within 20 working days in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 2847/93. The additional quantity granted under this procedure shall be considered as exceeding permitted landings for the purposes of the deductions envisaged in Article 5 of this Regulation.

Article 4

1. Article 3 (2) and (3) shall apply to stocks subject to an analytical TAC.

2. For stocks subject to analytical TAC, except those referred to in Article 5 (2), a Member State to which a relevant quota has been allocated may ask the Commission, before 31 October of the year of application of the quota, to withhold a maximum of 10 % of its quota to be transferred to the following year.

The Commission, in accordance with the procedure laid down in Article 36 of Regulation (EEC) No 2847/93, shall add to the relevant quota the quantity withheld.

Article 5

1. Except for the stocks referred to in paragraph 2, all landings in excess of the respective permitted landings shall be deducted from the quotas of the same stock in the following year.

2. For the stocks referred to in the third indent of Article 2, overfishing of permitted landings shall lead to deduction from the corresponding quota in the following year according to the following table:

Extent of the overfishing relative to the permitted landings	Deduction
The first 10 %	Overfishing × 1,00
The next 10 % up to 20 % in total	Overfishing × 1,10
The next 20 % up to 40 % in total	Overfishing × 1,20
Any further overfishing greater than 40 %	Overfishing × 1,40

However, a deduction equal to the overfishing × 1,00 shall apply in all cases of overfishing relative to permitted landings equal to, or less than, 100 tonnes.

An additional 3 % of the quantity fished in excess of permitted landings shall be deducted for each successive year in which permitted landings are overfished by more than 10 %.

3. Deductions shall be without prejudice to Article 21 (4) of Regulation (EEC) No 2847/93.

Article 6

This Regulation shall enter into force on 1 January 1997.

However, Article 5 shall apply from 1 January 1998.

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

Done at Brussels, 6 May 1996.

For the Council

The President

G. LOMBARDI

COMMISSION REGULATION (EC) No 848/96**of 8 May 1996****on the issuing of export licences for fruit and vegetables without advance fixing of the refund**

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

Having regard to Commission Regulation (EC) No 1488/95 of 28 June 1995 on implementing rules for export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2702/95⁽²⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EC) No 1489/95⁽³⁾, as last amended by Regulation (EC) No 623/96⁽⁴⁾, fixes the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid;

Whereas, in the light of information now available to the Commission, the indicative quantities have been exceeded in the case of hazelnuts in shell, lemons and apples; whereas, in addition, the overrun is such that the quantities applied for are greater than the total of the corresponding indicative quantities for the periods March/April and May/June 1996;

Whereas as a consequence a reduction coefficient should be fixed for quantities applied for hazelnuts in shell,

lemons and apples under licences without advance fixing of the refund applied for between 1 March 1996 and 30 April 1996,

HAS ADOPTED THIS REGULATION:

Article 1

The reduction coefficients by which the quantities applied for must be multiplied and the rates of refund applying to export licences without advance fixing of the refund as referred to in Article 5 of Regulation (EC) No 1488/95 and applied for between 1 March 1996 and 30 April 1996 shall be as fixed in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 9 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽²⁾ OJ No L 280, 23. 11. 1995, p. 30.

⁽³⁾ OJ No L 145, 29. 6. 1995, p. 75.

⁽⁴⁾ OJ No L 89, 10. 4. 1996, p. 11.

ANNEX

Reduction coefficients for quantities applied for and rates of refund applicable to licences without advance fixing of the refund applied for between 1 March and 30 April 1996

Product	Reduction coefficient (quantities)	Rate of refund (ECU/tonne net)
Tomatoes	(no reduction)	41,30
Shelled almonds	(no reduction)	88,90
Hazelnuts in shell	(no reduction)	103,80
Shelled hazelnuts	(no reduction)	200,20
Walnuts in shell	0,0275	128,70
Oranges		
Lemons	0,2591	124,00
Table grapes	(no reduction)	44,50
Apples	0,3977	73,50
Peaches and nectarines	(no reduction)	45,90

COMMISSION REGULATION (EC) No 849/96
of 8 May 1996
altering the export refunds on 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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 2931/95 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EC) No 756/96 ⁽³⁾;

Whereas it follows from the application of the detailed rules contained in Regulation (EC) No 756/96 to the

information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to Regulation (EC) No 756/96 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 10 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 10.

⁽³⁾ OJ No L 103, 26. 4. 1996, p. 13.

ANNEX

to the Commission Regulation of 8 May 1996 altering the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)
0406 90 23 900	037	—
	039	—
	046	57,50
	052	57,50
	400	42,00
	404	—
	600	57,50
	...	82,00
0406 90 63 100	037	63,50
	039	63,50
	046	115,00
	052	115,00
	400	164,00
	404	123,50
	600	115,00
	...	164,00
0406 90 63 900	037	50,50
	039	50,50
	046	83,00
	052	83,00
	400	108,00
	404	57,50
	600	83,00
	...	118,50

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by "...".

Where no destination ('+') is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

(**) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

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

COMMISSION REGULATION (EC) No 850/96

of 8 May 1996

deferring the final date for sowing certain arable crops in certain areas in the 1996/97 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EC) No 2989/95⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 (2) of Regulation (EEC) No 1765/92 stipulates that, to qualify for the compensatory payments for cereals, protein crops and linseed under the support system for certain arable crops, the producers must have sown the seed at the latest by 15 May preceding the relevant harvest;

Whereas Article 2 (1) (c) and (d) of Commission Regulation (EEC) No 2295/92 of 31 July 1992 on detailed rules for the application of the support system for producers of the protein crops referred to Council Regulation (EEC) No 1765/92⁽³⁾, as last amended by Regulation (EC) No 3347/93⁽⁴⁾, fixes 15 May as the final date for sowing protein crops;

Whereas Commission Regulation (EC) No 918/95 of 26 April 1995 deferring the final date for sowing certain arable crops in certain areas⁽⁵⁾, which derogates from Regulations (EEC) No 1765/92 and (EEC) No 2295/92 defers the final date applicable for sowing arable crops other than oilseeds in Finland and Sweden;

Whereas Article 11 of Regulation (EEC) No 1765/92 lays down that to qualify for an advance payment, the producer must have sown the oilseeds at the latest by a date fixed by the Commission; whereas in this regard Article 2 (1) (c) and (d) of Commission Regulation (EEC) No 2294/92 of 31 July 1992 on detailed rules for the application of the support system for producers of the oilseeds referred to in Council Regulation (EEC) No

1765/92⁽⁶⁾, as last amended by Regulation (EC) No 428/96⁽⁷⁾, sets 15 May as the final date for sowing oilseeds; whereas Commission Regulation (EC) No 1055/94 of 5 May 1994 deferring the final date for sowing oilseeds in certain areas⁽⁸⁾, amended by Regulation (EC) No 919/95⁽⁹⁾, defers the final date for sowing oilseeds in certain regions;

Whereas because of the particularly severe weather conditions this year, the final dates for sowing seeds fixed for Austria, Finland and Sweden cannot be complied with in all cases; whereas, in consequence, the time limit for sowing cereals, oilseeds, protein crops and linseed for the 1996/97 marketing year should be deferred and fixed at 15 June for all of Finland and Sweden; whereas as regards Austria, the final date for sowing maize and soya for the 1996/97 marketing year should be deferred to 31 May for the entire country; whereas to do so Regulations (EEC) No 1765/92, (EEC) No 2294/92, (EEC) No 2295/92, (EC) No 1055/94 and (EC) No 918/95 should be waived as permitted by the seventh indent of Article 12 of Regulation (EEC) No 1765/92;

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

HAS ADOPTED THIS REGULATION:

Article 1

The final date for crop sowings in Austria, Finland and Sweden for the 1996/97 marketing year are fixed 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*.

It shall apply from 15 May 1996.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 312, 23. 12. 1995, p. 5.

⁽³⁾ OJ No L 221, 6. 8. 1992, p. 28.

⁽⁴⁾ OJ No L 300, 7. 12. 1993, p. 5.

⁽⁵⁾ OJ No L 95, 27. 4. 1995, p. 12.

⁽⁶⁾ OJ No L 221, 6. 8. 1992, p. 22.

⁽⁷⁾ OJ No L 60, 9. 3. 1996, p. 6.

⁽⁸⁾ OJ No L 115, 6. 5. 1994, p. 9.

⁽⁹⁾ OJ No L 95, 27. 4. 1995, p. 16.

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

Done at Brussels, 8 May 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Final date for sowing crops for the 1996/97 marketing year

Crops	Member State	Region	Final date
Maize, soya	Austria	The entire country	31 May 1996
Cereals, oilseeds, protein crops and linseed	Finland	The entire country	15 June 1996
Cereals, oilseeds, protein crops and linseed	Sweden	The entire country	15 June 1996

COMMISSION REGULATION (EC) No 851/96**of 8 May 1996****fixing the minimum import price applicable to certain types of processed cherries during the 1996/97 marketing year**

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 2314/95 ⁽²⁾, and in particular Article 10a (8) thereof,

Whereas, pursuant to Article 10a (1) of Regulation (EEC) No 426/86, minimum import prices are to be determined having regard in particular to:

- the free-at-frontier prices on import into the Community,
- the prices obtained on world markets,
- the situation on the internal Community market,
- the trend of trade with non-member countries;

Whereas a minimum import price should be fixed on the basis of the abovementioned criteria for the 1996/97

marketing year for processed cherries listed in Annex I (B) to Regulation (EEC) No 426/86;

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 each of the products listed in the Annex to this Regulation, the minimum import price applicable during the 1996/97 marketing year shall be as set out in that Annex.

Article 2

This Regulation shall enter into force on 10 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 233, 30. 9. 1995, p. 69.

ANNEX

(ECU/100 kg net weight)

CN code	Description	Minimum import price
ex 0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:	
ex 0811 90	– Other:	
	– – Containing added sugar or other sweetening matter:	
	– – – With a sugar content exceeding 13 % by weight:	
ex 0811 90 19	– – – – Other:	
	– – – – – Sour cherries (<i>Prunus cerasus</i>):	
	– – – – – – Unstoned	58,20
	– – – – – – Other	65,81
	– – – – – Other cherries:	
	– – – – – – Unstoned	58,20
	– – – – – – Other	65,81
	– – – – Other:	
ex 0811 90 39	– – – – Other:	
	– – – – – Sour cherries (<i>Prunus cerasus</i>):	
	– – – – – – Unstoned	58,20
	– – – – – – Other	65,81
	– – – – – Other cherries:	
	– – – – – – Unstoned	58,20
	– – – – – – Other	65,81
	– – – Other:	
	– – – – Cherries:	
0811 90 75	– – – – – Sour cherries (<i>Prunus cerasus</i>):	
	– – – – – – Unstoned	58,20
	– – – – – – Other	65,81
0811 90 80	– – – – – Other:	
	– – – – – – Unstoned	58,20
	– – – – – – Other	65,81
ex 0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:	
0812 10 00	– Cherries:	
ex 0812 10 00	– – Sour cherries (<i>Prunus cerasus</i>)	58,20
ex 0812 10 00	– – Other	58,20
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:	
2008 60	– Cherries:	
	– – Not containing added spirit:	
	– – – Containing added sugar, in immediate packings of a net content exceeding 1 kg:	
2008 60 51	– – – – Sour cherries (<i>Prunus cerasus</i>)	73,42
2008 60 59	– – – – Other	73,42
	– – – Containing added sugar, in immediate packings of a net content not exceeding 1 kg:	
2008 60 61	– – – – Sour cherries (<i>Prunus cerasus</i>)	81,02

(ECU/100 kg net weight)

CN code	Description	Minimum import price
2008 60 69	— — — — Other	81,02
	— — — — Not containing added sugar, in immediate packings of a net content:	
	— — — — — Of 4,5 kg or more:	
2008 60 71	— — — — — Sour cherries (<i>Prunus cerasus</i>)	64,84
2008 60 79	— — — — — Other	64,84
	— — — — — Of less than 4,5 kg:	
2008 60 91	— — — — — Sour cherries (<i>Prunus cerasus</i>)	70,88
2008 60 99	— — — — — Other	70,88

COMMISSION REGULATION (EC) No 852/96

of 8 May 1996

amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products regarding the amounts of aid

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

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2537/95⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira;

Whereas Annex II to Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance⁽⁵⁾, as last amended by Regulation (EC) No 762/96⁽⁶⁾, fixes the aid for milk products;

Whereas Commission Regulation (EC) No 756/96 of 25 April 1996 fixing the export refunds on milk and milk products⁽⁷⁾, as amended by Regulation (EC) No 849/96⁽⁸⁾, fixes the refunds on those products; whereas Annex II to Regulation (EEC) No 2219/92 should be adapted to take account of those adjustments,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 10 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 218, 1. 8. 1992, p. 75.

⁽⁶⁾ OJ No L 103, 26. 4. 1996, p. 35.

⁽⁷⁾ OJ No L 103, 26. 4. 1996, p. 13.

⁽⁸⁾ See page 8 of this Official Journal.

ANNEX

ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter (1):			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	(1)	4,748
0401 10 90	– – Other	0401 10 90 000	(1)	4,748
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	(1)	4,748
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	(1)	7,340
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	(1)	4,748
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	(1)	7,340
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	(1)	9,775
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	(1)	11,39
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	(1)	9,775
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	(1)	11,39
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 100	(1)	14,62
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	(1)	22,55
	– Exceeding 17 %	0401 30 11 700	(1)	33,87
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 100	(1)	14,62
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	(1)	22,55
	– Exceeding 17 %	0401 30 19 700	(1)	33,87
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 100	(1)	40,34
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	(1)	63,00
	– Exceeding 39 %	0401 30 31 700	(1)	69,47

<i>(in ECU/100 kg weight, if no other indication)</i>				
CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	<ul style="list-style-type: none"> — — — Other: — Of a fat content, by weight: <ul style="list-style-type: none"> — Not exceeding 35 % — Exceeding 35 % but not exceeding 39 % — Exceeding 39 % — — Exceeding 45 %: 	<ul style="list-style-type: none"> 0401 30 39 100 0401 30 39 400 0401 30 39 700 	<ul style="list-style-type: none"> (¹) (¹) (¹) 	<ul style="list-style-type: none"> 40,34 63,00 69,47
0401 30 91	<ul style="list-style-type: none"> — — — In immediate packings of a net content not exceeding 2 litres: — Of a fat content, by weight: <ul style="list-style-type: none"> — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 % 	<ul style="list-style-type: none"> 0401 30 91 100 0401 30 91 400 0401 30 91 700 	<ul style="list-style-type: none"> (¹) (¹) (¹) 	<ul style="list-style-type: none"> 79,18 116,37 135,80
0401 30 99	<ul style="list-style-type: none"> — — — Other: — Of a fat content, by weight: <ul style="list-style-type: none"> — Not exceeding 68 % — Exceeding 68 % but not exceeding 80 % — Exceeding 80 % 	<ul style="list-style-type: none"> 0401 30 99 100 0401 30 99 400 0401 30 99 700 	<ul style="list-style-type: none"> (¹) (¹) (¹) 	<ul style="list-style-type: none"> 79,18 116,37 135,80
ex 0402	Skimmed-milk powder of a fat content, by weight, not exceeding 1,5 %	0402 10 11 000 0402 10 19 000	(²)	49,00
ex 0402	Whole milk powder of a fat content, by weight, not exceeding 27 %	0402 21 11 900 0402 21 19 900	(²)	98,05
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	<ul style="list-style-type: none"> — Butter: — — Of a fat content, by weight, not exceeding 85 %: — — — Natural butter: 			
0405 10 11	<ul style="list-style-type: none"> — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — Of 80 % or more but less than 82 % — Of 82 % or more 	<ul style="list-style-type: none"> 0405 10 11 500 0405 10 11 700 		<ul style="list-style-type: none"> 170,73 175,00
0405 10 19	<ul style="list-style-type: none"> — — — — Other: — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — Of 80 % or more but less than 82 % — Of 82 % or more 	<ul style="list-style-type: none"> 0405 10 19 500 0405 10 19 700 		<ul style="list-style-type: none"> 170,73 175,00
0405 10 30	<ul style="list-style-type: none"> — — — Recombined butter: — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — Of 80 % or more but less than 82 % — Of 82 % or more — — — — Other: — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — Of 80 % or more but less than 82 % — Of 82 % or more 	<ul style="list-style-type: none"> 0405 10 30 100 0405 10 30 300 0405 10 30 500 0405 10 30 700 		<ul style="list-style-type: none"> 170,73 175,00 170,73 175,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0405 10 50	— — — Whey butter:			
	— — — — In immediate packings of a net content not exceeding 1 kg:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 50 100		170,73
	— — — — — Of 82 % or more	0405 10 50 300		175,00
	— — — — — Other:			
	— — — — — Of a fat content by weight:			
	— — — — — Of 80 % or more but less than 82 %	0405 10 50 500		170,73
	— — — — — Of 82 % or more	0405 10 50 700		175,00
0405 10 90	— — Other	0405 10 90 000		181,40
ex 0405 20	— Dairy spreads:			
0405 20 90	— — Of a fat content by weight of more than 75 % but less than 80 %:			
	— — — Of a fat content by weight:			
	— — — — Of more than 75 % but less than 78 %	0405 20 90 500		160,06
	— — — — Of 78 % or more	0405 20 90 700		166,46
0405 90	— Other:			
0405 90 10	— — Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 000		223,00
0405 90 90	— — Other	0405 90 90 000		175,00
ex 0406	Cheeses:			
0406 90 23	Edam	0406 90 23 900		82,00
0406 90 25	Tilsit	0406 90 25 900		99,59
0406 90 76	— — — — — Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø	0406 90 76 100		81,52
0406 90 78	— — — — — Gouda	0406 90 78 100		73,50
	— — — — — Other cheeses, of a water content, calculated by weight, of the non-fatty matter			
0406 90 79	Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	0406 90 79 900		84,39
0406 90 81	Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby, Monterey	0406 90 81 900		95,66
0406 90 86	— — — — — Exceeding 47 % but not exceeding 52 %:			
	— Cheeses produced from whey	0406 90 86 100		—
	— Other:			
	— Of a fat content, by weight, in the dry matter:			
	— — Of less than 5 %	0406 90 86 200	(³)	62,50
	— — Of 5 % or more but less 19 %	0406 90 86 300	(³)	68,50
	— — Of 19 % or more but less than 39 %	0406 90 86 400	(³)	77,50
	— — Of more than 39 %	0406 90 86 900	(³)	91,00

COMMISSION REGULATION (EC) No 853/96
of 8 May 1996

amending Regulation (EC) No 2993/94 fixing the aid for the supply of milk products to the Canary Islands under the arrangements provided for in Articles 2 to 4 of Council Regulation (EEC) No 1601/92

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2537/95⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 2790/94⁽³⁾, as amended by Regulation (EC) No 2883/94⁽⁴⁾, lays down in particular the detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EC) No 2993/94⁽⁵⁾, as last amended by Regulation (EC) No 763/96⁽⁶⁾, fixed the amount of aid for milk products;

Whereas Commission Regulation (EC) No 756/96 of 25 April 1996 fixing the export refunds on milk and milk products⁽⁷⁾, as amended by Regulation (EC) No 849/96⁽⁸⁾, fixes the refunds on those products; whereas the Annex to Regulation (EC) No 2993/94 should be adapted to take account of those adjustments,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to amended Regulation (EC) No 2993/94 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 10 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁴⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁵⁾ OJ No L 316, 9. 12. 1994, p. 11.

⁽⁶⁾ OJ No L 103, 26. 4. 1996, p. 40.

⁽⁷⁾ OJ No L 103, 26. 4. 1996, p. 13.

⁽⁸⁾ See page 8 of this Official Journal.

ANNEX

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter (1):			
0401 10	– Of a fat content, by weight, not exceeding 1 %:			
0401 10 10	– – In immediate packings of a net content not exceeding 2 litres	0401 10 10 000	(1)	4,748
0401 10 90	– – Other	0401 10 90 000	(1)	4,748
0401 20	– Of a fat content, by weight, exceeding 1 % but not exceeding 6 %:			
	– – Not exceeding 3 %:			
0401 20 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 11 100	(1)	4,748
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 11 500	(1)	7,340
0401 20 19	– – – Other:			
	– Of a fat content, by weight, not exceeding 1,5 %	0401 20 19 100	(1)	4,748
	– Of a fat content, by weight, exceeding 1,5 %	0401 20 19 500	(1)	7,340
	– – Exceeding 3 %:			
0401 20 91	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 91 100	(1)	9,775
	– Of a fat content, by weight, exceeding 4 %	0401 20 91 500	(1)	11,39
0401 20 99	– – – Other:			
	– Of a fat content, by weight, not exceeding 4 %	0401 20 99 100	(1)	9,775
	– Of a fat content, by weight, exceeding 4 %	0401 20 99 500	(1)	11,39
0401 30	– Of a fat content, by weight, exceeding 6 %:			
	– – Not exceeding 21 %:			
0401 30 11	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 11 100	(1)	14,62
	– Exceeding 10 % but not exceeding 17 %	0401 30 11 400	(1)	22,55
	– Exceeding 17 %	0401 30 11 700	(1)	33,87
0401 30 19	– – – Other:			
	– Of a fat content, by weight:			
	– Not exceeding 10 %	0401 30 19 100	(1)	14,62
	– Exceeding 10 % but not exceeding 17 %	0401 30 19 400	(1)	22,55
	– Exceeding 17 %	0401 30 19 700	(1)	33,87
	– – Exceeding 21 % but not exceeding 45 %:			
0401 30 31	– – – In immediate packings of a net content not exceeding 2 litres:			
	– Of a fat content, by weight:			
	– Not exceeding 35 %	0401 30 31 100	(1)	40,34
	– Exceeding 35 % but not exceeding 39 %	0401 30 31 400	(1)	63,00
	– Exceeding 39 %	0401 30 31 700	(1)	69,47

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0401 30 39	-- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 35 %	0401 30 39 100	(1)	40,34
	-- Exceeding 35 % but not exceeding 39 %	0401 30 39 400	(1)	63,00
	-- Exceeding 39 %	0401 30 39 700	(1)	69,47
	-- Exceeding 45 %:			
0401 30 91	-- -- In immediate packings of a net content not exceeding 2 litres:			
	-- Of a fat content, by weight:			
	-- Not exceeding 68 %	0401 30 91 100	(1)	79,18
	-- Exceeding 68 % but not exceeding 80 %	0401 30 91 400	(1)	116,37
	-- Exceeding 80 %	0401 30 91 700	(1)	135,80
0401 30 99	-- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 68 %	0401 30 99 100	(1)	79,18
	-- Exceeding 68 % but not exceeding 80 %	0401 30 99 400	(1)	116,37
	-- Exceeding 80 %	0401 30 99 700	(1)	135,80
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:			
0402 10	-- In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % (?):			
	-- Not containing added sugar or other sweetening matter ⁽²⁾ :			
0402 10 11	-- -- In immediate packings of a net content not exceeding 2,5 kg	0402 10 11 000	(2)	49,00
0402 10 19	-- -- Other	0402 10 19 000	(2)	49,00
	-- Other ⁽³⁾ :			
0402 10 91	-- -- In immediate packings of a net content not exceeding 2,5 kg	0402 10 91 000	(3)	0,4900
0402 10 99	-- -- Other	0402 10 99 000	(3)	0,4900
	-- In powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % (?):			
0402 21	-- -- Not containing added sugar or other sweetening matter ⁽²⁾ :			
	-- -- Of a fat content, by weight, not exceeding 27 %:			
0402 21 11	-- -- -- In immediate packings of a net content not exceeding 2,5 kg:			
	-- -- -- Of a fat content, by weight:			
	-- Not exceeding 11 %	0402 21 11 200	(2)	49,00
	-- Exceeding 11 % but not exceeding 17 %	0402 21 11 300	(2)	86,53
	-- Exceeding 17 % but not exceeding 25 %	0402 21 11 500	(2)	91,16
	-- Exceeding 25 %	0402 21 11 900	(2)	98,05
	-- -- -- Other:			
0402 21 17	-- -- -- -- Of a fat content, by weight, not exceeding 11 %	0402 21 17 000	(2)	49,00
0402 21 19	-- -- -- -- Of a fat content, by weight, exceeding 11 % but not exceeding 27 %:			
	-- -- -- -- Not exceeding 17 %	0402 21 19 300	(2)	86,53
	-- -- -- -- Exceeding 17 % but not exceeding 25 %	0402 21 19 500	(2)	91,16
	-- -- -- -- Exceeding 25 %	0402 21 19 900	(2)	98,05
	-- -- -- Of a fat content, by weight, exceeding 27 %:			

<i>(in ECU/100 kg weight, if no other indication)</i>				
CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 21 91	-- -- -- In immediate packings of a net content not exceeding 2,5 kg:			
	-- Of a fat content, by weight:			
	-- Not 28 %	0402 21 91 100	(²)	98,77
	-- Exceeding 28 % but not exceeding 29 %	0402 21 91 200	(²)	99,45
	-- Exceeding 29 % but not exceeding 41 %	0402 21 91 300	(²)	100,67
	-- Exceeding 41 % but not exceeding 45 %	0402 21 91 400	(²)	107,61
	-- Exceeding 45 % but not exceeding 59 %	0402 21 91 500	(²)	110,00
	-- Exceeding 59 % but not exceeding 69 %	0402 21 91 600	(²)	119,21
	-- Exceeding 69 % but not exceeding 79 %	0402 21 91 700	(²)	124,61
	-- Exceeding 7 %	0402 21 91 900	(²)	130,71
0402 21 99	-- -- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 28 %	0402 21 99 100	(²)	98,77
	-- Exceeding 28 % but not exceeding 29 %	0402 21 99 200	(²)	99,45
	-- Exceeding 29 % but not exceeding 41 %	0402 21 99 300	(²)	100,67
	-- Exceeding 41 % but not exceeding 45 %	0402 21 99 400	(²)	107,61
	-- Exceeding 45 % but not exceeding 59 %	0402 21 99 500	(²)	110,00
	-- Exceeding 59 % but not exceeding 69 %	0402 21 99 600	(²)	119,21
	-- Exceeding 69 % but not exceeding 79 %	0402 21 99 700	(²)	124,61
	-- Exceeding 79 %	0402 21 99 900	(²)	130,71
ex 0402 29	-- -- Other (³):			
	-- -- -- Of a fat content, by weight, not exceeding 27 %:			
	-- -- -- -- Other:			
0402 29 15	-- -- -- -- In immediate packings of a net content not exceeding 2,5 kg:			
	-- Of a fat content, by weight:			
	-- Not exceeding 11 %	0402 29 15 200	(³)	0,4900
	-- Exceeding 11 % but not exceeding 17 %	0402 29 15 300	(³)	0,8653
	-- Exceeding 17 % but not exceeding 25 %	0402 29 15 500	(³)	0,9116
	-- Exceeding 25 %	0402 29 15 900	(³)	0,9805
0402 29 19	-- -- -- -- Other:			
	-- Of a fat content, by weight:			
	-- Not exceeding 11 %	0402 29 19 200	(³)	0,4900
	-- Exceeding 11 % but not exceeding 17 %	0402 29 19 300	(³)	0,8653
	-- Exceeding 17 % but not exceeding 25 %	0402 29 19 500	(³)	0,9116
	-- Exceeding 25 %	0402 29 19 900	(³)	0,9805
	-- -- -- Of a fat content, by weight, exceeding 27 %:			

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 29 91	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 91 100 0402 29 91 500	(²) (²)	0,9877 1,0761
0402 29 99	— — — — Other: — Of a fat content, by weight: — Not exceeding 41 % — Exceeding 41 %	0402 29 99 100 0402 29 99 500	(²) (²)	0,9877 1,0761
0402 91	— — — — Other: — — — — Not containing added sugar or other sweetening matter (²): — — — — Of a fat content, by weight, not exceeding 8 %:			
0402 91 11	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a non-fat lactic dry matter content: — Of less than 15 % and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 %	0402 91 11 110 0402 91 11 120 0402 91 11 310 0402 91 11 350 0402 91 11 370	(²) (²) (²) (²) (²)	4,748 9,775 16,36 20,06 24,39
0402 91 19	— — — — Other: — Of a non-fat lactic dry matter content: — Of less than 15 % and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % — Of 15 % or more and of a fat content, by weight: — Not exceeding 3 % — Exceeding 3 % but not exceeding 7,4 % — Exceeding 7,4 % — — — — Of a fat content, by weight, exceeding 8 % but not exceeding 10 %:	0402 91 19 110 0402 91 19 120 0402 91 19 310 0402 91 19 350 0402 91 19 370	(²) (²) (²) (²) (²)	4,748 9,775 16,36 20,06 24,39
0402 91 31	— — — — In immediate packings of a net content not exceeding 2,5 kg: — Of a non-fat lactic dry matter content: — Of less than 15 % — Of 15 % or more	0402 91 31 100 0402 91 31 300	(²) (²)	19,31 28,83
0402 91 39	— — — — Other: — Of a non-fat lactic dry matter content: — Of less than 15 % — Of 15 % or more — — — — Of a fat content, by weight, exceeding 10 % but not exceeding 45 %:	0402 91 39 100 0402 91 39 300	(²) (²)	19,31 28,83
0402 91 51	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 51 000	(²)	22,55
0402 91 59	— — — — Other	0402 91 59 000	(²)	22,55

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
	— — — Of a fat content, by weight, exceeding 45 %:			
0402 91 91	— — — — In immediate packings of a net content not exceeding 2,5 kg	0402 91 91 000	(²)	79,18
0402 91 99	— — — — Other	0402 91 99 000	(²)	79,18
0402 99	— — Other:			
	— — — Of a fat content, by weight, not exceeding 9,5 %:			
0402 99 11	— — — — In immediate packings of a net content not exceeding 2,5 kg:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight (³):			
	— Not exceeding 3 %	0402 99 11 110	(³)	0,0475
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 130	(³)	0,0978
	— Exceeding 6,9 %	0402 99 11 150	(³)	0,1562
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight (⁴):			
	— Not exceeding 3 %	0402 99 11 310	(⁴)	18,88
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 11 330	(⁴)	22,65
	— Exceeding 6,9 %	0402 99 11 350	(⁴)	30,11
0402 99 19	— — — — Other:			
	— Of a non-fat lactic dry matter content of less than 15 % and of a fat content, by weight (³):			
	— Not exceeding 3 %	0402 99 19 110	(³)	0,0475
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 130	(³)	0,0978
	— Exceeding 6,9 %	0402 99 19 150	(³)	0,1562
	— Of a non-fat lactic dry matter content of 15 % or more and of a fat content, by weight (⁴):			
	— Not exceeding 3 %	0402 99 19 310	(⁴)	18,88
	— Exceeding 3 % but not exceeding 6,9 %	0402 99 19 330	(⁴)	22,65
	— Exceeding 6,9 %	0402 99 19 350	(⁴)	30,11
	— — — Of a fat content, by weight, exceeding 9,5 % but not exceeding 45 %:			
0402 99 31	— — — — In immediate packings not exceeding 2,5 kg:			
	— Of a fat content, by weight, not exceeding 21 %:			
	— Of a non-fat lactic dry matter content, by weight, of less than 15 % (³)	0402 99 31 110	(³)	0,2094
	— Of a non-fat lactic dry matter content, by weight, of 15 % or more (⁴)	0402 99 31 150	(⁴)	31,35
	— Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (³)	0402 99 31 300	(³)	0,4034
	— Of a fat content, by weight, exceeding 39 % (³)	0402 99 31 500	(³)	0,6947

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0402 99 39	<ul style="list-style-type: none"> — — — — Other: <ul style="list-style-type: none"> — Of a fat content, by weight, not exceeding 21 %: — Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾ — Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾ — Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾ — Of a fat content, by weight, exceeding 39 % ⁽³⁾ — — — — Of a fat content, by weight, exceeding 45 %: 			
	<ul style="list-style-type: none"> — Of a non-fat lactic dry matter content, by weight, of less than 15 % ⁽³⁾ 	0402 99 39 110	⁽³⁾	0,2094
	<ul style="list-style-type: none"> — Of a non-fat lactic dry matter content, by weight, of 15 % or more ⁽⁴⁾ 	0402 99 39 150	⁽⁴⁾	31,35
	<ul style="list-style-type: none"> — Of a fat content, by weight, exceeding 21 % but not exceeding 39 % ⁽³⁾ 	0402 99 39 300	⁽³⁾	0,4034
	<ul style="list-style-type: none"> — Of a fat content, by weight, exceeding 39 % ⁽³⁾ 	0402 99 39 500	⁽³⁾	0,6947
	— — — — Of a fat content, by weight, exceeding 45 %:			
0402 99 91	— — — — In immediate packings not exceeding 2,5 kg ⁽³⁾	0402 99 91 000	⁽²⁾	0,7918
0402 99 99	— — — — Other ⁽³⁾	0402 99 99 000	⁽²⁾	0,7918
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405 10	<ul style="list-style-type: none"> — Butter: <ul style="list-style-type: none"> — — Of a fat content, by weight, not exceeding 85 %: — — — Natural butter: 			
	<ul style="list-style-type: none"> — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — Of 80 % or more but less than 82 % — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — Of 80 % or more but less than 82 % 	0405 10 11 500		170,73
	<ul style="list-style-type: none"> — — — — — — Of 82 % or more 	0405 10 11 700		175,00
	<ul style="list-style-type: none"> — — — — — Other: — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — Of 80 % or more but less than 82 % — — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — Of 80 % or more but less than 82 % 	0405 10 19 500		170,73
	<ul style="list-style-type: none"> — — — — — — Of 82 % or more 	0405 10 19 700		175,00
	<ul style="list-style-type: none"> — — — — — Recombined butter: <ul style="list-style-type: none"> — — — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — Of 82 % or more — — — — — — — Other: <ul style="list-style-type: none"> — — — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — — Of 80 % or more but less than 82 % 	0405 10 30 100		170,73
	<ul style="list-style-type: none"> — — — — — — — Of 82 % or more 	0405 10 30 300		175,00
	<ul style="list-style-type: none"> — — — — — — — Other: <ul style="list-style-type: none"> — — — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — — — — Of 80 % or more but less than 82 % 	0405 10 30 500		170,73
	<ul style="list-style-type: none"> — — — — — — — — — Of 82 % or more 	0405 10 30 700		175,00
	<ul style="list-style-type: none"> — — — — — — — — — — Other: <ul style="list-style-type: none"> — — — — — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — — — — — — Of 80 % or more but less than 82 % 	0405 10 50 500		170,73
	<ul style="list-style-type: none"> — — — — — — — — — — — Of 82 % or more 	0405 10 50 700		175,00
	<ul style="list-style-type: none"> — — — — — — — — — — — Other 	0405 10 90 000		181,40
0405 10 50	<ul style="list-style-type: none"> — — — — — Whey butter: <ul style="list-style-type: none"> — — — — — — In immediate packings of a net content not exceeding 1 kg: — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — Of 82 % or more — — — — — — — Other: <ul style="list-style-type: none"> — — — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — — Of 80 % or more but less than 82 % 	0405 10 50 100		170,73
	<ul style="list-style-type: none"> — — — — — — — Of 82 % or more 	0405 10 50 300		175,00
	<ul style="list-style-type: none"> — — — — — — — Other: <ul style="list-style-type: none"> — — — — — — — — — Of a fat content by weight: <ul style="list-style-type: none"> — — — — — — — — — — Of 80 % or more but less than 82 % — — — — — — — — — — Of 82 % or more 			
	<ul style="list-style-type: none"> — — — — — — — — — Of 80 % or more but less than 82 % 	0405 10 50 500		170,73
	<ul style="list-style-type: none"> — — — — — — — — — Of 82 % or more 	0405 10 50 700		175,00
0405 10 90	— — — — — Other	0405 10 90 000		181,40

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
ex 0405 20	– Dairy spreads:			
0405 20 90	– – Of a fat content by weight of more than 75 % but less than 80 %:			
	– – – Of a fat content by weight:			
	– – – – Of more than 75 % but less than 78 %	0405 20 90 500		160,06
	– – – – Of 78 % or more	0405 20 90 700		166,46
0405 90	– Other:			
0405 90 10	– – Of a fat content by weight of 99,3 % or more and of a water content by weight not exceeding 0,5 %:	0405 90 10 000		223,00
0405 90 90	– – Other	0405 90 90 000		175,00
0406	– Cheese:			
0406 30	– Processed, cheese, not grated or powdered ⁽⁶⁾ :			
0406 30 10	– – In the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger); put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 %:			
	– – – In the blending of which only Emmentaler and Gruyere have been used of a fat content by weight in the dry matter, not exceeding 56 %:			
	– – – – Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:			
	– – – – – Not exceeding 48 %:			
	– – – – – Of a dry matter content, by weight:			
	– – – – – – Of less than 27 %	0406 30 10 100		—
	– – – – – – Of 27 % or more but less than 33 %	0406 30 10 150		13,95
	– – – – – – Of 33 % or more but less than 38 %	0406 30 10 200		29,75
	– – – – – – Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter:			
	– – – – – – – Of less than 20 %	0406 30 10 250		29,75
	– – – – – – – Of 20 % or more	0406 30 10 300		43,65
	– – – – – – – Of 43 % or more and of a fat content, by weight, in the dry matter:			
	– – – – – – – – Of less than 20 %	0406 30 10 350		29,75
	– – – – – – – – Of 20 % or more but less than 40 %	0406 30 10 400		43,65
	– – – – – – – – Of 40 % or more	0406 30 10 450		63,51
	– – – – – Exceeding 48 %:			
	– – – – – – Of a dry matter content, by weight:			
	– – – – – – – Of less than 33 %	0406 30 10 500		—
	– – – – – – – Of 33 % or more but less than 38 %	0406 30 10 550		29,75
	– – – – – – – Of 38 % or more but less than 43 %	0406 30 10 600		43,65

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 30 10 (cont'd)	— Of 43 % or more but less than 46 %	0406 30 10 650		63,51
	— Of 46 % or more and of a fat content, by weight, in the dry matter:			
	— Of less than 55 %	0406 30 10 700		63,51
	— Of 55 % or more	0406 30 10 750		75,33
	— — — — Of a fat content, by weight, exceeding 36 %	0406 30 10 800		75,33
	— — — Other	0406 30 10 900		—
	— — Other:			
	— — — Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter:			
0406 30 31	— — — — Not exceeding 48 %:			
	— Of a dry matter content, by weight:			
	— Of less than 27 %	0406 30 31 100		—
	— Of 27 % or more but less than 33 %	0406 30 31 300	(¹)	13,95
	— Of 33 % or more but less than 38 %	0406 30 31 500	(¹)	29,75
	— Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter:			
	— Of less than 20 %	0406 30 31 710	(¹)	29,75
	— Of 20 % or more	0406 30 31 730	(¹)	43,65
	— Of 43 % or more and of a fat content, by weight, in the dry matter:			
	— Of less than 20 %	0406 30 31 910	(¹)	29,75
	— Of 20 % or more but less than 40 %	0406 30 31 930	(¹)	43,65
	— Of 40 % or more	0406 30 31 950	(¹)	63,51
0406 30 39	— — — — Exceeding 48 %:			
	— Of a dry matter content, by weight:			
	— Of less than 33 %	0406 30 39 100		—
	— Of 33 % or more but less than 38 %	0406 30 39 300	(¹)	29,75
	— Of 38 % or more but less than 43 %	0406 30 39 500	(¹)	43,65
	— Of 43 % or more but less than 46 %	0406 30 39 700	(¹)	63,51
	— Of 46 % or more and of a fat content, by weight, in the dry matter:			
	— Of less than 55 %	0406 30 39 930	(¹)	63,51
	— Of 55 % or more	0406 30 39 950	(¹)	75,33
0406 30 90	— — — Of a fat content, by weight, exceeding 36 %	0406 30 90 000	(¹)	75,33
0406 90 23	— — — Edam:			
	— Of a fat content, by weight, in the dry matter:			
	— Of less than 39 %	0406 90 23 100		—
	— Of 39 % or more	0406 90 23 900	(¹)	82,00
0406 90 25	— — — Tilsit:			
	— Of a fat content, by weight, in the dry matter:			
	— Of less than 39 %	0406 90 25 100		—
	— Of 39 % or more	0406 90 25 900	(¹)	99,59

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 27	-- -- Butterkäse: -- Of a fat content, by weight, in the dry matter: -- Of less than 39 % -- Of 39 % or more	0406 90 27 100 0406 90 27 900	(¹)	— 84,39
0406 90 76	-- -- -- -- -- Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø: -- Of a fat content, by weight, in the dry matter of less than 39 % -- Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % -- Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 76 100 0406 90 76 300 0406 90 76 500	(¹) (¹) (¹)	81,52 99,59 99,59
0406 90 78	-- -- -- -- -- Gouda: -- Of a fat content, by weight, in the dry matter of less than 39 % -- Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 % -- Of a fat content, by weight, in the dry matter of 55 % or more -- -- -- -- -- Other cheeses, of a water content, calculated by weight, of the non-fatty matter	0406 90 78 100 0406 90 78 300 0406 90 78 500	(¹) (¹) (¹)	73,50 90,00 90,00
0406 90 79	-- -- -- -- -- Estrom, Italice, Kernhem, Saint-Nectaire, Saint-Paulin and Taleggio: -- Of a fat content, by weight, in the dry matter of less than 39 % -- Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 79 100 0406 90 79 900	(¹)	— 84,39
0406 90 81	-- -- -- -- -- Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney, Colby and Monterey: -- Of a fat content, by weight, in the dry matter of less than 39 % -- Of a fat content, by weight, in the dry matter of 39 % or more	0406 90 81 100 0406 90 81 900	(¹)	— 95,66
0406 90 86	-- -- -- -- -- Exceeding 47 % but not exceeding 52 %: -- Cheeses produced from whey -- Other: -- Of a fat content, by weight, in the dry matter: -- Of less than 5 % -- Of 5 % or more but less than 19 % -- Of 19 % or more but less than 39 % -- Of more than 39 %	0406 90 86 100 0406 90 86 200 0406 90 86 300 0406 90 86 400 0406 90 86 900	(¹) (¹) (¹) (¹) (¹)	— 62,50 68,50 77,50 91,00

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 87	----- Exceeding 52 % but not exceeding 62 %:			
	- Cheeses produced from whey	0406 90 87 100		—
	- Other:			
	- Of a fat content, by weight, in the dry matter:			
	- Of less than 5 %	0406 90 87 200	(¹)	62,50
	- Of 5 % or more but less than 19 %	0406 90 87 300	(¹)	68,50
	- Of 19 % or more but less than 39 %	0406 90 87 400	(¹)	77,50
	- Of more than 39 %:			
	- Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk	0406 90 87 951	(¹)	113,50
	- Maasdam	0406 90 87 971	(¹)	94,50
	- Manouri, of a fat content, by weight, of 30 % or more	0406 90 87 972	(¹)	36,00
	- Other	0406 90 87 979	(¹)	94,50
0406 90 88	----- Exceeding 62 % but not exceeding 72 %:			
	- Cheeses produced from whey	0406 90 88 100		—
	- Other:			
	- Of a fat content, by weight, in the dry matter:			
	- Of less than 5 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 200	(¹)	62,50
	- Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 300	(¹)	68,50
	- Other	0406 90 88 900		—

(¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no aid shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

(²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the whey and/or added casein and/or caseinates shall not be taken into account in the added calculation of the amount of aid.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

(³) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content, by weight.

The aid per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components:

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product;

- (b) a component calculated in accordance with the provisions of Article 12 (3) of amended Regulation (EC) No 1466/95 (OJ No L 144, 28. 6. 1995, p. 22).
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
 - the lactose content of the added whey.
- (*) The aid on 100 kilograms of product falling within this subheading is equal to the sum of the following elements:
- (a) the amount per 100 kilograms shown; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be:
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
 - divided by the weight of the lactic part contained in 100 kilograms of product;
- (b) a component calculated in accordance with the provisions of Article 12 (3) of Regulation (EC) No 1466/95.
When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and, in particular,
 - the lactose content of the added whey.
- (5) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the aid is granted on the net weight, the weight of the liquid being deducted.
- (6) Where the product contains casein and/or caseinates, the part corresponding to the casein and/or the added caseinates will not be taken into account for the purpose of calculating the aid.
When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.
- (7) The aid on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.
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COMMISSION REGULATION (EC) No 854/96

of 8 May 1996

re-establishing the preferential customs duty on imports of large-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as last amended by Regulation (EC) No 539/96⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Regulation (EC) No 585/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty:

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EC) No 2524/95⁽⁵⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁶⁾, as last amended by Regulation (EEC) No 2917/93⁽⁷⁾, laid

down detailed rules for the application of these arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EC) No 2853/95⁽¹¹⁾;

Whereas the preferential customs duty fixed for large-flowered roses originating in Israel by Regulation (EC) No 1981/94 was suspended by Commission Regulation (EC) No 2633/95⁽¹²⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the last indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for large-flowered roses originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel the preferential customs duty set by amended Regulation (EC) No 1981/94 is reintroduced.

Article 2

This Regulation shall enter into force on 9 May 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 84, 3. 4. 1996, p. 8.

⁽⁵⁾ OJ No L 258, 28. 10. 1995, p. 42.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 96.

⁽¹¹⁾ OJ No L 299, 12. 12. 1995, p. 1.

⁽¹²⁾ OJ No L 269, 11. 11. 1995, p. 18.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 855/96
of 8 May 1996
establishing the standard import values for determining the entry price of
certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 2933/95 ⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the 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 9 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 8 May 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>				
CN code	Third country code (*)	Standard import value	CN code	Third country code (*)	Standard import value		
0702 00 25	052	143,0		436	41,6		
	060	80,2		448	38,0		
	064	59,6		528	53,6		
	066	41,7		600	50,5		
	068	62,3		624	42,3		
	204	76,9		625	41,2		
	208	44,0		999	47,8		
	212	97,5		0805 30 20	052	126,3	
	624	97,1			204	88,8	
	999	78,0			220	74,0	
	ex 0707 00 20	052			97,0	388	64,2
		053			156,2	400	77,2
060		61,0	512		54,8		
066		53,8	520	66,5			
068		69,1	524	100,8			
204		144,3	528	72,9			
0709 10 10	220	309,2	600	69,7			
	999	309,2	624	98,3			
	0709 90 75	052	72,5	999	81,2		
204		77,5	0808 10 61, 0808 10 63, 0808 10 69	039	106,7		
412		54,2		052	64,0		
624		151,9		064	78,6		
999		89,0		284	75,5		
0805 10 21, 0805 10 25, 0805 10 29		052		66,1	388	86,4	
		204		45,3	400	71,2	
		208	58,0	404	71,1		
		212	55,0	416	72,7		
		220	53,3	508	85,0		
		388	40,5	512	73,8		
0805 10 21, 0805 10 25, 0805 10 29		400	35,8	524	82,8		
			528	77,2			
			624	86,5			
			728	107,3			
		800	78,0				
		804	91,4				
		999	81,8				

(*) Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 16). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 856/96
of 8 May 1996
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1863/95⁽²⁾,

Having regard to Commission Regulation (EC) No 1502/95 of 29 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 for the 1995/96 marketing year as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 346/96⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas Article 10 of Regulation (EEC) No 1766/92 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 55 %, minus the cif import price applicable to the consignment in question;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1502/95 lays down detailed rules for the application of Council Regulation (EEC) No

1766/92 for the 1995/96 marketing year as regards import duties in the cereals 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 for the reference exchange referred to in Annex II to Regulation (EC) No 1502/95 during the two weeks preceding the next periodical fixing;

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

Whereas application of Regulation (EC) No 1502/95 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 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 9 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 179, 29. 7. 1995, p. 1.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 13.

⁽⁴⁾ OJ No L 49, 28. 2. 1996, p. 5.

ANNEX I

Import duties for the products listed in Article 10 (2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽²⁾	0,00	0,00
	medium quality	0,00	0,00
	low quality	0,00	0,00
1002 00 00	Rye	50,22	40,22
1003 00 10	Barley, seed	50,22	40,22
1003 00 90	Barley, other ⁽³⁾	50,22	40,22
1005 10 90	Maize seed other than hybrid	38,57	28,57
1005 90 00	Maize other than seed ⁽³⁾	38,57	28,57
1007 00 90	Grain sorghum other than hybrids for sowing	50,22	40,22

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1502/95, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean (Article 2 (4) of Regulation (EC) No 1502/95), the importer may benefit from a reduction in the duty of:

- ECU 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- ECU 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1502/95 are met.

ANNEX II

Factors for calculating duties (period from 24. 4. 1996 to 7. 5. 1996):

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Mid-America	Mid-America
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	189,58	192,43	179,46	146,45	191,31 (!)	136,44 (!)
Gulf premium (ECU/tonne)	—	25,58	21,15	12,12	—	—
Great lake premium (ECU/tonne)	19,75	—	—	—	—	—

(!) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 11,72 per tonne; Great Lakes — Rotterdam: ECU 22,19 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1502/95: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 857/96
of 8 May 1996
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 (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 3072/95 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1573/95 of 30 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 1418/76 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 321/96 ⁽⁴⁾, and in particular Article 4 (1) thereof,

Whereas Article 12 of Regulation (EEC) No 1418/76 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 buying price valid for such products on importation and increased by a certain percentage according to whether it is Indica or Japonica rice and also husked or milled rice, minus the cif import price applicable to the consignment in question provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12 (4) of Regulation (EEC) No 1418/76, the cif import prices are calculated on the basis of the prices for the product in question on the world market;

Whereas Regulation (EC) No 1573/95 lays down detailed rules for the application of Regulation (EEC) No 1418/76 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 for the reference referred to in Annex I to Regulation (EC) No 1573/95 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 1573/95 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 12 (1) and (2) of Regulation (EEC) No 1418/76 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 9 May 1996.

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

Done at Brussels, 8 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽³⁾ OJ No L 150, 1. 7. 1995, p. 53.

⁽⁴⁾ OJ No L 45, 23. 2. 1996, p. 3.

ANNEX I

to the Commission Regulation of 8 May 1996 fixing the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties (*)				Arrangement in Regulation (EEC) No 3877/86 (°)
	Third countries (except ACP and Bangladesh) (°) (°)	ACP Bangladesh (°) (°) (°) (°)	Basmati India (°) Article 4, Regulation (EC) No 1573/95	Basmati Pakistan (°) Article 4, Regulation (EC) No 1573/95	
1006 10 21	(°)	150,76			
1006 10 23	(°)	150,76			
1006 10 25	(°)	150,76			
1006 10 27	(°)	150,76			—
1006 10 92	(°)	150,76			
1006 10 94	(°)	150,76			
1006 10 96	(°)	150,76			
1006 10 98	(°)	150,76			—
1006 20 11	270,65	130,99			
1006 20 13	270,65	130,99			
1006 20 15	270,65	130,99			
1006 20 17	335,99	163,66	85,99	285,99	—
1006 20 92	270,65	130,99			
1006 20 94	270,65	130,99			
1006 20 96	270,65	130,99			
1006 20 98	335,99	163,66	85,99	285,99	—
1006 30 21	525,49	247,84			
1006 30 23	525,49	247,84			
1006 30 25	525,49	247,84			
1006 30 27	(°)	290,59			—
1006 30 42	525,49	247,84			
1006 30 44	525,49	247,84			
1006 30 46	525,49	247,84			
1006 30 48	(°)	290,59			—
1006 30 61	525,49	247,84			
1006 30 63	525,49	247,84			
1006 30 65	525,49	247,84			
1006 30 67	(°)	290,59			—
1006 30 92	525,49	247,84			
1006 30 94	525,49	247,84			
1006 30 96	525,49	247,84			
1006 30 98	(°)	290,59			—
1006 40 00	(°)	90,38			

(*) 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).

(°) 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.

(°) The import levy on rice entering the overseas department of Réunion is specified in Article 12 (3) of Regulation (EEC) No 1418/76.

(°) 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).

- (¹) Only for imports of rice of the long-grain aromatic Basmati variety under the arrangements laid down in amended Council Regulation (EEC) No 3877/86 (OJ No L 361, 20. 12. 1986, p. 1).
- (²) 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).
- (³) For husked rice of the Basmati variety originating in India and not imported under the arrangements in Regulation (EEC) No 3877/86, a reduction of ECU 250 per tonne applies (Article 4, Regulation (EC) No 1573/95).
- (⁴) For husked rice of the Basmati variety originating in Pakistan and not imported under the arrangements in Regulation (EEC) No 3877/86, a reduction of ECU 50 per tonne applies (Article 4, Regulation (EC) No 1573/95).
- (⁵) Duties fixed in the Common Customs Tariff.

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)(¹)	(²)	335,99	611,00	270,65	525,49	(²)
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	397,03	380,84	480,00	505,00	—
(b) fob price (\$/tonne)	—	—	—	450,00	475,00	—
(c) Sea freight (\$/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Where rice is imported during the month following fixing, these import duties must be adjusted in accordance with the fourth subparagraph of Article 4 (1) of Regulation (EC) No 1573/95.

(²) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL AND COMMISSION DECISION

of 22 April 1996

concluding the Additional Protocol to 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

(96/300/Euratom, EC)

THE COUNCIL OF THE EUROPEAN UNION,
THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238, in conjunction with Article 228 (2), second sentence, and Article 228 (3) second subparagraph thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second subparagraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament⁽¹⁾,

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of central and eastern Europe, taking as a point of departure those programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with the Slovak Republic,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement establishing an association between the European Communi-

ties and their Member States, of the one part, and the Slovak Republic, of the other part, signed on 11 December 1995 is hereby approved on behalf of the European Community and on behalf of the European Atomic Energy Community.

The text of the Additional Protocol is attached to this Decision.

Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community. The President of the Commission should undertake the same notification for the European Atomic Energy Community.

Done at Luxembourg, 22 April 1996.

For the Council

The President

S. AGNELLI

For the Commission

The President

J. SANTER

⁽¹⁾ OJ No C 96, 1. 4. 1996.

ADDITIONAL PROTOCOL

to 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

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, hereinafter referred to as 'the Community',

of the one part, and

THE SLOVAK REPUBLIC, hereinafter referred to as 'Slovakia',

of the other part,

WHEREAS the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Slovakia, of the other part (hereinafter referred to as 'the Europe Agreement') was signed in Luxembourg on 4 October 1993;

WHEREAS the objectives of the Europe Agreement referred to in Article 1 thereof include the provision of an appropriate framework for Slovakia's gradual integration into the Community;

WHEREAS the Community and Slovakia have agreed in Titles VI and VII of the Europe Agreement to promote economic and cultural cooperation;

WHEREAS the European Council at its meeting in Copenhagen on 21 and 22 June 1993 welcomed the possibility offered to the associated countries of participating in Community programmes under the Europe Agreements;

WHEREAS the conclusions of the Presidency of the European Council meeting in Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated countries shall be geared to the objective of membership which has now been established, and that such cooperation shall include the participation of the associated countries in Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN COMMUNITY:

Francisco Javier ELORZA CAVENGT
Ambassador,
Permanent Representative of the Kingdom of Spain,
Chairman of the Permanent Representatives Committee

THE EUROPEAN ATOMIC ENERGY COMMUNITY:

Günther BURGHARDT
Director-General of the Directorate-General for External Political Relations of the Commission of the European Communities

SLOVAKIA:

Jan LISUCH
Ambassador extraordinary and plenipotentiary,
Head of the Mission of the Slovak Republic to the European Union

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Slovakia may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development,
- information services,
- the environment,
- education, training and youth,

- social policy and health,
- consumer protection,
- small and medium-sized enterprises,
- tourism,
- culture,
- the audiovisual sector,
- civil protection,
- trade facilitation,
- energy,
- transport, and
- the fight against drugs and drug addiction.

The Parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

Article 2

Without prejudice to the existing participation of Slovakia in the activities referred to in Article 1, the Association Council established by the Europe Agreement shall decide the terms and conditions for the participation of Slovakia in the activities referred to in Article 1.

Article 3

The financial contribution of Slovakia to the activities referred to under Article 1 shall be based on the principle that Slovakia shall meet the costs resulting from its participation.

If necessary, the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to Slovakia's contribution.

The Parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.

Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and Slovakia. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol.

Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Slovak languages, each of these texts being equally authentic.

Hecho en Bruselas, el once de diciembre de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles, den ellefte december nitten hundrede og femoghalvfems.

Geschehen zu Brüssel am elften Dezember neunzehnhundertfünfundneunzig.

Έγινε στις Βρυξέλλες, στις ένδεκα Δεκεμβρίου χίλια εννιακόσια ενενήντα πέντε.

Done at Brussels on the eleventh day of December in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le onze décembre mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì undici dicembre millenovecentonovantacinque.

Gedaan te Brussel, de elfde december negentienhonderd vijfennegentig.

Feito em Bruxélas, em onze de Dezembro de mil novecentos e noventa e cinco.

Tehty Brysselissä yhdentenätoista päivänä joulukuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

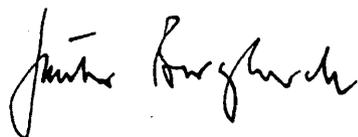
Som skedde i Bryssel den elfte december nittonhundra nittio fem.

Dané v Bruseli jedenásteho decembra tisíc deväťsto deväťdesiatpäť.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Comunidad Europea de la Energía Atómica
For Det Europæiske Atomenergifællesskab
Für die Europäische Atomgemeinschaft
Για την Ευρωπαϊκή Κοινότητα Ατομικής Ενεργείας
For the European Atomic Energy Community
Pour la Communauté européenne de l'énergie atomique
Per la Comunità europea dell'energia atomica
Voor de Europese Gemeenschap voor Atoomenergie
Pela Comunidade Europeia da Energia Atómica
Euroopan atomienergiayhteisön puolesta
På Europeiska atomenergigemenskapens vägnar



Za Slovenskú republiku



COMMISSION

COMMISSION DECISION

of 3 May 1996

authorizing Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards Egypt

(96/301/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 96/14/EC⁽²⁾, and in particular Article 15 (3) thereof,

Whereas, where a Member State considers that there is an imminent danger of the introduction into its territory of *Pseudomonas solanacearum* (Smith) Smith, the cause of potato brown rot, from a third country, it may temporarily take any additional measures necessary to protect itself from that danger;

Whereas France, on the basis of continued interceptions of *Pseudomonas solanacearum* in potatoes originating in Egypt adopted on 19 March 1996 measures to implement a ban on potatoes originating in Egypt, with a view to ensuring more efficient protection against the introduction of *Pseudomonas solanacearum* from Egypt into France;

Whereas Finland adopted on 4 April 1996 similar measures against the introduction of that organism into Finland;

Whereas Spain and Denmark subsequently adopted such measures on 16 and 22 April 1996 respectively against the introduction into their respective territories;

Whereas, based on the experiences gained during the current import season, and information gathered from the Egyptian authorities during a recent mission in Egypt, it becomes apparent that the current provisions concerning

the 'area freedom' requirement are not sufficient to protect the Community adequately and that additional measures are necessary, whereby under the provisions of the safeguard measures it is appropriate to take into consideration the Egyptian potato production system and the current stage of the production season;

Whereas therefore the concepts of 'basin' for the Desert production area and of 'village' for the Delta production area should be used as reference for the areas in which *Pseudomonas solanacearum* is not known to occur;

Whereas, moreover, there should also be an indication of the basin/village coding system for the identification of areas, qualified for the production of potatoes for export to the Community, on both the labels and the required phytosanitary certificates;

Whereas, if it becomes apparent that the additional measures referred to in Article 1 of this Decision, are not sufficient to prevent the entry of *Pseudomonas solanacearum* or have not been complied with, more stringent or alternative measures should be envisaged;

Whereas the aforesaid imminent danger has justified the adoption of additional emergency measures by Member States;

Whereas, however, these additional emergency measures should be brought into line with Community safeguard measures;

Whereas the effects of the additional measures will be assessed continually, and subsequent measures applicable to the introduction of potatoes originating in Egypt, including requirements for more intensive testing in Egypt, in the forthcoming season will be examined in the light of the results of that assessment, by 30 November 1996 at the latest;

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

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.

HAS ADOPTED THIS DECISION:

Article 1

Tubers of *Solanum tuberosum* L., other than those intended for planting, which originate in Egypt, may be introduced into the territory of the Community, but only if, in addition to the special requirement laid down in Annex IV, Part A, Section I, point 25.8 of Directive 77/93/EEC, the measures as laid down in the Annex of this Decision are complied with. The additional measures specified in 2 (a) and (b) of the Annex shall apply only to consignments leaving Egypt after the Commission has informed Egypt of these measures.

Article 2

The importing Member States shall provide the Commission and the other Member States, before 30 November 1996, with information on the amounts imported pursuant to this Decision and with a detailed technical report on the official examination referred to in point 3 of the Annex; copies of each plant health certificate shall be transmitted to the Commission.

Article 3

The Member States shall adjust the measures which they have adopted with a view to protecting themselves against the introduction and spread of *Pseudomonas solanacearum* (Smith) Smith in such a manner that the measures comply with Article 1.

Article 4

This Decision shall be reviewed by 30 November 1996 at the latest.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 3 May 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

For the purpose of the provisions of Article 1, the following additional measures shall be complied with:

1. (i) 'area' shall be defined, for the delta region, by 'village' (administrative units already established which cover a group of 'basins'), and for the desert regions, by 'basin' (irrigation unit);

(ii) 'not known to occur' shall refer to a village or basin, as specified under (i), in which no outbreak of *Pseudomonas solanacearum* (Smith) Smith has occurred;

(iii) 'list of qualified areas' shall mean the list officially established by the competent Egyptian authorities indicating the areas as specified in (i) in which *Pseudomonas solanacearum* (Smith) Smith is not known to occur, within the meaning of (ii), by their individual or collective names and by their individual official code number, which has been made available to the Commission prior to the first introduction of early potatoes following the coming into force of this Decision;

2. (a) the potatoes destined for introduction into the Community shall have been, in Egypt:
 - officially inspected, on cut tubers of samples of at least 200 tubers each, taken from each lot or, if the lot exceeds 25 tonnes, from every 25 tonnes or part thereof in such a lot, immediately prior to shipment, for symptoms of potato brown rot caused by *Pseudomonas solanacearum* (Smith) Smith and found free from such symptoms in these inspections,

 - officially tested, in accordance with an appropriate method specified by the Commission, for latent infection on samples taken from each consignment, and found free from *Pseudomonas solanacearum* (Smith) Smith in such testing; one sample per area as specified in 1 (i) and represented in the consignment must be taken, but in any case at least five samples must be taken,

 - harvested, handled and bagged separately, including reasonably separate use of machinery, basin by basin, wherever possible, and in any case area by area as specified in 1 (i),

 - prepared in lots, each of which shall be made up exclusively by potatoes which were harvested in one single area as specified in 1 (i),

 - clearly labelled, on each bag, with an indelible indication of the relevant official code number as given in the 'list of qualified areas', and of the relevant lot number,

 - accompanied by the official phytosanitary certificate required under Article 12 (1) (b) of Directive 77/93/EEC indicating the lot number(s) under the section 'Distinguishing marks', and the official code number(s), as referred to in the previous indent, under the section 'Additional declaration'; the lot number of the lot from which a sample has been taken for the purpose specified in the second indent above, as well as the official statement that the testing has been carried out, shall also be indicated in that section;

- (b) the points of entry authorized for the introduction of relevant potatoes and the name and address of the responsible official body in charge of each point shall have been notified by the Member States to the Commission, which will inform the other Member States and Egypt thereof;

- (c) the responsible official body in charge of the point of entry should have received advanced notification of the likely time of arrival of consignments of potatoes as well as of the amount thereof. In absence of any advance notification, the provisions of Article 5 (4) of Council Directive 83/643/EEC⁽¹⁾, as last amended by Directive 91/342/EEC⁽²⁾, shall apply;

⁽¹⁾ OJ No L 359, 22. 12. 1983, p. 8.

⁽²⁾ OJ No L 187, 13. 7. 1991, p. 47.

3. at the point of entry, the potatoes shall be subjected to the inspections required pursuant to Article 12 of Directive 77/93/EEC, and such inspections, comprising at least inspections of the type as specified in 2 (a), first indent, shall be done on each lot in a consignment.

Those inspections shall be completed by testing, in accordance with an appropriate method, for latent infection on samples taken from each consignment; one sample per area as specified in 1 (i) and represented in the consignment must be taken, but in any case at least five samples must be taken.

The lots concerned shall remain separate under official control and may not be marketed or used until it has been established that the presence of *Pseudomonas solanacearum* (Smith) Smith was not suspected or detected in those examinations;

4. the Commission shall ensure that it receives information of the details and the results of the testing referred to in 2 (a) second indent. The 'list of qualified areas' shall be adjusted by the Commission according to these results and to the findings made under 3;
 5. Member States shall lay down appropriate labelling requirements with the aim of preventing the potatoes from being planted.
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