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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1488/96

of 23 July 1996

on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

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

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

Whereas the European Council at its meetings in Lisbon, Corfu and Essen stressed that the Mediterranean constitutes a priority area for the European Union and adopted the aim of establishing a Euro-Mediterranean partnership;

Whereas the Cannes European Council meeting on 26 and 27 June 1995 reaffirmed the strategic importance it attached to adding a new dimension to the European Union's relations with its Mediterranean partners by building on the Council report of 12 June 1995 prepared on the basis, in particular, of the Commission communications of 19 October 1994 and 8 March 1995 on strengthening the Mediterranean policy of the European Union;

Whereas it is necessary to pursue efforts to ensure that the Mediterranean becomes an area of political stability and security and whereas the Community's Mediterranean policy must play a part in achieving the general objective of respect of human rights and fundamental freedoms and of the promotion of good-neighbourly relations, while respecting international law and the territorial integrity and external frontiers of the Member States and Mediterranean non-member countries;

Whereas the ultimate establishment of a Euro-Mediterranean free-trade area is likely to foster stability and prosperity in the Mediterranean region;

Whereas for the Mediterranean partners the establishment of a free-trade area may involve profound structural reforms;

Whereas it is therefore necessary to support the efforts that have been or will be undertaken by the Mediterranean partners to reform their economic, social and administrative structures;

Whereas the dialogue between cultures and between civil societies should be developed, notably by encouraging training activities, development and decentralized co-operation;

Whereas intensified regional cooperation and in particular the development of economic links and trade flows between Mediterranean territories and partners which are conducive to reform and economic restructuring should be encouraged;

Whereas the bilateral protocols on financial and technical cooperation concluded by the Community with Mediterranean partners provided a useful initial basis for cooperation; whereas it is now necessary to build on the experience which has been acquired and to embark on a new stage of relations, in the framework of partnership;

Whereas rules for the administration of such partnership have to be determined, while ensuring the transparency and overall consistency of action undertaken using budget appropriations;

Whereas to this end this Regulation will apply to the range of measures which came under Council Regulation (EEC) No 1762/92 of 29 June 1992 on the implementation of the protocols on financial and technical cooperation concluded by the Community with Mediterranean non-member countries ⁽³⁾ and Council Regulation (EEC) No 1763/92 of 29 June 1992 concerning financial co-operation in respect of all Mediterranean non-member countries ⁽⁴⁾ for measures whose scope extended beyond the scope of a single country;

⁽¹⁾ OJ No C 232, 6. 9. 1995, p. 5 and OJ No C 150, 24. 5. 1996, p. 15.

⁽²⁾ OJ No C 17, 22. 1. 1996, p. 184 and Opinion delivered on 20 June 1996 (OJ No C 198, 8. 7. 1996).

⁽³⁾ OJ No L 181, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 181, 1. 7. 1992, p. 5.

Whereas, therefore, this Regulation replaces the above-mentioned Regulations as from 1 January 1997, while it is, however, necessary to maintain Regulation (EEC) No 1762/92 in force for the management of financial protocols still applicable at that date and for the commitment of funds remaining under the expired financial protocols;

Whereas a financial reference amount, within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995, is included in this Regulation for the period 1995 to 1999, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty;

Whereas in respect of environmental projects the loans granted by the European Investment Bank, hereinafter referred to as 'the Bank', from its own resources under conditions laid down by it, in accordance with its Statute, may receive an interest-rate subsidy;

Whereas in loan operations involving interest-rate subsidies, the granting of a loan by the Bank from its own resources and the granting of an interest-rate subsidy financed by the budgetary resources of the Community must be linked and are conditional on each other; whereas the Bank may, in accordance with its Statute and in particular by a unanimous decision of its Board of Directors in the presence of an unfavourable opinion by the Commission, decide to grant a loan from its own resources, subject to granting of the interest-rate subsidy; whereas, on account of this aspect, it is necessary to ensure that the procedure adopted for granting interest-rate subsidies results in every case in an express decision, whether to grant the subsidy or to refuse it, where appropriate;

Whereas it is necessary to make provision for a Committee composed of representatives of the Member States to assist the Bank in the tasks attributed to it to implement this Regulation;

Whereas to ensure effective management of the measures provided for in this Regulation and to facilitate relations with the beneficiary countries a multiannual approach is required;

Whereas the measures under this Regulation go beyond the framework of development assistance and are intended to apply to countries only in part classifiable as developing countries; whereas, therefore, this Regulation cannot be adopted other than on the basis of the powers provided for in Article 235 of the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community shall implement measures in the framework of the principles and priorities of the Euro-

Mediterranean partnership to support the efforts that Mediterranean non-member countries and territories listed in Annex I (hereinafter referred to as 'Mediterranean partners') will undertake to reform their economic and social structures and mitigate any social or environmental consequences which may result from economic development.

2. The beneficiaries of support measures may include not only States and regions but also local authorities, regional organizations, public agencies, local or traditional communities, organizations supporting business, private operators, cooperatives, mutual societies, associations, foundations and non-governmental organizations.

3. The financial reference amount for the implementation of this programme for the period 1995 to 1999 shall be ECU 3 424,5 million.

The annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

Article 2

1. The purpose of this Regulation is to contribute, through the measures provided for in paragraph 2, to initiatives of joint interest in the three sectors of the Euro-Mediterranean partnership: the reinforcement of political stability and of democracy, the creation of a Euro-Mediterranean free-trade area, and the development of economic and social cooperation, taking due account of the human and cultural dimension.

2. These support measures shall be implemented taking account of the objective of achieving long-term stability and prosperity, in particular in the fields of economic transition, sustainable economic and social development and regional and cross-border cooperation. The objectives and details of the relevant procedures shall be as set out in Annex II.

Article 3

This Regulation is based on respect for democratic principles and the rule of law and also for human rights and fundamental freedoms, which constitute an essential element thereof, the violation of which element will justify the adoption of appropriate measures.

Article 4

1. The Commission shall, in agreement with the Member States and on the basis of a reciprocal and regular exchange of information, including exchange of information on the spot, especially with regard to the indicative programmes and projects, ensure the effective coordination of the assistance efforts undertaken by the

Community and individual Member States, in order to increase the coherence and complementarity of their cooperation programmes. In addition, the Commission shall promote coordination and cooperation with international financial institutions, the United Nations cooperation programmes and other donors.

2. The measures referred to in this Regulation may be adopted by the Community either independently or in the form of co-financing with the Mediterranean partners themselves or with public or private bodies of the Member States and the Bank, on the one hand, or multi-lateral bodies or third countries, on the other.

Article 5

1. Measures to be financed under this Regulation shall be selected taking account, *inter alia*, of the beneficiaries' priorities, evolving needs, absorption capacity and progress towards structural reform.

Selection shall also be based on an assessment of the effectiveness of those measures in achieving the objectives aimed at by Community support, in line, where appropriate, with the provisions of Association or Cooperation Agreements.

2. Indicative programmes covering three-year periods shall be established, in liaison with the Bank, at national and regional level. They shall take into account the priorities identified with the Mediterranean partners, including the conclusions of the economic dialogue. They shall be updated annually, as necessary.

The programmes shall define the main objectives of, the guidelines for and the priority sectors of Community support in the areas referred to in Section II of Annex II, together with factors for the evaluation of the programmes. The programmes shall include indicative amounts (overall and by priority sector) and list the criteria for funding the programme concerned, taking account of the need to allow for an appropriate reserve for implementation of the MEDA heading.

The programmes may be amended taking into account experience acquired, the progress achieved by the Mediterranean partners in structural reform, macroeconomic stabilization and social progress as well as the results of economic cooperation under the new Association Agreements.

3. Financing decisions shall be based chiefly on the indicative programmes.

Article 6

1. Community financing shall notably be in the form of grants or risk capital. Concerning cooperation measures in the field of the environment it may also take the form of interest rate subsidies for loans granted by the Bank from its own resources. The subsidy rate shall be 3 %.

2. Grants may be used to finance or co-finance activities, projects or programmes which contribute to the realization of the objectives defined in Article 2. The financing ceiling for each grant for activities, projects or programmes shall also depend on those grants' ability to yield a financial return. The financing made available to the private sector shall in general be on commercial terms, in order to avoid distortions of local financial markets as far as possible.

3. Financing decisions and any financing agreements and contracts resulting therefrom shall provide, *inter alia*, for supervision and financial control by the Commission and audits by the Court of Auditors, where appropriate, to be carried out on the spot.

The Court of Auditors' supervision of operations financed under this Regulation and managed by the Bank shall be carried out according to the procedures agreed between the Commission, the Bank and the Court of Auditors.

4. Risk capital shall be used, first and foremost, to make available own funds, or funds regarded as such, to undertakings (private or mixed) in the production sector, in particular those that can bring together natural or legal persons who are nationals of a Community Member State and of Mediterranean non-member countries or territories.

Risk capital provided and managed by the Bank may take the form of:

- (a) subordinated loans, for which reimbursement and any interest payments shall be effected only after settlement of other banking claims;
- (b) conditional loans the repayment or duration of which depend on fulfilment of the conditions laid down when the loans are granted;
- (c) temporary minority holdings on behalf of the Community in the capital of undertakings established in the Mediterranean non-member countries or territories;

(d) financing of holdings in the form of conditional loans granted to the Mediterranean partners or, with their consent, to undertakings in those Mediterranean partner countries, either directly or through the intermediary of their financial institutions.

Article 7

1. Measures under this Regulation may cover expenditure on imports of goods and services and local expenditure needed to carry out the projects and programmes. Taxes, duties and charges shall be excluded from Community financing.

Contracts for the implementation of Community-funded measures under this Regulation shall receive, from the partner concerned, fiscal and customs treatment no less favourable than that which it applies to the most-favoured State or most-favoured international development organization.

2. Costs incurred in preparing, initiating, following up, monitoring and implementing support measures may also be covered.

3. Operating and maintenance costs, in particular those to be financed in foreign currency, may be covered within the framework of training, communications and research programmes and within that of other projects. As a general rule, such costs may be covered only in the start-up stage and shall be progressively reduced.

4. For investment projects in the production sector, Community financing shall be combined with the beneficiary's own resources or with financing on market conditions, taking into account the nature of the project. The recipient's contribution or that represented by financing on market conditions should be maximized. In any case Community financing, including that involving the Bank's own resources, shall not exceed 80 % of total investment costs. That ceiling shall be of an exceptional nature and shall be duly justified by the nature of the operation.

Article 8

1. Invitations to tender and contract shall be open on equal terms to all natural and legal persons in the Member States and the Mediterranean partners.

2. The Commission shall ensure:

- the widest possible participation under equal conditions in shortlists and tenders for supplies, works and services,
- the necessary transparency and rigour in the application of the selection and evaluation criteria,
- effective competition among firms, organizations and institutions interested in participating in the initiatives financed by the programme,
- the urgent submission, to the MED Committee, of a procedures guide concerning the detailed implementation of these objectives, which will be examined in accordance with Article 11.

3. In the *Official Journal of the European Communities* the Commission shall publish, indicating the subject, the content and the value of the contracts provided for:

- once a year, forecasts of contracts for services and technical cooperation activities to be awarded after invitations to tender for the 12 months following publication,
- once every three months, any amendments to the above forecasts.

4. The Commission shall provide, in liaison with Member States, on request, to all interested firms, organizations and institutions throughout the Community, documentation on the general aspects of the MEDA programmes and the requirements for participation in the programmes.

5. Financing proposals shall include indications of the contracts to be expected, including the estimated values, the procedure for awarding them and the planned dates for the invitations to tender.

6. Contracts shall be awarded to companies in accordance with the relevant provisions of the Financial Regulation applicable to the general budget of the European Communities.

7. The results of the invitations to tender shall be published in the *Official Journal of the European Communities*. The Commission shall submit to the Article 11 Committee, every six months, specific detailed information on the contracts concluded in implementation of MEDA programmes and projects.

8. In the case of co-financing, participants from countries other than the Mediterranean partners concerned in invitations to tender and contracts may be authorized by the Commission on a case-by-case basis. In these cases participation of undertakings from third countries shall be acceptable only if reciprocity is granted.

Article 9

1. The guidelines for the indicative programmes referred to in Article 5 (2) shall be adopted by the Council, acting by a qualified majority on a proposal from the Commission, following dialogue with the Mediterranean partners concerned.

Together with its proposals, the Commission shall forward for information its overall financial programme planning, indicating in particular the total amount of the national and regional indicative programmes, as well as the allocation by beneficiary country and by priority sector of the overall amount adopted within those programmes.

2. The indicative programmes and any amendments to them, together with financing decisions based mainly on them, shall be adopted by the Commission in accordance with the provisions of Article 11.

3. Financing decisions exceeding ECU 2 000 000 other than those relating to interest-rate subsidies on Bank loans and risk capital shall be adopted in accordance with the procedure laid down in Article 11, subject to paragraphs 4 and 6.

4. Financing decisions on overall allocations shall be adopted in accordance with the procedure laid down in Article 11. Within an overall allocation, the Commission shall adopt financing decisions not exceeding ECU 2 000 000. The Committee provided for in Article 11 shall be informed systematically and promptly and in any event before the next meeting, of financing decisions for measures not involving more than ECU 2 000 000.

5. Decisions amending financing decisions adopted in accordance with the procedure laid down in Article 11 shall be taken by the Commission where they do not entail any substantial amendments or additional commitments in excess of 20 % of the original commitment. The Commission shall inform the Committee referred to in Article 11 immediately of any such decisions.

6. Exchange programmes under decentralized cooperation shall be adopted by the Commission in accordance with the procedure laid down in Article 11.

7. Financing decisions relating to interest-rate subsidies on Bank loans shall be adopted in accordance with the procedure laid down in Article 12. Financing decisions relating to risk capital shall be adopted in accordance with the procedure laid down in Article 13.

Article 10

1. Measures referred to in this Regulation which are financed from the general budget of the European Communities shall be administered by the Commission

in accordance with the Financial Regulation applicable to the general budget of the European Communities.

2. In the financing proposals submitted to the Committee referred to in Article 11 and the assessments mentioned in Article 15, the Commission shall abide by the principles of sound financial management and, in particular, those of economy and cost-effectiveness referred to in the Financial Regulation.

Article 11

1. The Commission shall be assisted by a Committee, hereinafter referred to as the 'MED Committee', composed of the representatives of the Member States and chaired by the representative of the Commission. A representative of the Bank shall take part in the proceedings, without the right to vote.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee. However, if the measures are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months, the Council has not acted, the proposed measures shall be adopted by the Commission.

4. The Committee may examine any other question relating to the implementation of this Regulation which is put to it by its Chairman, possibly at the request of the representative of a Member State, and in particular any question relating to general implementation, the administration of the programme or the co-financing and coordination referred to in Articles 4 and 5.

5. The Committee shall adopt its rules of procedure by qualified majority.

6. The Commission shall keep the Committee regularly informed and shall supply it with information on the implementation of measures under this Regulation.

7. The European Parliament shall be kept regularly informed of the implementation of this Regulation.

Article 12

1. As regards the projects to be financed by subsidized loans in the field of the environment, the Bank shall draw up the financing proposal in accordance with its Statute. The Bank shall seek the opinion of the Commission, in accordance with Article 21 of its Statute, and of the Committee referred to in Article 14.
2. The Committee referred to in Article 14 shall issue an opinion on the Bank's proposal. The Commission representative shall convey to that Committee the position of his institution on the project concerned, and in particular on its conformity with the objectives of this Regulation and with the general guidelines adopted by the Council. In addition, the Committee referred to in Article 14 shall be informed by the Bank of the non-subsidized loans which the Bank envisages granting from its own resources.
3. On the basis of that consultation, the Bank shall ask the Commission to take a financing decision to grant the interest-rate subsidy for the project concerned.
4. The Commission shall submit to the MED Committee a draft decision authorizing or, if appropriate, refusing the financing of the interest-rate subsidy.
5. The Commission shall forward the decision referred to in paragraph 4 to the Bank, which, where the decision grants the subsidy, may grant the loan.

Article 13

1. The Bank shall submit to the Committee referred to in Article 14, for its opinion, projects concerning risk-capital operations. The Commission representative shall convey to that Committee the position of his institution on the project concerned and in particular on its conformity with the objectives of this Regulation and with the general guidelines adopted by the Council.
2. On the basis of that consultation, the Bank shall forward the project to the Commission.
3. The Commission shall take the financing decision within a period appropriate to the characteristics of the project.
4. The Commission shall forward the decision referred to in paragraph 3 to the Bank, which shall take the appropriate measures.

Article 14

1. A Committee consisting of the representatives of the Member States, hereinafter referred to as the 'Article 14 Committee', shall be set up at the Bank. That Committee shall be chaired by the representative of the Member State currently holding the chair of the Board of Governors of the Bank; its secretariat shall be provided by the Bank. A

representative of the Commission shall take part in its proceedings.

2. The rules of procedure of the Article 14 Committee shall be adopted unanimously by the Council.
3. The Committee shall act by a qualified majority in accordance with Article 148 (2) of the Treaty.
4. Within the Article 14 Committee, the votes of the representatives of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

Article 15

1. The Commission shall, together with the Bank, examine progress achieved in implementing the measures undertaken pursuant to this Regulation and shall submit to the European Parliament and the Council an annual report, no later than 30 April. The report shall contain information on the measures financed during the year, with due regard for confidentiality, and provide an assessment of the results obtained.
2. The Commission and the Bank shall evaluate the main projects that concern each of them in order to determine whether the objectives have been achieved and to establish guidelines for increasing the effectiveness of future activities. The evaluation reports, with due regard for confidentiality, shall be made available to the Council and the European Parliament. For operations managed by the EIB, the reports shall be made available to the Member States.
3. Every three years the Commission shall, together with the Bank, produce an overall assessment report on cooperation policy in favour of the Mediterranean partners and shall submit it without delay to the MED Committee.

Every year, the MED Committee shall receive precise details of the composition and activities of the existing networks.

The Commission shall forward an evaluation of each programme every two years.

4. As regards decentralized cooperation, the Commission shall forward to the MED Committee precise details of the composition and activities of the existing networks each year and on evaluation of each programme every two years.
5. The Commission will inform the Member States each year about resources which are still available or have already been allocated.
6. The Council will review this Regulation before 30 June 1999. To that end, the Commission shall submit to the Council before 31 December 1998 an evaluation report accompanied by proposals regarding the future of the Regulation and, if necessary, the amendments to be made to it.

Article 16

The definitive procedure for adopting the appropriate measures where an essential element for the continuation of aid for a Mediterranean partner is lacking shall be determined before 30 June 1997.

Article 17

1. Regulation (EEC) No 1763/92 is hereby repealed as from 31 December 1996.

2. As from 1 January 1997, Regulation (EEC) No 1762/92 shall apply for the management of the protocols still in force at that date and for the commitment of funds remaining under the expired protocols.

Article 18

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

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

Done at Brussels, 23 July 1996.

For the Council

The President

I. YATES

*ANNEX I***PARTNER TERRITORIES AND COUNTRIES REFERRED TO IN ARTICLE 1**

The People's Democratic Republic of Algeria
The Republic of Cyprus
The Arab Republic of Egypt
The State of Israel
The Kingdom of Jordan
The Lebanese Republic
The Republic of Malta
The Kingdom of Morocco
The Syrian Arab Republic
The Republic of Tunisia
The Republic of Turkey
The Occupied Territories of Gaza and the West Bank

ANNEX II

OBJECTIVES AND RULES FOR THE IMPLEMENTATION OF ARTICLE 2

- I. (a) Support for economic transition and the establishment of a Euro-Mediterranean free-trade area shall include in particular:
- job creation and private sector development, including improvement of the business environment and support for SMEs,
 - promotion of investment, industrial cooperation and trade between the European Community and the Mediterranean partners, as well as among the Mediterranean partners themselves,
 - upgrading of economic infrastructure, possibly to include the financial and taxation systems.
- (b) Operations in support of structural adjustment programmes, implemented on the basis of the following principles:
- the support programmes shall be designed to restore the major financial balances and create an economic environment favourable to accelerated growth, while at the same time improving the well-being of the population,
 - the support programmes shall be adapted to the particular situation of each country and take account of economic and social conditions,
 - the support programmes shall lay down measures intended, in particular, to alleviate the negative effects which the process of structural adjustment may have on social conditions and employment, especially for underprivileged sections of the population;
 - the support programmes shall be orientated towards the creation of a free-trade area with the European Community,
 - rapid disbursement shall be one of the main features of the support programmes.
- The following eligibility criteria must be satisfied:
- the country concerned must undertake a reform programme approved by the Bretton Woods institutions or implement programmes recognized as analogous, in coordination with those institutions, but not necessarily financially supported by them, in accordance with the macroeconomic extent and effectiveness of the reforms,
 - account must be taken of the economic situation of the country, and particularly its level of indebtedness and its debt-servicing burden, the state of its balance of payments and the availability of currency, the budget situation, the monetary situation, the level of per capital GNP and the unemployment level.
- II. Support for achieving a better socioeconomic balance shall include in particular:
- the participation of civil society and populations in the planning and implementation of development measures,
 - the improvement of social services, especially in the areas of health, family planning, water supplies, sanitation and housing,
 - the fight against poverty,
 - harmonious and integrated rural development and the improvement of urban living conditions,
 - reinforced cooperation concerning fisheries and the sustainable exploitation of marine resources,
 - reinforced environmental cooperation,
 - upgrading of economic infrastructures, particularly in the sectors of transport, energy, rural development, information technology and telecommunications,
 - integrated development of human resources to complement Member States' programmes, notably with regard to continuing vocational training in the context of industrial cooperation, and improvement of the potential for scientific and technological research,
 - strengthening democracy and respect for human rights,
 - cultural cooperation and youth exchanges,
 - through the above measures, cooperation and technical assistance in order to reduce illegal immigration, drug trafficking and international crime.

III. Regional and cross-border cooperation shall be supported in particular by:

- (a) establishing and developing structures for regional cooperation between Mediterranean partners;
- (b) — establishing the infrastructure necessary for regional trade, including transport, communications and energy,
 - improvement of the regulatory framework and small-scale infrastructure projects in the context of border-crossing facilities,
 - cooperation on the level of large geographic regions as well as measures complementary to those undertaken in this field within the Community, including support for connection between the transport and energy networks of the Mediterranean partners and the trans-European networks;
- (c) other regional activities including the Euro-Arab dialogue;
- (d) exchanges between civil society in the Union and the Mediterranean partners; in this context, decentralized cooperation will:
 - have as its objective to identify the non-governmental beneficiaries of Community aid,
 - will concentrate particularly on the networking of universities and researchers, local communities, associations, trade unions and non-governmental organizations, the media, private business and cultural institutions in the widest sense, and the other bodies listed at IV.

The programmes must concentrate on encouraging information between networks and durable links between network partners.

IV. Good governance shall be promoted by supporting key institutions and key protagonists in civil society such as local authorities, rural and village groups, mutual-aid associations, trade unions, the media and organizations supporting business, and by assisting in the improvement of the capacity of the public administration to develop policies and manage their implementation.

V. Measures taken under this Regulation shall take account of promotion of the role of women in economic and social life. Special importance shall be attached to education and the creation of jobs for women.

The measures shall also take account of the need to promote education and the creation of jobs for young people in order to facilitate their social integration.

VI. The activities financed under this Regulation shall mainly take the form of technical assistance, training, institution-building, information, seminars, studies, projects for investment in micro-enterprises, small and medium-sized undertakings and infrastructures and action designed to highlight the Community nature of the assistance. Recourse should be had to decentralized cooperation where this may prove effective. Risk-capital operations and interest-rate subsidies will be financed in collaboration with the Bank.

VII. Due regard shall be taken of environmental considerations in the preparation and implementation of activities financed by means of this Regulation.

COUNCIL REGULATION (EC) No 1489/96
of 23 July 1996

amending Regulation (EEC) No 54/93 imposing a definitive anti-dumping duty on imports of synthetic fibres of polyesters originating in India and the Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Article 11 (4) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) By Regulation (EEC) No 54/93⁽²⁾, the Council imposed, *inter alia*, a definitive anti-dumping duty of 7,2 % on imports of synthetic staple fibres of polyesters, not carded, combed or otherwise processed for spinning, commonly referred to as polyester synthetic fibres, currently classifiable within CN code 5503 20 00 and originating in India, with the exception of imports from five Indian exporters specifically mentioned which were either subject to a lesser rate of duty or no duty at all.

B. PROCEDURE

- (2) The Commission received on application for a review of the measures currently in force from the Indian company Bongaigaon Refinery & Petrochemicals Ltd (hereinafter 'Bongaigaon' or 'the company'). Bongaigaon claimed that it was not related to any of the exporters or producers in India which are subject to the anti-dumping measures on the product, and that it had not exported the product during the period of investigation on which the measures are based. Furthermore, the company claimed that it had actually exported the product concerned to the Community and that it had also entered into irrevocable contractual obligations to export significant quantities to the Community.

- (3) Bongaigaon provided, on request, evidence which was considered sufficient to justify the initiation of a review in accordance with Article 11 (4) of Regulation (EC) No 384/96 (hereinafter referred to as the 'Basic Regulation'). By Regulation (EC) No 2566/95⁽³⁾, the Commission, after consulting the Advisory Committee, initiated a review of Regulation (EEC) No 54/93 with regard to Bongaigaon and commenced its investigation.

By Regulation (EC) No 2566/95, the Commission also repealed the anti-dumping duty imposed by Regulation (EEC) No 54/93 with regard to imports of the product concerned produced and exported to the Community by Bongaigaon and directed customs authorities, pursuant to Article 14 (5) of the Basic Regulation, to take appropriate steps to register such imports.

- (4) The product concerned in this review is the same as the one under consideration in Regulation (EEC) No 54/93.
- (5) The Commission officially advised Bongaigaon and the representatives of the exporting country. Furthermore, it gave the parties directly concerned the opportunity to make their views known in writing and to request a hearing but did not receive any reaction in this respect.

The Commission sent a questionnaire to Bongaigaon and received a proper and timely reply. The Commission sought and verified all information it deemed necessary for the purposes of the procedure and carried out a verification visit at the premises of Bongaigaon, India.

- (6) The investigation of dumping covered the period from 1 July 1994 to 30 June 1995.
- (7) The same methodology as that used in the original investigation was applied where circumstances had not changed.

C. RESULTS OF THE INVESTIGATION

1. New exporter qualification

- (8) The investigation confirmed that Bongaigaon had not exported the product concerned during the

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

⁽²⁾ OJ No L 9, 15. 1. 1993, p. 2.

⁽³⁾ OJ No L 262, 1. 11. 1995, p. 28.

period of investigation on which the measures subject to review are based, i.e. from 1 January 1990 to 31 August 1990. Exports of the product concerned to the Community started, in fact, only during the company's financial year 1993/1994.

In addition, it was found that Bongaigaon had no links, either direct or indirect, with the exporters involved in the previous procedure.

Accordingly, it is confirmed that the company should be considered as a new exporter in the sense of Article 11 (4) of the Basic Regulation and that its individual dumping margin should be determined.

2. Dumping

(i) *Normal value*

- (9) Although the company's total domestic sales of the like product constituted more than 5 % of the volume of export sales to the Community, it was found that for the product type sold to the Community the domestic sales volume for the corresponding type was below this threshold and the prices could not be considered representative for the market concerned.

As the company has produced and sold on the domestic market, in the ordinary course of trade, other types of the like product than the one exported to the Community, normal value was constructed in accordance with Article 2 (3) and the first sentence of Article 2 (6) of the Basic Regulation. Consequently, normal value was calculated on the basis of all costs of production incurred by Bongaigaon when producing the product type in question plus a reasonable amount for selling, general and administrative expenses and profits, both established on the basis of the company's domestic sales of all types of the like product in the ordinary course of trade.

(ii) *Export price*

- (10) Export sales of the product concerned were made directly to unrelated importers in the Community. Export prices were therefore determined on the basis of the prices actually paid by these unrelated importers, in accordance with Article 2 (8) of the Basic Regulation.

(iii) *Comparison*

- (11) For the purpose of a fair comparison between normal value and export price, account was taken

of differences affecting price comparability as provided for in Article 2 (10) of the Basic Regulation, namely import charges and indirect taxes, discounts, transport and insurance expenses, commission and credit costs. The comparison was made at an ex-works level.

- (12) Bongaigaon requested that adjustments should be made for the following benefits received for its export performance but not granted in respect of its domestic sales:

- reduction of corporate tax due to export sales based on the Indian Income Tax Act,
- benefit for an export house,
- market development assistance following the Federation of Indian Export Organizations Scheme.

The claim was rejected as Bongaigaon could not demonstrate that these benefits, which accrued to the company only after the investigation period and which resulted in a reduction of its selling, general and administrative expenses, had any direct and measurable effect on prices and price comparability in the sense of Article 2 (10) of the Basic Regulation.

(iv) *Dumping margin*

- (13) The comparison showed the existence of dumping with respect to the synthetic fibres of polyesters exported by Bongaigaon. The dumping margin, being equal to the amount by which the normal value exceeded the price for export to the Community, was established on the basis of a comparison of the constructed normal value as defined in recital 9 with the weighted average of prices for all export transactions of the product concerned to the Community during the period mentioned in recital 6. Expressed as a percentage of the free-at-Community-frontier price, the dumping margin amounted to 17,5 %.

3. Injury

- (14) No request for a review of the findings on injury was made and there is no reason to doubt that the level of injury found in the original investigation has not decreased.

D. AMENDMENT OF THE MEASURES BEING REVIEWED

- (15) In accordance with Article 9 (4) of the Basic Regulation, the amount of the anti-dumping duty

should not exceed the dumping margin established and should be less if a lesser duty would be adequate to remove the injury to the Community industry.

- (16) In the present case, the dumping margin established exceeds the injury margin. The latter was calculated by applying the same methodology as in the original investigation. This methodology is described in detail in recitals 50 to 54 of Regulation (EEC) No 1956/92⁽¹⁾. The injury margin found amounted to 13 %. The anti-dumping duty to be imposed should therefore correspond to the injury margin established and Regulation (EEC) No 54/93 should be amended accordingly.

E. RETROACTIVE LEVYING OF THE ANTI-DUMPING DUTY

- (17) As the review has resulted in a determination of dumping in respect of Bongaigaon, the anti-dumping duty applicable to this company shall also be levied retroactively up to the date of the initiation of the review against imports which, pursuant to Article 3 of Regulation (EC) No 2566/95, have been subject to registration.

F. DISCLOSURE AND DURATION OF MEASURES

- (18) Bongaigaon was informed of the facts and considerations on the basis of which it was intended to propose the amendment of Regulation (EEC) No 54/93 and were given an opportunity to comment. The Commission also officially advised the complainants mentioned in the initial investigation.

Bongaigaon made their views known in writing. They requested that the rate of profit should not be based on the domestic sales of all types of the like product made in the ordinary course of trade. They also repeated their claim for adjustments concerning:

- the reduction of corporate tax due to export sales based on the Indian Income Tax Act, and
- benefit for an export house.

These requests had to be rejected for the reasons set out in recitals 9 and 12.

- (19) This review does not affect the date on which Regulation (EEC) No 54/93 will expire pursuant to Article 11 (2) of the Basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (2) of Regulation (EEC) No 54/93 is hereby amended as follows: under (a) the following shall be added at the end of the text:

'Bongaigaon Refinery & Petrochemicals Ltd
13 % (Taric additional code 8873);'

Article 2

The anti-dumping duty shall also be levied retroactively up to the date of the initiation of the review against those imports which, pursuant to Article 3 of Regulation (EC) No 2566/95, have been subject to registration.

Article 3

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

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

Done at Brussels, 23 July 1996.

For the Council

The President

I. YATES

⁽¹⁾ OJ No L 197, 16. 7. 1992, p. 25.

COUNCIL REGULATION (EC) No 1490/96

of 23 July 1996

imposing a definitive anti-dumping duty on imports of polyester staple fibre originating in Belarus and collecting definitively the provisional duty imposed

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PROVISIONAL MEASURES

- (1) By Regulation (EC) No 394/96⁽³⁾ (hereinafter 'the provisional duty Regulation'), the Commission imposed a provisional anti-dumping duty on imports into the Community of polyester staple fibre (hereinafter 'PSF' or 'product concerned') originating in Belarus, falling within CN code 5503 2000.
- (2) By Regulation (EC) No 1050/96⁽⁴⁾ the Council extended the validity of this duty for a period of two months.

B. SUBSEQUENT PROCEDURE

- (3) The provisional duty Regulation set up a time limit within which the parties concerned could make known their views in writing and apply to be heard orally by the Commission.
- (4) Only the sole Belarussian exporter concerned requested, within that time limit, and was granted a hearing.

- (5) 'Eurofibrefill', an association formed by a group of users of PSF, made known its views in writing nearly three months following the entry into force of the provisional duty Regulation, and hence after the abovementioned time limit. In any event, no arguments different from those previously made by Eurofibrefill in the course of the investigation, and covered by the provisional duty Regulation, were contained in the new submission.

C. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT, DUMPING, COMMUNITY INDUSTRY, INJURY, CAUSATION OF INJURY AND COMMUNITY INTEREST

- (6) No further substantiated arguments have been made by any of the parties concerned regarding the Commission's provisional findings on the product concerned, on the like product, on dumping, Community industry, injury, causation of injury and Community interest. Consequently, these findings, as set out in recitals 10 to 78 of the provisional duty Regulation, are confirmed by the Council.

D. FORM OF A DEFINITIVE MEASURE TO BE IMPOSED

- (7) During the hearing granted to the Belarussian exporter (see recital 4), the latter enquired about the possibility of offering a price-undertaking, so that the investigation could be terminated without the imposition of definitive duties. However, no such offer has subsequently been made.
- (8) For the following reasons, a price-undertaking does not appear to be an appropriate solution in the present case:
 - (a) minimum prices of PSF would have to be linked to the considerable price fluctuations of its main raw materials on the international markets, which would make an undertaking unworkable;
 - (b) the product concerned is extremely heterogeneous. An efficient monitoring of an undertaking, which should comprise all different types and combinations of PSF (factors like size, colour, cutlength, shading, etc. are all decisive for setting a selling price), would be extremely difficult. The risk of circumvention would be considerable;

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 1. Regulation as last amended by Regulation (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 10).

⁽³⁾ OJ No L 54, 5. 3. 1996, p. 10.

⁽⁴⁾ OJ No L 139, 12. 6. 1996, p. 16.

- (c) the low level of cooperation found during the investigation, as demonstrated by the fact that the exporter concerned submitted evidence for only 2 % of the total quantity of PSF imported into the Community from Belarus, would increase this risk even more.
- (9) In these circumstances it is considered that the most suitable form of any definitive measure to be imposed in the present proceeding would therefore be an *ad valorem* duty. The Council confirms this approach.

E. DEFINITIVE DUTY

- (10) In order to establish the level of the definitive duty, the Commission took account of the dumping margin found and of the amount of duty necessary to eliminate the injury sustained by the Community industry, in accordance with the methodology described in recitals 79 to 81 of the provisional duty Regulation.
- (11) Since the increase in export prices necessary to remove the injury suffered by the Community industry is greater than the dumping margin found, the definitive duty to be imposed should correspond to the dumping margin established, i.e. 43,5 %. The Council confirms this level of the definitive duty.

F. COLLECTION OF THE PROVISIONAL DUTY

- (12) In view of the dumping margin established and the substantial injury caused to the Community

industry, it is considered that the amounts secured by way of the provisional anti-dumping duty should be definitively collected,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of synthetic staple fibre of polyester, falling within CN code 5503 20 00, and originating in Belarus.
2. The rate of the definitive anti-dumping duty applicable shall be 43,5 % of the net, free-at-Community-frontier price, before duty.
3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

1. The amounts secured by way of the provisional anti-dumping duty on imports into the Community of polyester staple fibre originating in Belarus pursuant to Regulation (EC) No 394/96 shall be definitively collected.
2. Article 1 (3) shall also apply to the definitive collection of the amounts secured by way of the provisional anti-dumping duty.

Article 3

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

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

Done at Brussels, 23 July 1996.

For the Council
The President
I. YATES

COMMISSION REGULATION (EC) No 1491/96
of 24 July 1996
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EC) No 1292/96⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾, lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients 311 tonnes of vegetable oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is

necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The supply shall cover the mobilization of vegetable oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward processing arrangements.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 24 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 1028/95
2. **Programme**: 1995
3. **Recipient** (2): CICR, 19 avenue de la paix, CH-1202 Genève (tel. (41-22) 734 60 01; telex 22269 CICR CH)
4. **Representative of the recipient**: ICRC Delegation, Hujnady street, Proyezd 2 House 3A, Douchanbe, Tadjikistan
5. **Place or country of destination** (3): Tadjikistan
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (4) (7): see OJ No C 114, 29. 4. 1991, p. 1 (III. A (1) (a))
8. **Total quantity (tonnes net)**: 71
9. **Number of lots**: 1
10. **Packaging and marking** (5) (8): see OJ No C 114, 29. 4. 1991, p. 1 (IIIA (2) (1), IIIA (2) (3) and IIIA (3))
Five-litre metal canister, without cardboard cross-pieces
Language to be used for the marking: English
Supplementary markings 'TJ-0052'
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community. Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements.
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: ICRC warehouse, Douchanbe
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 2. to 15. 9. 1996
18. **Deadline for the supply**: 27. 10. 1996
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) 13. 8. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) 27. 8. 1996
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 16 to 29. 9. 1996
 - (c) deadline for the supply: 10. 11. 1996
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1):
Bureau de l'aide alimentaire,
Attn. Mr T. Vestergaard,
Bâtiment Loi 130, bureau 7/46,
Rue de la Loi/Wetstraat 200,
B-1049 Brussels
telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** (4): —

LOT B

1. **Operation No** ⁽¹⁾: 1024/95
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaid, Postbus 12, NL-2501 CA Den Haag, Nederland (tel: (31 70) 33 05 757; fax: 36 41 701; telex: 30960 EURON NL)
4. **Representative of the recipient**: to be designated by the recipient
5. **Place or country of destination**: Haiti
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (IIIA (1) (a))
8. **Total quantity (tonnes net)**: 240
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁴⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (IIIA (2) (1), IIIA (2) (3) and IIIA (3))
Five-litre metal canister, without cardboard cross-pieces
Language to be used for the marking: French
11. **Method of mobilization**: mobilization of refined rape seed oil produced in the Community.
Mobilization may not involve a product manufactured and/or packaged under inward-processing arrangements
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9 to 29. 9. 1996
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) 13. 8. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) 27. 8. 1996
 - (b) period for making the goods available at the port of shipment: 23. 9 to 13. 10. 1996
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire,
Attn. Mr T. Vestergaard,
Bâtiment Loi 130, bureau 7/46,
Rue de la Loi/Wetstraat 200,
B-1049 Bruxelles
telex: 25670 AGREC B; fax: (32-2) 296 70 03 / 296 70 04
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: —

Notes:

- (1) The operation number should be mentioned in all correspondence.
 - (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
 - (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
 - (4) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (5) Commission delegation to be contacted by the successful tenderer: OJ No C 114, 29. 4. 1991, p. 33.
 - (6) Notwithstanding OJ No C 114, point IIIA (3)(c) is replaced by the following: 'the words "European Community"'.

(7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
 - (8) Shipment to take place in 20-foot containers, FCL/FCL (each containing 15 tonnes net). The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The beneficiary will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The successful tenderer must stow the cartons in the containers in such a way that any empty spaces are filled; he must stabilize the final row of cartons using stowage belts.

The successful tenderer must seal each container with a numbered locktainer (sysko locktainer 180 seal), the number of which is to be provided to the recipient's forwarder.
 - (9) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.
-

COMMISSION REGULATION (EC) No 1492/96

of 26 July 1996

amending Annex II and Annex III to Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2455/92 of 23 July 1992, concerning Community exports and imports of certain dangerous chemicals⁽¹⁾, as last amended by Council Regulation (EC) No 3135/94⁽²⁾, and in particular Article 11 (2) and (3) thereof,

Whereas Regulation (EEC) No 2455/92 sets up a system of notification and information for imports from and exports to third countries of certain dangerous chemicals; whereas certain of these chemicals are subject to the international prior informed consent procedure (PIC) established by the United Nations Environment Programme (UNEP) and by the Food and Agriculture Organization (FAO);

Whereas Regulation (EEC) No 2455/92 further provides for the participation of the Community in the international notification and prior informed consent procedure;

Whereas Article 5 (3) of Regulation (EEC) No 2455/92 provides, *inter alia*, that Annex II to the said Regulation should comprise a list of chemicals subject to the international PIC procedure, a list of the countries participating in the PIC scheme and the PIC decisions of importing countries;

Whereas Article 11 (2) of Regulation (EEC) No 2455/92 provides that Annex II should be amended where the UNEP and the FAO have initiated amendments to the list of chemicals subject to the international PIC procedure and to the PIC decisions of importing countries;

Whereas, a number of such amendments having been so initiated, it is necessary, in accordance with Article 11 of Regulation (EEC) No 2455/92, to amend its Annex II, as last amended by Commission Regulation (EC) No 41/94⁽³⁾;

Whereas the exports of chemicals to which Regulation (EEC) No 2455/92 applies are subject to a common notification procedure which permits the Community to notify third countries with regard to such exports;

Whereas Article 4 (1) of the Regulation states that notifications of exports from the Community to third countries must comply with the requirements set out in Annex III;

Whereas, in the light of experience gained and to ensure a better information of third countries, it is desirable to amend Annex III to Regulation (EEC) No 2455/92;

Whereas this Regulation is in accordance with the opinion of the Committee set up under Article 29 of Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances⁽⁴⁾, as last amended by Commission Directive 94/69/EC⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to this Regulation replaces Annex II to Regulation (EEC) No 2455/92.

Article 2

Annex II to this Regulation replaces Annex III to Regulation (EEC) No 2455/92.

Article 3

This Regulation shall come into force one month after its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 251, 29. 8. 1992, p. 13.

⁽²⁾ OJ No L 332, 22. 12. 1994, p. 1.

⁽³⁾ OJ No L 8, 12. 1. 1994, p. 1.

⁽⁴⁾ OJ No L 196, 16. 8. 1967, p. 1.

⁽⁵⁾ OJ No L 381, 31. 12. 1994, p. 1.

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

Done at Brussels, 26 July 1996.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX I

ANNEX II

The information contained in this Annex is based on the PIC Circular V, July 1995 and on the update of PIC Circular V, January 1996

(1) List of chemicals subject to the international PIC procedure

The following chemicals have been introduced in the PIC procedure following control actions reported by participating countries. For aldrin, dieldrin, DDT, dinoseb and dinoseb salts, fluoroacetamide, HCH, chlordane, chlordimeform, cyhexatin, EDB, heptachlor, mercury compounds, reported control actions refer to pesticide use (as defined by the FAO/UNEP). For crocidolite, PBBs, PCBs, PCTs and tris(2,3 dibromopropyl)phosphate, reported control actions refer to industrial use. Decision guidance documents (DGDs) have been prepared by UNEP/FAO (IRPTC) to help countries to make import decisions concerning those chemicals. Nevertheless, DGD is not the only information taken into account by countries when they take their import decision. Therefore, the import decision does not necessarily refer to the uses mentioned in the DGD.

Aldrin	CAS No 309-00-2	EC No 206-215-8
Dieldrin	CAS No 60-57-1	EC No 200-484-5
DDT	CAS No 50-29-3	EC No 200-024-3
Dinoseb and dinoseb salts	CAS No 88-85-7	EC No 201-861-7
Fluoroacetamide	CAS No 640-19-7	EC No 211-363-1
HCH (mixed isomers)	CAS No 608-73-1	EC No 210-168-9
Chlordane	CAS No 57-74-9	EC No 200-349-0
Chlordimeform	CAS No 6164-98-3	EC No 228-200-5
Cyhexatin ⁽¹⁾	CAS No 13121-70-5	EC No 236-049-1
EDB (1,2-dibromoethane)	CAS No 106-93-4	EC No 203-444-5
Heptachlor	CAS No 76-44-8	EC No 200-962-3
Mercury compounds such as		
— Mercuric oxide	CAS No 21908-53-2	EC No 244-654-7
— Mercurous chloride (Calomel)	CAS No 10112-91-1	EC No 233-307-5
— Other inorganic mercury compounds		
— Alkyl-mercury compounds		
— Alkoxy-alkyl and aryl-mercury compounds		
Crocidolite	CAS No 12001-28-4	EC No 310-127-6
Polybrominated biphenyls (PBBs)	CAS Nos 36355-01-8, 27858-07-7, 13654-09-6	EC Nos 252-994-2, 248-696-7, 237-137-2
Polychlorinated biphenyls (PCBs), except mono and dichlorinated biphenyls	CAS No 1336-36-3	EC No 215-648-1
Polychlorinated terphenyls (PCTs)	CAS No 61788-33-8	EC No 262-968-2
Tris(2,3 dibromopropyl)phosphate	CAS No 126-72-7	EC No 204-799-9

⁽¹⁾ As from 1 September 1996, cyhexatin will no longer be considered as being subject to the PIC procedure.

2. List of the countries participating in the PIC scheme

Afghanistan (*)	Federated States of Micronesia (*)
Albania	Fiji
Algeria	Gabon (*)
Andorra (*)	Gambia
Angola	Georgia (*)
Antigua and Barbuda	Ghana
Argentina	Grenada
Armenia	Guatemala
Australia	Guinea
Azerbaijan (*)	Guinea-Bissau (*)
Bahamas	Guyana (*)
Bahrain	Haiti
Bangladesh	Holy See (*)
Barbados	Honduras
Belarus (*)	Hungary
Belize	India
Benin	Indonesia
Bhutan	Iran
Bolivia	Iraq
Bosnia-Herzegovina (*)	Israel
Botswana (*)	Jamaica
Brazil	Japan
Brunei Darussalam (*)	Jordan
Bulgaria	Kazakhstan
Burkina Faso	Kenya
Burundi	Kiribati (*)
Cambodia (*)	Kuwait
Cameroon	Kyrgyzstan (*)
Canada	Lao People's Democratic Republic (*)
Cape-Verde	Latvia
Central African Republic	Lebanon
Chad	Lesotho
Chile	Liberia
China	Libyan Arab Jamahiriya
Colombia	Lithuania
Comoros	Macedonia (*)
Congo	Madagascar
Cook Islands	Malawi
Costa Rica	Malaysia
Côte-d'Ivoire	Maldives (*)
Croatia (*)	Mali (*)
Cuba	Malta
Cyprus	Marshall Islands (*)
Czech Republic (1)	Mauritania
Democratic People's Republic of Korea (*)	Mauritius
Djibouti (*)	Mexico
Dominica	Moldova
Dominican Republic	Monaco (*)
Ecuador	Mongolia
Egypt	Morocco
El Salvador	Mozambique
Equatorial Guinea (*)	Myanmar
Eritrea (*)	Namibia (*)
Estonia	Nauru (*)
Ethiopia	Nepal
European Union (its Member States and Members of the EEA Agreement) (2)	New Zealand

Nicaragua	South Africa (*)
Niger	Sri Lanka
Nigeria	Sudan
Oman	Suriname
Pakistan	Swaziland (*)
Panama	Switzerland
Papua New Guinea	Syrian Arab Republic
Paraguay	Tajikistan
Peru	Thailand
Philippines	Togo
Poland (*)	Tonga
Qatar	Trinidad and Tobago
Republic of Korea	Tunisia
Romania	Turkey
Russian Federation	Turkmenistan (*)
Rwanda	Tuvalu (*)
St Kitts and Nevis	Uganda
St Lucia	Ukraine (*)
St Vincent and the Grenadines	United Arab Emirates
Samoa	United Republic of Tanzania
San Marino (*)	United States of America
São Tomé and Príncipe	Uruguay
Saudi Arabia	Uzbekistan
Senegal	Vanuatu
Seychelles (*)	Venezuela
Sierra Leone	Vietnam
Singapore (*)	Yemen (*)
Slovakia	Yugoslavia (*)
Slovenia (*)	Zaire
Solomon Islands	Zambia
Somalia (*)	Zimbabwe

(*) These countries have not yet nominated a DNA.

(†) Focal point only.

(‡) Member States of the European Union: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom.
Members of the EEA Agreement: European Union, Iceland, Liechtenstein, Norway.

3. Decisions of participating countries

Chemical	Country	Final import decision
Aldrin (EC No 206-215-8) (CAS No 309-00-2)	Angola	Prohibit
	Australia	Prohibit
	Bangladesh	Prohibit
	Barbados	Prohibit
	Belize	Prohibit
	Benin	Prohibit
	Bhutan	Prohibit
	Bolivia	Prohibit
	Bulgaria	Prohibit
	Cameroon	Prohibit
	Cape Verde	Prohibit
	Chad	Prohibit
	Chile	Prohibit
	China	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Cyprus	Prohibit
	Dominica	Prohibit
	Dominican Republic	Prohibit
	Ecuador	Prohibit
	El Salvador	Prohibit
	European Union	
	— Member States:	Prohibit for plant protection use (for uses other than plant protection, written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain)
	— Members of the EEA Agreement:	
	Iceland	Prohibit for plant protection use
	Liechtenstein	Prohibit
	Norway	Prohibit
	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
Hungary	Prohibit	
India	Prohibit	
Indonesia	Prohibit	
Japan	Prohibit	
Jordan	Prohibit	
Kenya	Prohibit	
Kuwait	Prohibit	
Lebanon	Prohibit	
Malta	Prohibit	
Mauritius	Prohibit	
Mexico	Prohibit	
Mongolia	Prohibit	
Morocco	Prohibit	
Mozambique	Prohibit	
New Zealand	Prohibit	
Nicaragua	Prohibit	
Niger	Prohibit	
Pakistan	Prohibit	
Paraguay	Prohibit	

Chemical	Country	Final import decision
Dieldrin (EC No 200-484-5) (CAS No 60-57-1)	Peru	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Rwanda	Prohibit
	Samoa	Prohibit
	Sri Lanka	Permit (written approval by Registrar required)
	St Lucia	Prohibit
	Sudan	Permit (for control of termites)
	Suriname	Prohibit
	Switzerland	Prohibit
	Syria	Prohibit
	Tanzania	Permit (for emergency cases in limited amounts)
	Thailand	Permit (for structural termite control and household use only)
	Togo	Prohibit
	Turkey	Prohibit
	Uganda	Prohibit
	United Arab Emirates	Prohibit
	Vanuatu	Prohibit
	Venezuela	Permit (permission from Ministry of Health or Agriculture required)
	Vietnam	Prohibit
	Zaire	Prohibit
	Angola	Prohibit
	Australia	Prohibit
	Barbados	Prohibit
	Belize	Prohibit
	Benin	Prohibit
	Bhutan	Prohibit
	Bolivia	Prohibit
	Bulgaria	Prohibit
	Cameroon	Prohibit
	Cape Verde	Prohibit
	Central African Republic	Prohibit
	Chile	Prohibit
	China	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Cyprus	Prohibit
	Dominica	Prohibit
	Dominican Republic	Prohibit
	Ecuador	Prohibit
	El Salvador	Prohibit
	European Union	
	— Member States:	Prohibit for plant protection use (for uses other than plant protection, written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain)
	— Members of the EEA Agreement:	
Iceland	Prohibit for plant protection use	
Liechtenstein	Prohibit	
Norway	Prohibit	

Chemical	Country	Final import decision
	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
	Hungary	Prohibit
	India	Prohibit (for locust control only)
	Indonesia	Prohibit
	Japan	Prohibit
	Jordan	Prohibit
	Kenya	Prohibit
	Kuwait	Prohibit
	Lebanon	Prohibit
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Morocco	Prohibit
	Mozambique	Prohibit
	New Zealand	Prohibit
	Nicaragua	Prohibit
	Niger	Prohibit
	Pakistan	Prohibit
	Paraguay	Prohibit
	Peru	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Rwanda	Prohibit
	Samoa	Prohibit
	Sri Lanka	Permit (written approval by Registrar required)
	St Lucia	Prohibit
	Sudan	Permit (for control of termites)
	Suriname	Prohibit
	Switzerland	Prohibit
	Syria	Prohibit
	Tanzania	Permit (for emergency cases in limited amounts)
	Thailand	Prohibit
	Togo	Prohibit
	Turkey	Prohibit
	United Arab Emirates	Prohibit
	Vanuatu	Prohibit
	Venezuela	Permit (permission from Ministry of Health or Agriculture required)
	Vietnam	Prohibit
	Zaire	Prohibit

Chemical	Country	Final import decision
DDT (EC No 200-24-3) (CAS No 50-29-3)	Angola	Prohibit
	Australia	Prohibit
	Barbados	Prohibit
	Belize	Prohibit
	Benin	Prohibit
	Bolivia	Permit only when certified by Ministry of Health for public health use (vector control in malaria)
		Prohibit for agricultural use
	Bulgaria	Prohibit
	Cameroon	Prohibit
	Cape Verde	Prohibit
	Central African Republic	Prohibit
	Chad	Prohibit
	Chile	Prohibit
	China	Prohibit
	Congo	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Cyprus	Prohibit
	Dominica	Prohibit
	Ecuador	Prohibit
	El Salvador	Prohibit
	European Union	
	— Member States:	
	Belgium, Denmark, France, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use (for uses other than plant protection, written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain)
	Austria, Finland, Germany, Sweden	Prohibit
	— Members of the EEA Agreement:	
	Iceland	Prohibit for plant protection use
	Liechtenstein	Prohibit
	Norway	Prohibit
	Fiji	Prohibit
	Gambia	Prohibit
Guatemala	Prohibit	
Honduras	Prohibit	
Hungary	Prohibit	
Indonesia	Prohibit	
Japan	Prohibit	
Jordan	Prohibit	
Kuwait	Prohibit	
Lebanon	Prohibit	
Malta	Prohibit	
Mauritius	Permit (restricted use by public health service only)	
Mongolia	Prohibit	
Morocco	Prohibit	
Mozambique	Prohibit	

Chemical	Country	Final import decision
Dinoseb and Dinoseb salts (EC No 201-861-7) (CAS No 88-85-7)	New Zealand	Prohibit
	Nicaragua	Prohibit
	Niger	Prohibit
	Pakistan	Prohibit
	Paraguay	Prohibit
	Peru	Prohibit
	Philippines	Permit (special permit required for malaria vector control through Department of Health)
	Qatar	Prohibit
	Rwanda	Prohibit
	Samoa	Prohibit
	Sri Lanka	Permit (special permit required for malaria vector control. All agricultural use prohibited)
	St Lucia	Prohibit
	Sudan	Permit (for public health use only)
	Suriname	Prohibit
	Switzerland	Permit (import is permitted only for processing and re-export)
	Syria	Prohibit
	Tanzania	Permit (for emergency cases in limited amounts)
	Thailand	Permit
	Togo	Prohibit
	Turkey	Prohibit
	Uganda	Prohibit
	United Arab Emirates	Prohibit
	Vanuatu	Prohibit
	Venezuela	Permit (permission from Ministry of Health or Agriculture required)
	Vietnam	Permit (imported by Ministry of Health for public health use)
	Zaire	Prohibit
	Australia	Prohibit
	Barbados	Prohibit
	Belize	Prohibit
	Benin	Prohibit
Bhutan	Prohibit	
Bolivia	Prohibit	
Bulgaria	Prohibit	
Burundi	Prohibit	
Cameroon	Prohibit	
Cape Verde	Prohibit	
Chad	Prohibit	
China	Prohibit	
Cook Islands	Prohibit	

Chemical	Country	Final import decision
	Costa Rica	Prohibit
	Cuba	Prohibit
	Cyprus	Prohibit
	Dominica	Prohibit
	Ecuador	Prohibit
	European Union	
	— Member States:	
	Austria, Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use. For uses other than plant protection, written authorization is required for import into Belgium, Denmark, Italy, Netherlands, Spain.
	Finland, Sweden	Prohibit
	— Members of the EEA Agreement:	
	Iceland	Prohibit for plant protection use
	Liechtenstein	Prohibit for plant protection use (written authorization is required for other uses)
	Norway	Prohibit
	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
	Hungary	Prohibit
	Indonesia	Prohibit
	Japan	Prohibit
	Kenya	Prohibit
	Kuwait	Prohibit
	Malaysia	Prohibit
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Morocco	Permit (use on weeds in legumes; limited quantity 500—1 000 kg/year)
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Prohibit
	Niger	Prohibit
	Pakistan	Prohibit
	Panama	Prohibit
	Paraguay	Prohibit
	Peru	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Samoa	Prohibit
	Sri Lanka	Prohibit
	St Lucia	Prohibit
	Sudan	Prohibit
	Suriname	Prohibit
	Switzerland	Permit
	Syria	Prohibit

Chemical	Country	Final import decision
Fluoroacetamide (EC No 211-363-1) (CAS No 640-19-7)	Tanzania	Prohibit
	Thailand	Prohibit
	Turkey	Prohibit
	Uganda	Prohibit
	United Arab Emirates	Prohibit
	Vanuatu	Prohibit
	Venezuela	Permit (properties, toxicological data, quality control certificate must be available)
	Vietnam	Prohibit
	Zaire	Prohibit
	Zimbabwe	Prohibit
	Angola	Prohibit
	Australia	Prohibit
	Belize	Prohibit
	Benin	Prohibit
	Bhutan	Prohibit
	Bolivia	Prohibit
	Bulgaria	Prohibit
	Burundi	Prohibit
	Cameroon	Prohibit
	Cape Verde	Prohibit
	Chad	Prohibit
	China	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Cyprus	Prohibit
	Dominica	Prohibit
	Ecuador	Prohibit
	El Salvador	Prohibit
	European Union	
	— Member States:	
	Austria	Prohibit for plant protection use. For other uses written authorization required
Belgium, Denmark	Permit (written authorization required)	
Finland	Permit (advance approval required)	
France	Permit (for plant protection use, written authorization required)	
Germany	Prohibit for plant protection use	
Greece	Permit (as ingredient of rodenticides, written authorization is required)	
Ireland	Permit (prior authorization required)	
Italy	Prohibit	
Luxembourg		
Netherlands	Prohibit	
Portugal	Prohibit for plant protection use	
Spain	Permit (written authorization required)	

Chemical	Country	Final import decision
	Sweden	Permit (advance approval required)
	United Kingdom	Permit (prior authorization required)
	— Members of the EEA Agreement:	
	Iceland	Permit (written authorization required)
	Liechtenstein	
	Norway	Prohibit
	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
	Hungary	Prohibit
	India	Prohibit
	Indonesia	Prohibit
	Japan	Prohibit
	Kenya	Prohibit
	Lebanon	Prohibit
	Malaysia	Prohibit
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Morocco	Prohibit
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Prohibit
	Nicaragua	Prohibit
	Niger	Prohibit
	Pakistan	Prohibit
	Panama	Prohibit
	Paraguay	Prohibit
	Peru	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Samoa	Prohibit
	Sri Lanka	Prohibit
	St Lucia	Prohibit
	Sudan	Prohibit
	Suriname	Prohibit
	Switzerland	Prohibit
	Syria	Prohibit
	Tanzania	Prohibit
	Thailand	Prohibit
	Turkey	Prohibit
	Uganda	Prohibit
	Vanuatu	Prohibit
	Venezuela	Permit (properties, toxicological data, quality control certificate must be available)
	Vietnam	Prohibit
	Zaire	Prohibit
	Zimbabwe	Prohibit

Chemical	Country	Final import decision	
HCH (mixed isomers) (EC No 210-168-9) (CAS No 608-73-1)	Angola	Prohibit	
	Australia	Prohibit	
	Barbados	Prohibit	
	Benin	Prohibit	
	Bolivia	Prohibit	
	Bulgaria	Prohibit	
	Cameroon	Prohibit	
	Cape Verde	Prohibit	
	Chad	Prohibit	
	Chile	Prohibit	
	China	Prohibit	
	Cook Islands	Prohibit	
	Costa Rica	Prohibit	
	Cuba	Prohibit	
	Cyprus	Prohibit	
	Dominica	Prohibit	
	Ecuador	Prohibit	
	El Salvador	Prohibit	
	European Union		
	— Member States:		
		Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use. For uses other than plant protection written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain.
		Austria, Finland, Sweden	Prohibit
	— Members of the EEA Agreement:		Prohibit for plant protection use
		Iceland	Prohibit
		Liechtenstein	Prohibit
		Norway	Prohibit
		Fiji	Prohibit
		Gambia	Prohibit
		Guatemala	Prohibit
		Honduras	Prohibit
		Hungary	Prohibit
		Indonesia	Prohibit
		Japan	Prohibit
		Jordan	Prohibit
		Kenya	Prohibit
		Kuwait	Prohibit
		Lebanon	Prohibit
		Malaysia	Prohibit
	Malta	Prohibit	
	Mauritius	Prohibit	
	Mexico	Prohibit	
	Mongolia	Prohibit	
	Morocco	Prohibit	
	Mozambique	Prohibit	
	New Zealand	Prohibit	
	Nicaragua	Prohibit	
	Pakistan	Prohibit	
	Paraguay	Prohibit	
	Peru	Prohibit	
	Philippines	Prohibit	
	Qatar	Prohibit	
	Rwanda	Prohibit	
	Samoa	Prohibit	

Chemical	Country	Final import decision	
Chlordane (EC No 200-349-0) (CAS No 57-74-9)	Sri Lanka	Prohibit	
	St Lucia	Prohibit	
	Sudan	Prohibit	
	Suriname	Prohibit	
	Switzerland	Prohibit	
	Syria	Prohibit	
	Tanzania	Permit	
	Thailand	Prohibit	
	Togo	Prohibit	
	Turkey	Prohibit	
	United Arab Emirates	Prohibit	
	Vanuatu	Prohibit	
	Venezuela	Permit (permission from Ministry of Health or Agriculture required)	
	Vietnam	Prohibit	
	Zaire	Prohibit	
	Australia	Permit (each shipment must be approved by the pesticide DNA, use will cease as of 30 June 1997)	
	Barbados	Prohibit	
	Belize	Prohibit	
	Bolivia	Prohibit	
	Bulgaria	Prohibit	
	Cameroon	Prohibit	
	Chad	Prohibit	
	Chile	Prohibit	
	China	Prohibit	
	Congo	Prohibit	
	Cook Islands	Prohibit	
	Costa Rica	Prohibit	
	Cuba	Permit (small quantities less than 1 Mt per year of PH 75 % or other technical material for formulating in the country substances for control of ants with less than 0,75 % active ingredient)	
	Dominica	Prohibit	
	Dominican Republic	Prohibit	
	Ecuador	Prohibit	
	El Salvador	Prohibit	
	European Union		
	— Member States:	Austria, Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use. For uses other than plant protection written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain.
	— Members of the EEA Agreement:	Finland, Sweden	Prohibit
	— Members of the EEA Agreement:	Iceland	Prohibit for plant protection use
— Members of the EEA Agreement:	Liechtenstein	Prohibit	
— Members of the EEA Agreement:	Norway	Prohibit	
Fiji	Fiji	Prohibit	
Gambia	Gambia	Prohibit	
Guatemala	Guatemala	Prohibit	
Honduras	Honduras	Prohibit	

Chemical	Country	Final import decision
Chlordimeform (EC No 228-200-5) (CAS No 6164-98-3)	Hungary	Prohibit
	Indonesia	Prohibit
	Jordan	Prohibit
	Lebanon	Prohibit
	Malta	Prohibit
	Mauritius	Prohibit
	Mongolia	Prohibit
	Morocco	Prohibit
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Prohibit
	Nicaragua	Prohibit
	Niger	Prohibit
	Pakistan	Prohibit
	Paraguay	Prohibit
	Philippines	Permit
	Qatar	Prohibit
	Samoa	Prohibit
	Sri Lanka	Permit (approval letter from Registrar is required)
	St Lucia	Prohibit
	Sudan	Permit
	Switzerland	Prohibit
	Syria	Prohibit
	Thailand	Permit (use only for termite control in the production of sugar cane, pineapple, para rubber and palm oil)
	Togo	Prohibit
	Turkey	Prohibit
	United Arab Emirates	Prohibit
	Vietnam	Prohibit
	Zaire	Prohibit
	Australia	Prohibit
	Barbados	Prohibit
	Bolivia	Prohibit
	Bulgaria	Prohibit
	Chad	Prohibit
	China	Prohibit
	Congo	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Dominica	Prohibit
	Dominican Republic	Prohibit
	Ecuador	Prohibit
El Salvador	Prohibit	
European Union		
— Member States:		
Austria	Prohibit for plant protection use	
Belgium	Permit (written authorization required)	
Denmark		
Finland	Permit (advance approval required)	
France	Permit (for plant protection use, written authorization required)	

Chemical	Country	Final import decision
	Germany	Prohibit for plant protection use
	Greece	Prohibit
	Ireland	Permit (prior authorization required)
	Italy	Prohibit
	Luxembourg	
	Netherlands	Prohibit
	Portugal	Permit (for plant protection use, written authorization required)
	Spain	Permit
	Sweden	Permit (advance approval required)
	United Kingdom	Permit (written authorization required)
	— Members of the EEA Agreement:	
	Iceland	Permit (written authorization required)
	Liechtenstein	Prohibit
	Norway	Prohibit
	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
	Hungary	Prohibit
	India	Prohibit
	Indonesia	Prohibit
	Jordan	Prohibit
	Lebanon	Prohibit
	Malaysia	Prohibit
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Morocco	Prohibit
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Prohibit
	Nicaragua	Prohibit
	Niger	Prohibit
	Oman	Prohibit
	Pakistan	Prohibit
	Paraguay	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Rwanda	Permit
	Samoa	Prohibit
	Sri Lanka	Prohibit
	St Lucia	Prohibit
	Sudan	Prohibit
	Switzerland	Prohibit
	Syria	Prohibit
	Thailand	Prohibit
	Turkey	Prohibit
	United Arab Emirates	Prohibit
	Zaire	Prohibit

Chemical	Country	Final import decision
Cyhexatin (*) (EC No 236-049-1) (CAS No 13121-70-5)	Australia	Prohibit
	Barbados	Prohibit
	Belize	Prohibit
	Bolivia	Prohibit
	Bulgaria	Prohibit
	Cameroon	Prohibit
	Chad	Prohibit
	China	Prohibit
	Congo	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Dominica	Prohibit
	Ecuador	Prohibit
	El Salvador	Prohibit
	Ethiopia	Permit (advance approval required)
	European Union	
	— Member States:	
	Austria	Prohibit for plant protection use. For other uses written authorization required
	Belgium, Denmark	Permit (written authorization required)
	Finland	Permit (advance approval required)
	France	Permit
	Germany	Permit (for plant protection use, written authorization required)
	Greece	Permit (written authorization required)
	Ireland	Permit (prior authorization required)
	Italy	Permit (For plant protection use, written authorization required)
	Luxembourg	
	Netherlands	Permit (written authorization required)
Spain	Permit (for plant protection use, written authorization required)	
Sweden	Prohibit	
United Kingdom	Prohibit for plant protection use	
— Members of the EEA Agreement:		
Iceland	Permit (written authorization required)	
Liechtenstein	Permit (written authorization required)	
Norway	Prohibit	

(*) As from 1 September 1996, cyhexatin will no longer be considered as being subject to the PIC procedure.

Chemical	Country	Final import decision
EDB (1,2-dibromoethane) (EC No 203-444-5) (CAS No 106-93-4)	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
	Hungary	Permit
	India	Prohibit
	Jordan	Prohibit
	Kuwait	Prohibit
	Malaysia	Prohibit (except for small quantities for research/educational use through import permit)
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Prohibit
	Nicaragua	Prohibit
	Oman	Prohibit
	Pakistan	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Samoa	Prohibit
	Sri Lanka	Prohibit
	St Lucia	Prohibit
	Sudan	Prohibit
	Switzerland	Permit
	Syria	Prohibit
	Thailand	Prohibit
	Turkey	Prohibit
	United Arab Emirates	Prohibit
	Vietnam	Prohibit
	Zaire	Prohibit
	Australia	Permit
	Belize	Prohibit
	Bolivia	Prohibit
	Bulgaria	Prohibit
	Chad	Prohibit
	Chile	Prohibit
	China	Prohibit
	Congo	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Dominica	Prohibit
	El Salvador	Prohibit
	European Union	
— Member States:		
Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use (for uses other than plant protection, written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain)	

Chemical	Country	Final import decision
	Sweden	Prohibit
	— Members of the EEA Agreement:	
	Iceland	Prohibit for plant protection use
	Liechtenstein	Prohibit
	Norway	Prohibit
	Fiji	Prohibit
	Gambia	Prohibit
	Guatemala	Prohibit
	Honduras	Prohibit
	Hungary	Prohibit
	India	Permit (use restricted to fumigation of foodgrains by government organizations and pest control operators whose expertise is approved by plant protection adviser to the Government of India)
	Indonesia	Prohibit
	Jordan	Prohibit
	Kuwait	Prohibit
	Lebanon	Prohibit
	Malaysia	Prohibit (except for small quantities for research/educational use through import permit)
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Morocco	Prohibit
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Permit (for fumigation by quarantine officials)
	Nicaragua	Prohibit
	Niger	Prohibit
	Oman	Prohibit
	Pakistan	Prohibit
	Paraguay	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Rwanda	Prohibit
	Samoa	Prohibit
	Sri Lanka	Prohibit
	St Lucia	Prohibit
	Sudan	Prohibit
	Switzerland	Permit (if not intended for use as pesticide)
	Syria	Prohibit
	Tanzania	Prohibit
	Thailand	Prohibit
	Togo	Prohibit
	Turkey	Prohibit
	United Arab Emirates	Prohibit
	Vietnam	Prohibit
	Zaire	Prohibit

Chemical	Country	Final import decision	
Heptachlor (EC No 200-962-3) (CAS No 76-44-8)	Australia	Prohibit	
	Barbados	Prohibit	
	Belize	Prohibit	
	Bolivia	Prohibit	
	Bulgaria	Prohibit	
	Cameroon	Prohibit	
	Chad	Prohibit	
	China	Prohibit	
	Congo	Prohibit	
	Cook Islands	Prohibit	
	Costa Rica	Permit (restricted to professional use on ornamentals and pine trees)	
	Cuba	Prohibit	
	Dominica	Prohibit	
	Dominican Republic	Prohibit	
	Ecuador	Prohibit	
	El Salvador	Prohibit	
	European Union		
	— Member States:		
		Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use (for uses other than plant protection, written authorization is required for import into Belgium, Denmark, Finland, France, Italy, Netherlands, Spain)
		Sweden	Prohibit
	— Members of the EEA Agreement:		
		Iceland	Prohibit for plant protection use
		Liechtenstein	Prohibit
		Norway	Prohibit
	Fiji		Prohibit
	Gambia		Prohibit
	Guatemala		Prohibit
	Honduras		Prohibit
	Hungary		Prohibit
	Indonesia		Prohibit
	Jordan		Prohibit
	Kuwait		Prohibit
Lebanon		Prohibit	
Malaysia		Prohibit (except for small quantities for research/educational use through import permit)	
Malta		Prohibit	
Mauritius		Prohibit	
Mexico		Prohibit	
Mongolia		Prohibit	
Morocco		Prohibit	
Mozambique		Prohibit	
Nepal		Prohibit	

Chemical	Country	Final import decision
	New Zealand	Prohibit
	Nicaragua	Permit
	Niger	Prohibit
	Pakistan	Permit (only for use against soil and wood termites)
	Paraguay	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Samoa	Prohibit
	Sri Lanka	Prohibit
	St Lucia	Prohibit
	Sudan	Permit (termicide use only)
	Switzerland	Prohibit
	Syria	Prohibit
	Thailand	Permit (structural termite control and household use only)
	Turkey	Prohibit
	United Arab Emirates	Prohibit
	Vietnam	Prohibit
	Zaire	Prohibit
Mercury compounds such as	Australia	Permit (from 31 December 1994 uses limited to establishing sugar cane)
— Mercuric oxide CAS No 21908-53-2 EC No 244-654-7	Barbados	Prohibit
— Mercurous chloride (Calomel) CAS No 10112-91-1 EC No 233-307-5	Belize	Prohibit
— Other inorganic mercury compounds	Bolivia	Prohibit
— Alkyl-mercury compounds	Bulgaria	Prohibit
— Alkoxy-alkyl and aryl-mercury compounds	Burkina Faso	Prohibit
	Chile	Prohibit
	China	Prohibit
	Congo	Prohibit
	Cook Islands	Prohibit
	Costa Rica	Prohibit
	Cuba	Prohibit
	Ecuador	Prohibit
	El Salvador	Prohibit
	European Union	
	— Member States:	Prohibit for use as plant protection products, antifoulants, wood preservatives, textile preservatives and slimicides, (for other uses, written authorization is required for import in the Netherlands)
	— Members of the EEA Agreement:	Prohibit for use as plant protection products, antifoulants, wood preservatives, textile preservatives and slimicides

Chemical	Country	Final import decision
	Gambia	Prohibit
	Guatemala	Prohibit, (refers to methoxy ethyl mercury chloride only)
	Honduras	Prohibit
	Hungary	Prohibit (refers to agricultural use only)
	India	Prohibit (phenylmercury acetate)
		Permit (methoxyethyl mercury chloride)
	Indonesia	Prohibit
	Jordan	Prohibit
	Kuwait	Prohibit
	Lebanon	Prohibit
	Malaysia	Prohibit (except for small quantities for research/educational use through import permit)
	Malta	Prohibit
	Mauritius	Prohibit
	Mexico	Prohibit
	Mongolia	Prohibit
	Morocco	Prohibit
	Mozambique	Prohibit
	Nepal	Prohibit
	New Zealand	Prohibit (refers only to use as a pesticide)
	Nicaragua	Prohibit
	Niger	Permit (refers only to use in plant protection products)
	Oman	Prohibit
	Pakistan	Prohibit
	Paraguay	Prohibit
	Philippines	Prohibit
	Qatar	Prohibit
	Samoa	Prohibit
	Sri Lanka	Prohibit (mercuric oxide) Prohibit (phenylmercury acetate) Permit (phenylmercury dodecyl succinate used as paint biocide — approval letter from registrar is required)
	St Lucia	Prohibit
	Sudan	Prohibit
	Switzerland	Permit (Banned as pesticide and for most other uses)
	Syria	Prohibit
	Tanzania	Prohibit, (refers only to pesticide use)
	Thailand	Prohibit, (refer to 2-methoxy ethyl mercury chloride)
	Togo	Prohibit
	Turkey	Prohibit
	Vietnam	Prohibit
	Zaire	Prohibit

Chemical	Country	Final import decision	
Crocidolite (EC No 310-127-6) (CAS No 12001-28-4)	Bahrain	Prohibit	
	China	Prohibit	
	Cuba	Permit	
	Cyprus	Permit (permission by Ministry of Labour and Social Insurance, in exceptional cases for special uses)	
	European Union		
	— Member States:	Prohibit	
	— Members of the EEA Agreement:	Prohibit	
	Hungary	Prohibit	
	India	Permit (licence on the recommendation of the Department of Chemicals and Petrochemicals)	
	Malaysia	Permit (Use is banned in the manufacturing sector. Importation is allowed for other uses)	
	Samoa	Prohibit	
	Switzerland	Permit (if the intended use is still permitted according to the provisions of Annex 3.3 of the Ordinance relating to Environmentally Hazardous Substances)	
	Thailand	Prohibit	
	Polybrominated biphenyls (PBBs) (EC Nos 252-994-2, 248-696-7, 237-137-2) (CAS Nos 36355-01-8, 27858-07-7, 13654-09-6)	China	Permit (permission must be obtained from the National Environmental Protection Agency of China)
Cuba		Permit (can only be imported with permission of the DNA. Import is not permitted if the substance is intended to be used in textile production)	
European Union			
— Member States:		Permit (except for use in textile articles intended to come into contact with the skin, for example, garment, undergarment, linen)	
— Members of the EEA Agreement:		Permit (except for use in textile articles intended to come into contact with the skin, for example, garment, undergarment, linen)	
India		Permit (licence on the recommendation of the Department of Chemicals and Petrochemicals)	
Malaysia		Permit	
Samoa		Prohibit	
Switzerland		Prohibit	
Polychlorinated biphenyls (PCBs) (EC No 215-648-1) (CAS No 1336-36-3) except mono and dichlorinated biphenyls		Australia	Permit (permission of the Ministry for Trade must be obtained)
		Bahrain	Prohibit
		China	Permit (permission must be obtained from the National Environmental Protection Agency of China)

Chemical	Country	Final import decision
<p>Polychlorinated terphenyls (PCTs) (EC No 262-968-2) (CAS No 61788-33-8)</p>	Cuba	Prohibit
	European Union — Member States:	Prohibit (exceptionally, derogation may be granted for primary and intermediate products on a case-by-case basis Further to general prohibition of PCBs the import of any preparation with a PCB content of more than 0,005 % is prohibited)
	— Members of the EEA Agreement:	Prohibit (exceptionally, derogation may be granted for primary and intermediate products on a case-by-case basis Further to general prohibition of PCBs, the import of any preparation with a PCB content of more than 0,005 % is prohibited)
	India	Permit (licence on the recommendation of the Department of Chemicals and Petrochemicals)
	Japan	Permit (permission from the Minister for International Trade and Industry is required)
	Malaysia	Permit
	Samoa	Prohibit
	Switzerland	Prohibit
	Thailand	Prohibit
	Australia	Permit (permission of the Ministry of Trade must be obtained.
	China	Permit (permission must be obtained from the National Environmental Protection Agency of China)
	Cuba	Prohibit
	European Union — Member States:	Prohibit (exceptionally, derogation may be granted for primary and intermediate products on a case-by-case basis Further to general prohibition of PCTs, the import of any preparation with a PCT content of more than 0,005 % is prohibited)
	— Members of the EEA Agreement:	Prohibit (exceptionally, derogation may be granted for primary and intermediate products on a case-by-case basis Further to general prohibition of PCTs, the import of any preparation with a PCT content of more than 0,0005 % is prohibited)
	India	Permit (license on the recommendation of the Department of Chemicals and Petrochemicals)
	Malaysia	Permit
	Samoa	Prohibit
Switzerland	Prohibit	

Chemical	Country	Final import decision
Tris(2,3 dibromopropyl)phosphate (EC No 204-799-9) (CAS No 126-72-7)	China	Permit (permission must be obtained from the National Environmental Protection agency of China)
	Cuba	Permit (can be imported only with permission of the DNA. Import is not permitted if the substance is intended to be used in textile production)
	European Union — Member States:	Permit (except for use in textile articles intended to come into contact with the skin, for example, garment, undergarment, linen)
	— Members of the EEA Agreement:	Permit (except for use in textile articles intended to come into contact with the skin, for example, garment, undergarment, linen)
	India	Permit (licence on the recommendation of the Department of Chemicals and Petrochemicals)
	Malaysia Samoa	Permit Prohibit'

ANNEX II

ANNEX III

Information required pursuant to Article 4

Reference No

1. *Identity of the substance to be exported*

- name in nomenclature of the International Union of Pure and Applied Chemistry,
- other names (usual name, trade name, abbreviation),
- EC number and CAS number,
- CUS number and combined nomenclature code,
- main impurities of the substance, when particularly relevant.

2. *Identity of the preparation to be exported*

- trade name or designation of the preparation,
- for each substance listed in Annex I, percentage and details as specified under 1.

3. *Information on the export*

- country of destination,
- country of origin,
- expected date of first export,
- estimated amount of the chemical to be exported to the destination country in the year following the first export,
- intended use in the country of destination, if known,
- name, address and other relevant particulars of the importer or importing company.

4. *Designated national authorities*

The name, address, telephone and telex or fax numbers or e-mail of the designated authority in the European Union from which further information may be obtained.

The name, address, telephone and telex or fax numbers or e-mail of the designated authority in the importing country.

5. *Information on precautions to be taken, including category of danger and risk and safety advice*6. *Use of the chemical in the European Union*

- use category(ies) subject to control measure (ban or severe restriction),
 - use category(ies) for which the chemical is not severely restricted or banned,
- (Use categories, as defined in Annex I to the Regulation).

7. *Summary of regulatory restrictions and reasons for them*8. *Additional information*9. *Acknowledgement of receipt*

The above information should be provided on an export notification form as shown hereafter.

(Exporters are required to provide information on items 1, 2, 3, 5, 6 and (if any) 8.)

EUROPEAN COMMISSION

Regulation (EEC) No 2455/92

Export notification form for a banned or severely restricted chemical

(Chemical No in Annex I to the Regulation:..... var.....)

EXPORT NOTIFICATION REFERENCE No

1. IDENTITY OF THE CHEMICAL SUBSTANCE TO BE EXPORTED (1)

Name(s) of chemical:.....
Relevant impurities
EC No CAS No CUS No CN code

2. IDENTITY OF THE PREPARATION TO BE EXPORTED (1)

Name(s) of preparation:.....
Name(s) of constituent chemical(s) banned or severely restricted: (all relevant chemicals must be listed)
(i) % in preparation:..... EC No CAS No CUS No CN code
(ii) % in preparation:..... EC No CAS No CUS No CN code

3. INFORMATION ON THE EXPORT (1)

Origin Destination
Expected date of first export
Estimated amount of the chemical to be exported to the destination country in the year following the first export
Intended use in the country of destination, if known
Name, address and other relevant particulars of the importer or importing company

4. DESIGNATED NATIONAL AUTHORITIES

in the European Union in the importing country
.....
.....
.....

Representative of exporting country
.....
Signature
Date

Official stamp

(1) Please complete either item 1 or 2.

Data Sheet for a banned or severely restricted chemical

(If a preparation contains more than one chemical which is banned or severely restricted in the European Union, data sheets on the additional chemicals must be attached hereto.)

CHEMICAL NAME(S)

EC No CAS No CUS No CN Code

5. LABELLING REQUIREMENTS FOR THE CHEMICAL

Classification

Labelling

Symbols

Risk phrases

Safety phrases

LABELLING REQUIREMENTS FOR THE PREPARATION

Classification

Labelling

Symbols

Risk phrases

Safety phrases

6. USE OF THE CHEMICAL IN THE EUROPEAN UNION

Use category(ies) subject to the control measure (ban or severe restriction)

Use category(ies) for which the chemical is not severely restricted or banned

(use categories as defined in Annex I to the Regulation)

7. SUMMARY OF REGULATORY RESTRICTIONS AND REASONS FOR THEM

.....
.....

Reference to Community legislation

.....
.....

Reasons supporting the control action/reasons for banning the use in the European Union

.....
.....

8. ADDITIONAL INFORMATION

9. ACKNOWLEDGEMENT OF RECEIPT

EUROPEAN COMMISSION

Regulation (EEC) No 2455/92

Confirmation of receipt of an export notification

Please add the date and signature, and return to the following address:

.....
.....
.....
.....

Fax:

I confirm that we have received the export notification form bearing the export reference No (ERN):

.....

Signature

Date

Official stamp:

Note: If the address on the export notification form is incorrect, or if the form should be sent to a different authority, please give details below:

COMMISSION REGULATION (EC) No 1493/96

of 29 July 1996

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 3072/95⁽⁴⁾, and in particular Article 14 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 14 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 14 of Regulation (EEC) No 1418/76 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EC) No 1518/95⁽⁵⁾, as amended by Regulation (EC) No 2993/95⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content

being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93⁽⁷⁾, as amended by Regulation (EC) No 1380/95⁽⁸⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁹⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁵⁾ OJ No L 147, 30. 6. 1995, p. 55.

⁽⁶⁾ OJ No L 312, 23. 12. 1995, p. 25.

⁽⁷⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁸⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁹⁾ OJ No L 65, 15. 3. 1996, p. 1.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 July 1996 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 200 (2)	17,54	1104 23 10 100	18,80
1102 20 10 400 (2)	15,04	1104 23 10 300	14,41
1102 20 90 200 (2)	15,04	1104 29 11 000	0,00
1102 90 10 100	0,00	1104 29 51 000	0,00
1102 90 10 900	0,00	1104 29 55 000	0,00
1102 90 30 100	9,00	1104 30 10 000	0,00
1103 12 00 100	9,00	1104 30 90 000	3,13
1103 13 10 100 (2)	22,55	1107 10 11 000	0,00
1103 13 10 300 (2)	17,54	1107 10 91 000	0,00
1103 13 10 500 (2)	15,04	1108 11 00 200	0,00
1103 13 90 100 (2)	15,04	1108 11 00 300	0,00
1103 19 10 000	18,00	1108 12 00 200	20,05
1103 19 30 100	0,00	1108 12 00 300	20,05
1103 21 00 000	0,00	1108 13 00 200	0,00
1103 29 20 000	0,00	1108 13 00 300	0,00
1104 11 90 100	0,00	1108 19 10 200	0,00
1104 12 90 100	10,00	1108 19 10 300	0,00
1104 12 90 300	8,00	1109 00 00 100	0,00
1104 19 10 000	0,00	1702 30 51 000 (3)	19,64
1104 19 50 110	20,05	1702 30 59 000 (3)	15,04
1104 19 50 130	16,29	1702 30 91 000	19,64
1104 21 10 100	0,00	1702 30 99 000	15,04
1104 21 30 100	0,00	1702 40 90 000	15,04
1104 21 50 100	0,00	1702 90 50 100	19,64
1104 21 50 300	0,00	1702 90 50 900	15,04
1104 22 20 100	8,00	1702 90 75 000	20,58
1104 22 30 100	8,50	1702 90 79 000	14,28
		2106 90 55 000	15,04

(1) 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.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

(3) Refunds are granted in accordance with Regulation (EEC) No 2730/75 (OJ No L 281, 1. 11. 1975, p. 20), amended.

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), amended.

COMMISSION REGULATION (EC) No 1494/96
of 29 July 1996
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to

avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽⁵⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 1996.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 51.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 29 July 1996.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX

to the Commission Regulation of 29 July 1996 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund⁽¹⁾:

2309 10 11 000, 2309 10 13 000, 2309 10 31 000,
 2309 10 33 000, 2309 10 51 000, 2309 10 53 000,
 2309 90 31 000, 2309 90 33 000, 2309 90 41 000,
 2309 90 43 000, 2309 90 51 000, 2309 90 53 000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽³⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	12,53
Cereal products ⁽²⁾ excluding maize and maize products	0,00

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulations (EEC) No 990/93 and (EC) No 462/96 are observed.

COMMISSION REGULATION (EC) No 1495/96

of 29 July 1996

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 3072/95⁽⁴⁾, and in particular Article 11 (2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in

Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Regulation (EEC) No 1418/76;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

ANNEX

to the Commission Regulation of 29 July 1996 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 00 400	0,00
1001 90 99 000	0,00
1002 00 00 000	20,00
1003 00 90 000	0,00
1004 00 00 400	10,00
1005 90 00 000	25,00
1006 20 92 000	264,00
1006 20 94 000	264,00
1006 30 42 000	330,00
1006 30 44 000	330,00
1006 30 92 100	330,00
1006 30 92 900	330,00
1006 30 94 100	330,00
1006 30 94 900	330,00
1006 30 96 100	330,00
1006 30 96 900	330,00
1006 30 98 100	330,00
1006 30 98 900	330,00
1006 40 00 000	—
1007 00 90 000	25,00
1101 00 15 100	0,00
1101 00 15 130	0,00
1102 20 10 200	3,50
1102 20 10 400	3,00
1102 30 00 000	—
1102 90 10 100	0,00
1103 11 10 200	0,00
1103 11 90 200	0,00
1103 13 10 100	4,50
1103 14 00 000	—
1104 12 90 100	10,00
1104 21 50 100	0,00

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), amended.

COMMISSION REGULATION (EC) No 1496/96
of 29 July 1996
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply
of cereals products from the Community to the Canary Islands

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 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 3 ⁽⁴⁾ thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1204/96 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 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 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 24.

ANNEX

to the Commission Regulation of 29 July 1996 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

(Ecu/tonne)

Product (CN code)	Amount of aid
Common wheat (1001 90 99)	8,00
Barley (1003 00 90)	8,00
Maize (1005 90 00)	28,00
Durum wheat (1001 10 00)	8,00
Oats (1004 00 00)	16,00

COMMISSION REGULATION (EC) No 1497/96

of 29 July 1996

amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

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 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1205/96 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores

and Madeira should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 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 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 26.

ANNEX

to the Commission Regulation of 29 July 1996 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(Ecu/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	8,00	8,00
Barley (1003 00 90)	8,00	8,00
Maize (1005 90 00)	28,00	28,00
Durum wheat (1001 10 00)	8,00	8,00

COMMISSION REGULATION (EC) No 1498/96
of 29 July 1996

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91
of 16 December 1991 introducing specific measures in
respect of certain agricultural products for the benefit of
the French overseas departments⁽¹⁾, as last amended by
Commission Regulation (EC) No 2598/95⁽²⁾, and in parti-
cular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals
products to the French overseas departments (FOD) has
been settled by Commission Regulation (EEC) No
391/92⁽³⁾, as last amended by Regulation (EC) No
1203/96⁽⁴⁾; whereas, as a consequence of the changes of
the rates and prices for cereals products in the European
part of the Community and on the world market, the aid

for supply to the FOD should be set at the amounts given
in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 267, 9. 11. 1995, p. 1.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 161, 29. 6. 1996, p. 22.

ANNEX

to the Commission Regulation of 29 July 1996 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	12,00	12,00	12,00	16,00
Barley (1003 00 90)	12,00	12,00	12,00	16,00
Maize (1005 90 00)	31,00	31,00	31,00	34,00
Durum wheat (1001 10 00)	12,00	12,00	12,00	16,00

COMMISSION REGULATION (EC) No 1499/96

of 29 July 1996

fixing the corrective amount applicable to the refund on malt

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

Whereas Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as amended by Regulation (EC) No 95/96⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last

amended by Regulation (EC) No 150/95⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EC) No 2853/96⁽⁸⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 147, 30. 6. 1995, p. 7.

⁽⁴⁾ OJ No L 18, 24. 1. 1996, p. 10.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 299, 12. 12. 1995, p. 1.

ANNEX

to the Commission Regulation of 29 July 1996 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
	8	9	10	11	12	1
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	- 17,43	- 18,86	- 20,29	- 21,72
1107 20 00 000	0	0	- 20,17	- 21,84	- 23,51	- 25,18

(ECU/tonne)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
	2	3	4	5	6	7
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	- 23,15	- 24,58	- 26,01	- 27,44	- 28,87	- 30,30
1107 20 00 000	- 26,85	- 28,52	- 30,19	- 31,86	- 33,53	- 35,20

COMMISSION REGULATION (EC) No 1500/96
of 29 July 1996
fixing the export refunds on rice and broken rice

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⁾, and in particular the second subparagraph of Article 14 ⁽³⁾ thereof,

Whereas Article 14 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 14 ⁽⁴⁾ of Regulation (EEC) No 1418/76, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas export possibilities exist for a quantity of 10 000 tonnes of rice to certain destinations; whereas the procedure laid down in Article 7 ⁽⁴⁾ of Commission Regulation (EC) No 1162/95 ⁽³⁾, as last amended by Regulation (EC) No 1029/96 ⁽⁴⁾ should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁵⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 14 ⁽⁵⁾ of Regulation (EEC) No 1418/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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

Whereas Council Regulation (EEC) No 990/93 ⁽⁶⁾, as amended by Regulation (EC) No 1380/95 ⁽⁷⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96 ⁽⁸⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1996.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽³⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁴⁾ OJ No L 137, 8. 6. 1996, p. 1.

⁽⁵⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁸⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 29 July 1996 fixing the export refunds on rice and broken rice

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	251,00	1006 30 67 100	01	321,00 (3)
1006 20 13 000	01	251,00		02	327,00 (3)
1006 20 15 000	01	251,00		03	332,00 (3)
1006 20 17 000	—	—		04	321,00 (3)
1006 20 92 000	01	251,00	1006 30 67 900	01	321,00 (3)
1006 20 94 000	01	251,00		02	327,00 (3)
1006 20 96 000	01	251,00		03	332,00 (3)
1006 20 98 000	—	—		04	321,00 (3)
1006 30 21 000	01	251,00	1006 30 92 100	01	314,00
1006 30 23 000	01	251,00		02	320,00
1006 30 25 000	01	251,00		03	325,00
1006 30 27 000	—	—		04	314,00
1006 30 42 000	01	251,00	1006 30 92 900	01	314,00
1006 30 44 000	01	251,00		02	320,00 (3)
1006 30 46 000	01	251,00		03	325,00 (3)
1006 30 48 000	—	—		04	314,00
1006 30 61 100	01	314,00	1006 30 94 100	01	314,00
	02	320,00		02	320,00
	03	325,00		03	325,00
	04	314,00		04	314,00
1006 30 61 900	01	314,00	1006 30 94 900	01	314,00
	02	320,00 (3)		02	320,00 (3)
	03	325,00 (3)		03	325,00 (3)
	04	314,00		04	314,00
1006 30 63 100	01	314,00	1006 30 96 100	01	314,00
	02	320,00		02	320,00
	03	325,00		03	325,00
	04	314,00		04	314,00
1006 30 63 900	01	314,00	1006 30 96 900	01	314,00
	02	320,00 (3)		02	320,00 (3)
	03	325,00 (3)		03	325,00 (3)
	04	314,00		04	304,00
1006 30 65 100	01	314,00	1006 30 98 100	01	321,00 (3)
	02	320,00		02	327,00 (3)
	03	325,00		03	332,00 (3)
	04	314,00		04	321,00 (3)
1006 30 65 900	01	314,00	1006 30 98 900	01	321,00 (3)
	02	320,00 (3)		02	327,00 (3)
	03	325,00 (3)		03	332,00 (3)
	04	314,00		04	321,00 (3)
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
 02 Zones I, II, III, VI, Ceuta and Melilla,
 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

(2) 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.

(3) Refund fixed pursuant to the procedure laid down in Article 7 (4) of amended Regulation (EC) No 1162/95 in respect of a quantity of 10 000 tonnes of rice.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 1501/96

of 29 July 1996

setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

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 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EC) No 2853/95⁽⁸⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 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 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 299, 12. 12. 1995, p. 1.

ANNEX

to the Commission Regulation of 29 July 1996 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(ECU/tonne)

Product (CN code)	Amount of aid
	Canary Islands
Milled rice (1006 30)	328,00
Broken rice (1006 40)	72,00

COMMISSION REGULATION (EC) No 1502/96

of 29 July 1996

setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

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 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira⁽¹⁾, as last amended by Commission Regulation (EC) No 2537/95⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products⁽⁵⁾, as last amended by Regulation (EC) No 1683/94⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as last amended by Regulation (EC) No 150/95⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EC) No 2853/95⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1996.

⁽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 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ No L 178, 12. 7. 1994, p. 53.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 299, 12. 12. 1995, p. 1.

ANNEX

to the Commission Regulation of 29 July 1996 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	328,00	328,00

COMMISSION REGULATION (EC) No 1503/96

of 29 July 1996

**on the detailed rules for the application of Council Regulation (EC) No 3072/95
with regard to import duties on rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 11 (2) and (4) thereof,

Whereas the third subparagraph of Article 11 (2) of Regulation (EC) No 3072/95 lays down the method for calculating the percentage by which the intervention price valid on the day of import is to be increased in order to calculate the import duties on milled rice; whereas that method takes account of the conversion rate, processing costs and the value of by-products and an amount for the protection of industry; whereas the day of importation should be fixed as the date of acceptance of the declaration by the customs authorities as laid down in Article 67 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾, as last amended by the Act of Accession of Austria, Finland and Sweden;

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

Whereas there are particular difficulties in the rice sector concerning the verification of the value of imported products; whereas a system of flat-rate values is therefore most suitable for the implementation of the results of the Uruguay Round of negotiations; whereas, however, technical discussions between the partners concerned are still in progress; whereas, pending the outcome of those discussions, the system applied in 1995/96 should be maintained as a precaution;

Whereas in order to classify the consignments imported, the products referred to in Article 11 (2) of Regulation (EC) No 3072/95 must be subdivided into a number of

qualities; whereas the combined nomenclature codes to which these qualities correspond must therefore be specified;

Whereas, for the purposes of calculating the import duty using the flat-rate import value, the representative cif import prices should be calculated for each of the qualities defined; whereas, for the purposes of establishing those prices, price quotations for the different qualities of rice must be specified; whereas these quotations should therefore be defined;

Whereas, in the interests of clarity and transparency, the quotations for the different types of rice in publications by the Department of Agriculture of the United States of America constitute an objective basis for establishing representative cif import prices for rice in bulk; whereas representative prices on the United States market, the Thai market or of other origins may be converted into representative cif import prices by adding the maritime freight costs on the charter market between the ports of origin and the Community port; whereas, taking account of the volume of freight and of trade in the ports of northern Europe, those ports constitute the Community destination for which the quotations of maritime freight prices are best known publicly, are most transparent and most easily available; whereas, therefore, the ports of northern Europe (Antwerp, Rotterdam, Amsterdam, Ghent) should be adopted as the Community destination ports;

Whereas, in order to monitor the trends in representative cif import prices thus established, it is appropriate to provide for weekly monitoring of the elements contributing to their calculation;

Whereas, for the purposes of fixing import duties for the rice referred to in Article 11 (2) of Regulation (EC) No 3072/95, a period of two weeks for determining representative cif import prices for rice in bulk takes account of market trends without introducing elements of uncertainty; whereas, on this basis, import duties for that product should be established taking account of the average of representative cif import prices noted over the abovementioned period, every two weeks on a Wednesday, and on the last working day of each month;

Whereas the import duty thus calculated can be applied over a two-week period without substantially affecting import prices, duties paid; whereas, however, where no quotation is available for a given product over the period of calculation of representative cif import prices or where, following sudden changes in the elements making up the

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 302, 19. 10. 1992, p. 1.

calculation, those representative cif import prices undergo major fluctuations during the period in question, measures must be taken in order to maintain the representative nature of the cif import prices of the product concerned;

Whereas the price of basmati rice originating in India and Pakistan is normally higher on the market than the established representative price; whereas in 1993/94 the difference was of the order of ECU 250 per tonne in the case of basmati rice originating in India and ECU 50 per tonne in the case of basmati rice originating in Pakistan; whereas, as a result, the import duty on those rice varieties should be reduced by the aforementioned amounts in order to comply with the principle laid down in Article 11 of Regulation (EC) No 3072/95 and the Community's international commitments;

Whereas, where there is no quotation, it is appropriate to continue to apply the amount of duty fixed for the preceding period and, in the case of major fluctuations in the quotation, the cost of maritime freight or the exchange rate used for the calculation of the representative cif import price of the product concerned, the representative nature of that price must be restored, taking account of those changes, by adjusting the duty fixed in line with the difference noted; whereas, even where such adjustments are made, the regular dates for fixing duties will not be affected;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties referred to in Article 11 (1) and (2) of Regulation (EC) No 3072/95 shall be those applicable at the time laid down in Article 67 of Regulation (EEC) No 2913/92.

Article 2

The import duty for milled rice falling within CN code 1006 30 shall be equal to the intervention price valid at the moment of import increased by:

- 163 % in the case of indica rice,
- 167 % in the case of japonica rice,

minus the import price.

However, that duty must not exceed the rates of duty in the Common Customs Tariff.

Article 3

1. For the purposes of this Regulation indica rice shall be deemed to be rice falling within CN codes 1006 20 17, 1006 20 98, 1006 30 27, 1006 30 48, 1006 30 67 and 1006 30 98.

2. Any other products falling within CN codes 1006 20 and 1006 30 shall be deemed to be japonica rice.

Article 4

1. The import duties for the products referred to in Article 3 shall be calculated every week but shall be fixed by the Commission every two weeks on a Wednesday and on the last working day of each month, and for the period up to the first Thursday of July 1995 from 1 July of that year, in accordance with the method provided for in Article 5 and shall apply from the first working day following their fixing and the first day of the following month, respectively.

However, if the calculation of the week following this fixing shows that the import duty is higher or lower by ECU 10 per tonne than the duty in force, a corresponding adjustment shall be made by the Commission.

The fixing made on the last working day of each month shall be based on the intervention price for the following month.

Where the Wednesday on which import duties would be fixed is not a working day for the Commission, the duties shall be fixed on the first working day following that Wednesday.

2. The price valid on the world market to be used for the calculation of the import duty shall be the average of the weekly representative cif import prices for rice in bulk determined using the method provided for in Article 5 and established over the period of the two preceding weeks.

3. The import duties fixed in accordance with this Regulation shall apply until new duties are fixed and enter into force.

However, where no quotation is available for a given product from the reference source provided for in Article 5 over the two weeks preceding the next periodic fixing, the import duty previously fixed shall remain in force.

Every time the duty is fixed or adjusted, the Commission shall publish the import duties and the factors used for their calculation in the *Official Journal of the European Communities*.

4. Basmati rice falling within CN codes ex 1006 20 17 and ex 1006 20 98 may benefit from a reduction in the import duty by an amount of ECU 250 for rice originating in India and ECU 50 for rice originating in Pakistan.

This reduction shall be made if, when a product is released for free circulation, an import licence whose issue is conditional on provision of a security, and a certificate of product authenticity are presented.

By way of derogation from Article 10 (a) of Commission Regulation (EC) No 1162/95⁽¹⁾, the security to be provided shall be ECU 275 per tonne for basmati rice originating in India and ECU 75 per tonne for basmati rice originating in Pakistan.

⁽¹⁾ OJ No L 117, 24. 5. 1995, p. 2.

The certificate of authenticity shall be drawn up on the form a specimen of which is shown in Annex II to this Regulation. It shall be issued pursuant to the relevant provisions of Commission Regulation (EEC) No 81/92⁽¹⁾.

The amounts provided for in the first subparagraph of this paragraph may be revised in response to market trends.

Article 5

1. To determine the import prices of the rice referred to in Article 11 (4) of Regulation (EC) No 3072/95, the following factors shall be used for the different types of rice in bulk referred to in Article 3:

- (a) the cif price at Rotterdam;
- (b) the representative price on the Thai market;
- (c) the representative price on the United States market;
- (d) the representative price on other markets;
- (e) the average cost of sea freight between the port of origin and one of the ports of Antwerp, Rotterdam, Amsterdam and Ghent.

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

Done at Brussels, 29 July 1996.

The import price shall normally be the price indicated under (a), but, in the absence of such a price, shall be determined on the basis of the factors listed under (b), (c) and (e); the prices referred to in (d) shall only be used in the absence of the prices referred to under (a), (b) and (c).

In the absence of quotations for the cost of sea transport of rice, those for cereals shall be used.

2. The factors used for the calculation shall be established and checked each week on the basis of the sources and the reference qualities listed in Annex I to this Regulation. The cost of sea freight shall be established on the basis of information publicly available.

If the price established is expressed as C&F, it shall be increased by 0,75 %.

Article 6

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

It shall apply from 1 September 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 10, 16. 1. 1992, p. 9.

ANNEX I

	Indica rice		Japonica rice	
	Husked	Milled	Husked	Milled
CN code	1006 20 17 1006 20 98	1006 30 27 1006 30 48 1006 30 67 1006 30 98	1006 20 other than 1006 20 17 1006 20 98	1006 30 other than 1006 30 27 1006 30 48 1006 30 67 1006 30 98
Reference quality	US long grain 2/4/73 US long grain parboiled 1/4/88	Thai 100 % B	US Gulf medium grain (?)	
Origin	USA	Thailand	USA	USA
Stage (1)	cif loose ARAG	cif loose ARAG	cif loose ARAG	cif loose ARAG

(1) Cif ARAG: quotation for North Sea ports (Antwerp, Rotterdam, Amsterdam, Ghent).

(2) In the absence of this quality, other qualities of rice of the japonica type may be used.

ANNEX II

MODEL B

1 Exporter (Name and full address)	CERTIFICATE OF AUTHENTICITY B BASMATI RICE for export to the European Community No ORIGINAL issued by (Name and full address of issuing body)	
2 Consignee (Name and full address)		
3 Region or place of cultivation		
4 FOB value in US dollars		
5 Number and date of invoice		
6 Marks and numbers — Number and kind of packages — Description of goods	7 Gross weight (kg)	
	8 Net weight (kg)	
9 DECLARATION BY EXPORTER The undersigned declares that the information shown above is correct. Place and date: _____ Signature: _____		
10 CERTIFICATION BY THE ISSUING BODY It is hereby certified that the rice described above is BASMATI RICE and that the information shown in this certificate is correct. Place and date: _____ Signature: _____ Stamp: _____		
11 CERTIFICATION BY COMPETENT CUSTOMS OFFICE OF COUNTRY OF EXPORT Customs formalities for export to the European Economic Community of the rice described above have been completed. Type, number and date of export document: _____ Name and country of customs office: _____ Signature: _____ Stamp: _____		
12 FOR COMPETENT AUTHORITIES IN THE COMMUNITY		

**COMMISSION REGULATION (EC) No 1504/96
of 29 July 1996**

laying down detailed rules for the application of Council Regulation (EC) No 1357/96 providing for additional payments to be made in 1996 with the premiums referred to in Regulation (EEC) No 805/68 on the common organization of the market in beef and veal and amending that Regulation, and amending Regulation (EEC) No 3886/92 laying down detailed rules for the application of the premium schemes provided for in the beef and veal sector as regards the processing premium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1357/96 of 8 July 1996 providing for additional payments to be made in 1996 with the premiums referred to in Regulation (EEC) No 805/68 on the common organization of the market in beef and veal and amending that Regulation ⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽²⁾, as last amended by Regulation (EC) No 1357/96, and in particular Article 4i ⁽⁴⁾ thereof,

Whereas for the sake of transparency between Member States, and the monitoring and proper administration of the additional payments provided for in Regulation (EC) No 1357/96, the Member States should inform the Commission of the grant model used and the national detailed rules of application for implementing the measures provided for in that Regulation and of the final balance;

Whereas Article 4i ⁽⁴⁾ of Regulation (EEC) No 805/68, as amended by Article 8 of Regulation (EC) No 1357/96, allows, under certain conditions, a Member State to be authorized to pay the processing premium for animals withdrawn from production before exceeding the age of 20 days; whereas, as a result, Article 49 of Commission Regulation (EEC) No 3886/92 ⁽³⁾, as last amended by Regulation (EC) No 1264/96 ⁽⁴⁾, should be adapted;

Whereas, in order to enable the Member States to implement Regulation (EC) No 1357/96 as quickly as possible, it is necessary for this Regulation to enter into force without delay;

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

HAS ADOPTED THIS REGULATION:

Article 1

As regards the additional aid provided for in Regulation (EC) No 1357/96, the Member States shall communicate to the Commission:

(a) where Articles 1 to 4 of that Regulation are applied:

- no later than 15 November 1996 and 31 July 1997, the number of additional amounts granted pursuant to Article 1, broken down according to the arrangements referred to in Articles 4b and 4d of Regulation (EEC) No 805/68,
- without delay, the methods used to grant the amounts and aids referred to in Article 4 (a) and, where applicable, Article 4 (b), and in particular the type or category of animals concerned, the unit amounts provided for, their method of calculation and the final dates for payment,
- no later than 15 November 1996 and 31 July 1997 respectively, the total amounts of aid paid pursuant to Article 4 (a) and, where applicable, Article 4 (b) and the number of beneficiaries and animals concerned;

(b) where Article 5 and, where applicable, Article 4 (b) of that Regulation are applied:

- without delay, the methods used to grant the aid referred to therein, and in particular the type or category of animals concerned, the unit amounts provided for, their method of calculation and the final dates for payment,

⁽¹⁾ OJ No L 175, 13. 7. 1996, p. 9.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 391, 31. 12. 1992, p. 20.

⁽⁴⁾ OJ No L 163, 2. 7. 1996, p. 22.

— no later than 15 November 1996 and 31 July 1997 respectively, the total amounts of aid paid pursuant to Article 5 and Article 4 (b), and the number of beneficiaries and animals concerned.

Article 2

In the fourth indent of Article 49 (1) of Regulation (EEC) No 3886/92, the words 'before passing the age of 10 days'

are replaced by the words 'before passing the maximum age provided for in Article 4i of Regulation (EEC) No 805/68'.

Article 3

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

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1505/96

of 29 July 1996

amending Regulation (EC) No 1484/95 laying down detailed rules for implementing the system of additional import duties and fixing additional import duties in the poultrymeat and egg sectors and for egg albumin

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EC) No 2916/95⁽²⁾, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽³⁾, as last amended by Regulation (EC) No 2916/95, and in particular Article 5 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽⁴⁾, as last amended by Regulation (EC) No 2916/95, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 1484/95⁽⁵⁾, as last amended by Regulation (EC) No 1385/96⁽⁶⁾, fixes detailed rules for implementing the system of additional import duties and fixes additional import duties in the poultrymeat and egg sectors and for egg albumin;

Whereas Commission Regulation (EC) No 1251/96⁽⁷⁾, has opened new tariff quotas for certain products in the poultrymeat sector in the context of the World Trade Organization; whereas additional duties may not be imposed on products imported within these tariff quotas;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 6 of Regulation (EC) No 1484/95 is hereby replaced by the following text:

'Article 6

The additional duties laid down in Annex I shall not apply to imports in the framework of Commission Regulations (EC) No 1431/94^(*), (EC) No 1474/95^(**) and (EC) No 1251/96^(***).

(*) OJ No L 156, 23. 6. 1994, p. 9.

(**) OJ No L 145, 29. 6. 1995, p. 19.

(***) OJ No L 161, 29. 6. 1996, p. 136.'

Article 2

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

It shall apply from 1 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

(1) OJ No L 282, 1. 11. 1975, p. 49.

(2) OJ No L 305, 19. 12. 1995, p. 49.

(3) OJ No L 282, 1. 11. 1975, p. 77.

(4) OJ No L 282, 1. 11. 1975, p. 104.

(5) OJ No L 145, 29. 6. 1995, p. 47.

(6) OJ No L 179, 18. 7. 1996, p. 29.

(7) OJ No L 161, 29. 6. 1996, p. 136.

COMMISSION REGULATION (EC) No 1506/96
of 29 July 1996

amending Regulation (EC) No 3010/94 fixing the aid for the supply of products processed from fruit and vegetables to the Canary Islands under the arrangements provided for in Articles 2 and 3 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 Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EC) No 3010/94 ⁽³⁾, as amended by Commission Regulation (EC) No 1363/95 ⁽⁴⁾, fixes the aid for the supply of products processed from fruit and vegetables from the Community market to the Canary Islands pursuant to Article 3 (2) of Regulation (EEC) No 1601/92;

Whereas the above aids should be adjusted in view of the trend in supply conditions from the world market resulting in particular from the amendment of the tariff arrangements on imports; whereas it is appropriate to calculate the aid for each product on the basis of the average of the customs duties applicable to the various compositions

of the product in accordance with the tariff nomenclature; whereas this measure should take effect from the date the forecast supply balance applies;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 3010/94 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 1996.

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

Done at Brussels, 29 July 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 320, 13. 12. 1994, p. 5.

⁽⁴⁾ OJ No L 132, 16. 6. 1995, p. 8.

*ANNEX**ANNEX***AMOUNTS OF AID REFERRED TO IN ARTICLE 1**

CN code	Amount of aid (ecus per 100 kilograms)
2007 99	53,48
2008 20	32,68
2008 30	21,23
2008 40	9,99
2008 50	23,19
2008 70	18,72
2008 80	64,97
2008 92	30,35
2008 99	40,33'

COMMISSION REGULATION (EC) No 1507/96

of 29 July 1996

opening and providing for the administration of certain tariff import quotas for the supply of raw cane sugar to Community refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EC) No 1126/96⁽²⁾, and in particular Article 16 (1), Article 37 (6) and Article 39 thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV:6 negotiations⁽³⁾, and in particular Article 1 thereof,

Whereas, following the accession of Austria, Finland and Sweden and in the framework of the conclusion of the negotiations under Article XXIV of the General Agreement on Tariffs and Trade (GATT), the Community has undertaken to import, as from 1 January 1996, a quantity of raw cane sugar from third countries and intended for refining at a duty of ECU 98 per tonne; whereas, in view of the delay in implementing that undertaking, provision should be made for a total quantity, including the quantity which could have been imported during the period 1 January 1996 to 30 June 1996, to be set for the first period of application 1 July 1996 to 30 June 1997;

Whereas, in order to ensure that these quantities are imported in line with traditional import patterns, the quantities should be allocated on the basis of the origin of imports over a reference period covering three years;

Whereas the imports should be administered by means of import licences; whereas, to that end, the detailed rules covering the submission of applications and the information to appear therein, in particular, should be defined;

Whereas the application of the tariff quota implies a strict supervision of imports and effective control of their use and destination; whereas the import must consequently take place in the Member State which issued the import licence;

Whereas the rules laid down in Article 37 of Regulation (EEC) No 1785/81 apply to raw sugar imported under this

Regulation for the supply of Community refineries; whereas detailed implementing rules should therefore be laid down along the lines of those in Commission Regulation (EC) No 1916/95⁽⁴⁾ to apply *mutatis mutandis* to such sugar,

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An annual tariff quota shall be opened for the import into the Community of 85 463 tonnes of *tel quel* raw cane sugar covered by CN code 1701 11 10 during the period 1 July to 30 June at a duty of ECU 98 per tonne. The sugar must be imported and refined by refineries within the meaning of the third subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81.

However, for the period 1 July 1996 to 30 June 1997 the quota referred to in the first subparagraph shall be opened in respect of 128 195 tonnes of *tel quel* raw sugar.

2. The quantities referred to in paragraph 1 shall be allocated by country of origin in accordance with Annex I. They shall count against the quantities referred to in Article 37 (2) of Regulation (EEC) No 1785/81 and shall be taken into account for the purposes of applying paragraphs 3 and 4 of that Article.

Article 2

The duty referred to in Article 1 (1) shall apply to raw sugar of the standard quality as defined in Article 1 of Council Regulation (EEC) No 431/68⁽⁵⁾.

Where the polarimetric reading of the raw sugar imported deviates from 96 degrees, the duty referred to in Article 1 shall be increased or reduced, as the case may be, by 0,14 % for each tenth of a degree by which it deviates.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 150, 25. 6. 1996, p. 3.

⁽³⁾ OJ No L 146, 20. 6. 1996, p. 1.

⁽⁴⁾ OJ No L 184, 3. 8. 1995, p. 18.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

Article 3

1. Licences for the imports concerned may only be issued up to the quantities referred to in Article 1 (2), and the shortfalls to meet presumed maximum supply needs fixed for the Member States concerned pursuant to Article 37 of Regulation (EEC) No 1785/81. Such licences shall be issued by the Member States referred to in Article 37 (2) of that Regulation solely to refiners who import for the needs of their refineries within the meaning of Article 9 (4) of that Regulation.

2. The import of the raw sugar shall take place in the Member State which issued the import licence.

3. The licences in question shall not be transferable. However, refiners may forgo the right to use licences issued. In such an event, the security shall be released immediately. The Member States shall notify the Commission forthwith of cases where rights to use licences are foregone.

4. The provisions of Article 8 (4) of Commission Regulation (EEC) No 3719/88⁽¹⁾ shall not apply to imports under this Regulation.

Article 4

1. Notwithstanding Article 6 (1) of Commission Regulation (EC) No 1464/95⁽²⁾ and without prejudice to Article 6 (1) of this Regulation, import licences for raw sugar issued under this Regulation shall be valid from their date of issue until 30 June thereafter.

2. Applications for licences as referred to in paragraph 1 shall be submitted by refiners to the competent body in the Member State of import concerned and shall be accompanied by a declaration to the effect that the applicant undertakes to refine the quantity of raw sugar in question before 1 July following the date of import.

The Member States shall notify the Commission forthwith of applications submitted in the order in which they are recorded. Such notification shall comprise a list of applicants and the quantities applied for, as well as the quantities actually imported under licences already issued, in accordance with the model set out in Annex II.

The Commission shall inform the Member State concerned as soon as possible of the quantities covered by applications as referred to in the first subparagraph which may be allocated.

3. Without prejudice to Article 6, where the sugar in question is not refined within the time limit laid down, the refiner who applied for the licence must pay an amount equal to the full rate of duty applicable to the raw sugar, plus any additional duty applying on the day of import.

Refiners applying for licences must, within three months of the end of the time limit laid down for refining,

provide the Member State which issued the licence with proof of refining which the latter recognizes.

4. Section 8 of import licence applications and import licences shall show the country of origin.

Section 24 of applications and licences shall also show the following:

'Import of raw sugar of the standard quality at duty of ECU 9,8 per 100 kilograms pursuant to Regulation (EC) No 1507/96'.

5. The security for licences as referred to in paragraph 1 shall amount to ECU 0,30 per 100 kilograms *tel quel* raw sugar.

Article 5

Entitlement under the tariff quota shall be conditional on the presentation, at the time of application for the import licence referred to in Article 3, of a certificate of origin from the third country concerned meeting the conditions laid down in Article 47 of Commission Regulation (EEC) No 2454/93⁽³⁾.

Article 6

1. Where it is not possible for a quantity of sugar to be delivered in sufficient time for it to be refined before the date laid down in Article 4 (2), the Member State of import may, on application by the refiner, extend the term of validity of the licence for 30 days from that date.

In such cases, the raw sugar in question shall be refined within the time limit laid down in paragraph 2 and shall count against, and not lead to an overrun in, the maximum presumed needs referred to in Article 37 of Regulation (EEC) No 1785/81 for the preceding marketing year.

2. Where it has not been possible for a quantity of raw sugar to be refined before the date laid down in Article 4 (2), the Member State in question may, on application by the refiner, grant up to 90 days' further time from that date for refining.

In such cases, the raw sugar in question shall be refined within that time limit and shall count against, and not lead to an overrun in, the maximum presumed needs referred to in Article 37 of Regulation (EEC) No 1785/81 for the preceding marketing year.

Article 7

Where in a given marketing year the quantity of sugar, expressed as white sugar, refined by an undertaking leads to an overrun of no more than 1 % in his presumed needs as referred to in Article 37 of Regulation (EEC) No 1785/81 as a result of the yield of raw sugar imported

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 144, 28. 6. 1995, p. 14.

⁽³⁾ OJ No L 253, 11. 10. 1993, p. 1.

under this Regulation, the Member State in question may, on application by the refiner, count the quantity of white sugar in question against, and within the limit of his presumed maximum needs for the following marketing year.

Article 8

Quantities allocated to a country of origin specified in Annex I and not covered by import licences issued before 1 April of the marketing year in question may be allocated to applicants for licences in respect of other origins not specified in the said Annex.

However, it shall be possible to provide for another date to be determined on account of the particular circumstances of the marketing year concerned.

Article 9

The Member States concerned shall notify the Commission:

- (a) each week in respect of the preceding week, of the quantities of raw sugar, expressed in weight of *tel quel*

sugar, for which import licences as referred to in Article 4 (1) have been issued;

- (b) each month in respect of the preceding month:
- of the quantities of raw sugar, expressed in weight of *tel quel* sugar, actually imported under cover of licences as referred to in Article 4 (1),
 - of the quantities of raw sugar in question, in weight of *tel quel* sugar and expressed as white sugar, refined during the month preceding that of notification;
- (c) before 31 July of each marketing year, of the quantities of raw sugar, expressed in weight of *tel quel* sugar, intended for refining in accordance with this Regulation and in storage at refineries at 1 July of that marketing year.

Article 10

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

It shall apply from 1 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Quota allocation by country of origin in tonnes of *tel quel* raw cane sugar for the period 1 July 1996 to 30 June 1997

Third country of origin	Quantity
Cuba	88 454
Brazil	35 894
Other third countries	3 847

ANNEX II

Application of Regulation (EC) No 1507/96

EUROPEAN COMMISSION - DG VI.C.3 - Sugar

Applications for import licences	Applicant (name, business name and address)	Date	Quantity applied for by third country of origin	Quantities already imported by third countries of origin	Quantities for which right to use licence forgone	Quantity remaining
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Member State:						

COMMISSION REGULATION (EC) No 1508/96
of 29 July 1996

**adopting exceptional support measures for the beef market in Portugal by
application of Decision 96/381/EC**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1357/96⁽²⁾, and, in particular, Article 23 thereof,

1. Portugal shall be authorized to pay compensation in respect of bovine animals present on 1 April 1996 on a holding located in the territory of Portugal and slaughtered in accordance with Portugal's eradication plan as approved by Decision 96/381/EC.

Whereas by Commission Decision 96/381/EC⁽³⁾ the Commission approved measures proposed by Portugal in order to control and eradicate BSE in that Member State; whereas such measures involve the compulsory slaughter of bovine animals which were born in the United Kingdom or which at any time belonged to a herd in which cases of BSE have been confirmed; whereas in accordance with the abovementioned Decision financial assistance to Portugal for carrying out the slaughtering of the animals concerned should be provided along the lines laid down in Commission Regulation (EC) No 716/96 of 19 April 1996 adopting exceptional support measures for the beef market in the United Kingdom⁽⁴⁾, as last amended by Regulation (EC) No 835/96⁽⁵⁾; whereas, consequently it is appropriate to provide for a Community contribution of 70 % of the market value of the animals slaughtered; whereas, for the purpose of establishing the market value Portugal shall set up a system securing a fair and objective evaluation of each animal;

2. The animals referred to in paragraph 1 shall be killed in specially designated slaughterhouses, the heads, internal organs and carcasses shall be permanently stained. The stained material shall be transported in sealed containers to specially authorized incineration or rendering plants, where it shall be processed and then destroyed. No part of the abovementioned animals may enter into the human food or animal feed chains or be used for cosmetic or pharmaceutical products. A representative of the Portuguese competent authority shall be permanently present in the slaughterhouse concerned in order to supervise the operations in question.

Notwithstanding the first subparagraph and subject to the necessary control:

Whereas, it is necessary to ensure that the animals concerned are killed and destroyed in a manner which does not pose any threat to human health or the health of other animals; whereas, it is therefore necessary to specify the conditions for the destruction of these animals and of the controls to be carried out by the Portuguese authorities; whereas, so as to avoid that animals to be slaughtered in a slaughterhouse mix with animals not covered by this scheme and that mistakes as to identify occur, they should be kept separately in the lairage to the slaughterhouse, as well as in the slaughterhouse itself;

— the Portuguese competent authority may allow the on-farm slaughter of an animal. After killing, such animals shall immediately be transported to an incineration or rendering plant for processing and destruction,

— the hides of the animals referred to in paragraph 1 do not have to be stained or destroyed provided that they have been treated in such a way that they can only be used for leather production.

Whereas, provision should be made for Commission experts to check compliance with the conditions as specified;

3. The slaughterhouses referred to in paragraph 2 shall be organized and operated in such a way as to ensure that:

— no bovine animal, the product from the slaughter of which is intended for human or animal consumption, is present in the slaughterhouse when animals are being slaughtered under this scheme,

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

— where it is necessary for bovine animals to be slaughtered under the scheme to be held in lairage, they shall be kept separate from bovine animals which it is intended to slaughter for human or animal consumption, and

— where it is necessary for products derived from animals slaughtered under this scheme to be stored, such storage shall be separate from any storage facility used for meat or other products destined for human or animal consumption.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 175, 13. 7. 1996, p. 9.

⁽³⁾ OJ No L 149, 22. 6. 1996, p. 25.

⁽⁴⁾ OJ No L 99, 20. 4. 1996, p. 14.

⁽⁵⁾ OJ No L 112, 7. 5. 1996, p. 17.

4. The Portuguese competent authority shall:

- notwithstanding paragraph 1, before processing and destruction, be authorized to proceed to laboratory examination of the brains from a sample of animals slaughtered,
- carry out the necessary administrative checks and effective on-the-spot supervision of the operations referred to in paragraphs 2 and 3, and
- control those operations on the basis of frequent and unannounced inspections, in particular to verify that all stained material has been effectively destroyed.

The results of these checks, controls and examinations shall be made available to the Commission on request.

Article 2

1. The amount of compensation per animal to be paid to producers or their agents by Portugal under Article 1 (1) shall be equal to the objective market value in Portugal of each animal concerned established on the basis of a system of objective evaluation agreed on by the Portuguese competent authority.

2. The Community shall co-finance at a rate of 70 % the expenditures related to the amount of compensation referred to in paragraph 1 of animals slaughtered in accordance with Article 1.

3. Notwithstanding paragraph 1, the Portuguese competent authority is authorized to pay supplementary amounts in respect of bovine animals slaughtered under this scheme. The Community shall not co-finance such expenditure.

Article 3

Portugal shall adopt all measures necessary to ensure proper application of this scheme. It shall inform the Commission as soon as possible of the measures which it has taken and of any amendments thereto.

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

Done at Brussels, 29 July 1996.

Article 4

The Portuguese competent authority:

- (a) shall inform the Commission each Wednesday in respect of the preceding week, of:
 - the number of animals selected for slaughter,
 - the number of animals slaughtered,
 - the average market value of the animals slaughtered, and
 - the total supplementary amounts referred to in Article 2 (3) under this scheme;
- (b) shall establish a detailed report of the controls which they have taken under the measures referred to in Article 3 and shall communicate this to the Commission each quarter.

Article 5

Without prejudice to Article 9 of Council Regulation (EEC) No 729/70 ⁽¹⁾, Commission experts, accompanied where appropriate by experts from the Member States, shall carry out, in collaboration with the Portuguese competent authority, on-the-spot checks to verify compliance with all the provisions of this Regulation.

Article 6

The measures taken under this Regulation shall be considered to be intervention measures within the meaning of Article 3 of Regulation (EEC) No 729/70.

Article 7

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

It shall be applicable with effect from 1 April 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

COMMISSION REGULATION (EC) No 1509/96

of 29 July 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 Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 26 (11) thereof,

Whereas Commission Regulation (EC) No 1121/96⁽³⁾, fixes the indicative quantities laid down for the issue of export licences without advance fixing of the refund other than those applied for in the context of food aid;

Whereas Article 7 of Commission Regulation (EC) No 1488/95 of 28 June 1995, on implementing rules for export refunds on fruit and vegetables⁽⁴⁾, as last amended by Regulation (EC) No 2702/95⁽⁵⁾, provides that where there is an overrun of the indicative quantities, the excess quantities are to be deducted;

Whereas, in the light of information now available to the Commission, the indicative quantities laid down for the current period for tomatoes have already been exceeded; whereas that overrun will probably result in a reduction of the indicative quantity for the following period; whereas that reduction would be prejudicial to exports followed by applications for licences without advance fixing of the refund during that following period;

Whereas, in order to avoid that situation, the applications for licences without advance fixing of the refund for

tomatoes exported after 2 August 1996 should be rejected up to the end of the current period;

Whereas, in order for them not to be included in the calculations made by the Commission pursuant to Articles 6 and 7 of Regulation (EC) No 1488/95, those applications must not be communicated to the Commission;

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

HAS ADOPTED THIS REGULATION:

Article 1

For tomatoes, the applications for export licences without advance fixing of the refund referred to in Article 5 of Regulation (EC) No 1488/95, for which the export declaration for the products was accepted after 2 August 1996 and before 1 October 1996, are hereby rejected.

Notwithstanding Article 8 of Regulation (EC) No 1488/95, those applications shall not be included in communications to the Commission.

Article 2

This Regulation shall enter into force on 31 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 149, 22. 6. 1996, p. 11.

⁽⁴⁾ OJ No L 145, 29. 6. 1995, p. 68.

⁽⁵⁾ OJ No L 280, 23. 11. 1995, p. 30.

COMMISSION REGULATION (EC) No 1510/96

of 26 July 1996

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EC) No 1192/96⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is accepted that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined

nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which does not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 26 July 1996.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 156, 29. 6. 1996, p. 15.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description	Classification CN code	Reason																						
(1)	(2)	(3)																						
<p>1. Plastic shell, in two pieces, containing:</p> <ul style="list-style-type: none"> — plastic spinning top with a diameter of 2,5 cm, and — chewing gum in the form of a sugar-coated ball with a sucrose content by weight of 69,5 % (including invert sugar expressed as sucrose) 	<p>Spinning top 9503 90 32 Chewing gum 1704 10 99</p>	<p>Classification is determined by the provisions of general rules 1, 5 and 6 on the interpretation of the combined nomenclature, by Note 2 (v) to Chapter 39 and by the wording of CN codes 9503, 9503 90, 9503 90 32, 1704, 1704 10 and 1704 10 99</p> <p>It is not a composite product within the meaning of general rule 3 (b) for the interpretation of the combined nomenclature and in particular it is not a product put up in a set for retail sale. See HS Explanatory Notes, rule 3 (b), (X), subparagraphs 1 and 3.</p>																						
<p>2. Food preparation in powder form consisting of a mixture of:</p> <p style="text-align: right;"><i>(percentage weight)</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Powdered whey</td><td style="text-align: right;">30-35</td></tr> <tr><td>Powdered cheese</td><td style="text-align: right;">20-25</td></tr> <tr><td>Salt</td><td style="text-align: right;">15-18</td></tr> <tr><td>Onion and garlic</td><td style="text-align: right;">8-10</td></tr> <tr><td>Powdered buttermilk</td><td style="text-align: right;">8-10</td></tr> <tr><td>Lactic acid and citric acid</td><td style="text-align: right;">3-4</td></tr> <tr><td>Parsley</td><td style="text-align: right;">< 1</td></tr> <tr><td>Extract of paprika</td><td style="text-align: right;">< 0,5</td></tr> <tr><td>Spice</td><td style="text-align: right;">< 0,5</td></tr> <tr><td>Soybean oil</td><td style="text-align: right;">< 0,25</td></tr> <tr><td>Silicon dioxide</td><td style="text-align: right;">< 0,5</td></tr> </table> <p>This product is used as a seasoning in the manufacture of snackfoods.</p>	Powdered whey	30-35	Powdered cheese	20-25	Salt	15-18	Onion and garlic	8-10	Powdered buttermilk	8-10	Lactic acid and citric acid	3-4	Parsley	< 1	Extract of paprika	< 0,5	Spice	< 0,5	Soybean oil	< 0,25	Silicon dioxide	< 0,5	<p>2103 90 90</p>	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 2103, 2103 90 and 2103 90 90.</p>
Powdered whey	30-35																							
Powdered cheese	20-25																							
Salt	15-18																							
Onion and garlic	8-10																							
Powdered buttermilk	8-10																							
Lactic acid and citric acid	3-4																							
Parsley	< 1																							
Extract of paprika	< 0,5																							
Spice	< 0,5																							
Soybean oil	< 0,25																							
Silicon dioxide	< 0,5																							

COMMISSION REGULATION (EC) No 1511/96

of 29 July 1996

amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs⁽¹⁾, as last amended by Regulation (EC) No 818/96⁽²⁾, and in particular Articles 10 (3) and 20 (1) thereof,

Whereas Commission Regulation (EEC) No 1247/91⁽³⁾, as last amended by Regulation (EC) No 2401/95⁽⁴⁾, lays down the necessary provisions for the implementation of marketing standards in the egg sector;

Whereas it is appropriate, in the light of experience, to reduce the number of weight grades laid down for grade A eggs and to replace the 'number system' by letters and corresponding clear terms; whereas this simplification would both allow more flexibility for egg marketing and be more attractive to consumers; whereas the new system should be introduced over a sufficiently long transitional period in order to allow smooth adaptation to the new conditions;

Whereas additional information on egg packs regarding different types of farming should be authorized provided that this information refers to particular characteristics of the type in question; whereas the Swedish terms used for certain types of farming should be redefined;

Whereas the producers subject to registration under the terms of Regulation (EEC) No 1274/91 must be assured that any specific information concerning them will benefit from confidentiality;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1274/91 is hereby amended as follows:

1. Article 8 is replaced by the following:

'Article 8

1. Grade "A" eggs shall be graded by weight as follows:

- XL-very large: 73 g and more,
- L-large: from 63 g up to 73 g,
- M-medium: from 53 g up to 63 g,
- S-small: under 53 g.

2. On packs the weight-grading shall be indicated by the respective letters or by the respective terms as defined in paragraph 1 or by a combination of both, which may be supplemented by the corresponding weight ranges.'

2. Article 9, second indent is replaced by the following:

'— the distinguishing mark for weight-grading shall be the letters as defined in Article 8 (1), between 2 and 3 mm high, placed inside the abovementioned circle.'

3. Article 18 (1) is amended as follows:

— the Swedish terms under points (a) to (d) are replaced by the following:

on packs	on eggs
(a) Ägg från utehöns, högst 1 höna/10 m ²	Utehöns högst 1 höna/10 m ²
(b) Ägg från utehöns, högst 1 höna/2,5 m ²	Utehöns högst 1 höna/2,5 m ²
(c) Ägg från frigående höns inomhus högst 7 höns/m ²	Frig. inne högst 7 höns/m ²
(d) Ägg från frigående höns inomhus fler än 7 höns/m ²	Frig. inne fler än 7 höns/m ² ,

— the following subparagraph is inserted after point (e):

'These terms may be supplemented by indications referring to the particular characteristics of the respective type of farming.'

4. The following article 18a is inserted:

'Article 18a

1. The Member States shall take all measures necessary to ensure the confidential character of information supplied pursuant to Articles 17 and 18 (2) insofar as natural persons are concerned.

⁽¹⁾ OJ No L 173, 6. 7. 1990, p. 5.

⁽²⁾ OJ No L 111, 4. 5. 1996, p. 1.

⁽³⁾ OJ No L 121, 16. 5. 1991, p. 11.

⁽⁴⁾ OJ No L 246, 13. 10. 1995, p. 6.

2. The data entered in the registers may be used only for the application of this Regulation.' as referred to in Article 18 (1) as amended by the present Regulation.
5. Article 33 is replaced by the following:
- Article 33*
- Large packs of grade "A" eggs, graded according to weight-grades, shall have the following minimum net weights:
- XL-very large: 7,3 kg/100 eggs,
 - L-large: 6,4 kg/100 eggs,
 - M-medium: 5,4 kg/100 eggs,
 - S-small: 4,5 kg/100 eggs.'
6. In Annex II, the Swedish terms under points (a) to (d) shall be the corresponding terms to be used on packs as referred to in Article 18 (1) as amended by the present Regulation.
- Article 2*
- This Regulation shall enter into force on 1 August 1996. However until 30 June 1997, operators may continue to use weight grading for grade A eggs in accordance with the provisions applicable before 1 August 1996. The former date is prolonged until 31 December 1997 for operators not using computerized grading equipment.

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

Done at Brussels, 29 July 1996.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1512/96
of 29 July 1996
amending Regulation (EC) No 716/96 adopting exceptional support measures for
the beef market in the United Kingdom

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Commission Regulation (EC) No 1357/96⁽²⁾, and in particular Article 23 thereof,

Whereas Commission Regulation (EC) No 716/96⁽³⁾, as last amended by Regulation (EC) No 835/96⁽⁴⁾, provided exceptional support measures for the beef market in the United Kingdom; in particular by enabling producers to be paid ECU 1 per kilogram liveweight for animals slaughtered under the scheme set out in the Regulation provided also for the possibility of paying deadweight; whereas experience has shown that the coefficient of 2 by which the deadweight is to be multiplied leads to distortion between the payments made in respect of cows and those in respect of other animals eligible under the scheme; whereas different coefficients should therefore be used;

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

HAS ADOPTED THIS REGULATION:

Article 1

The third subparagraph of Article 2 (1) of Regulation (EC) No 716/96 shall be replaced by the following:

'However, where it is necessary to weigh the animal concerned after slaughter, in order to calculate what the liveweight would have been, the deadweight after bleeding and removal of the hide, head, feet and viscera shall be multiplied by a coefficient of

- 2 in the case of cows, and
- 1,70 in the case of all other animals.'

Article 2

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

It shall apply on animals purchased from the first Monday following the day of publication.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 175, 13. 7. 1996, p. 9.

⁽³⁾ OJ No L 99, 20. 4. 1996, p. 14.

⁽⁴⁾ OJ No L 112, 7. 5. 1996, p. 17.

**COMMISSION REGULATION (EC) No 1513/96
of 29 July 1996**

**determining the extent to which applications in the beef and veal sector for
import rights lodged pursuant to Regulation (EC) No 1141/96 may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1141/96 of 25 June 1996 opening and providing for the administration of a tariff quota for meat of bovine animals, frozen, falling within CN code 0202 and products falling within CN code 0206 29 91 (from 1 July 1996 to 30 June 1997)⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EC) No 1141/96 provides in particular for the quantities reserved for traditional importers to be allocated in proportion to their imports during the period 1 April 1993 to 31 March 1996; whereas in the other cases the quantities applied for exceed the quantities available under Article 2 (2) of that Regulation; whereas, therefore, the quantities applied for should be reduced on a proportional basis in accordance with Article 5 (2) of Regulation (EC) No 1141/96,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for the right to import lodged in accordance with Regulation (EC) No 1141/96 shall be granted to the following extent:

- (a) 244,673 kg per tonne imported during the period 1 April 1993 to 31 March 1996 for importers as defined in Article 2 (1) (a) of Regulation (EC) No 1141/96;
- (b) 8 386,1 kg per application in the case of importers as defined in Article 2 (2) of Regulation (EC) No 1141/96.

Article 2

This Regulation shall enter into force on 30 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 151, 26. 6. 1996, p. 9.

COMMISSION REGULATION (EC) No 1514/96
of 29 July 1996
establishing the forecast supply balance of the Canary Islands for products of the
processed fruit and vegetable sector

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

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

Whereas, pursuant to Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities of certain processed fruit and vegetable products in the forecast supply balance, covered by CN codes 2007 99 and 2008 and qualifying for exemption from duty on direct imports from third countries or for aid for consignments from the rest of the Community should be determined;

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

Whereas pursuant to Regulation (EEC) No 1601/92, the supply arrangements apply from 1 July; whereas, as a result, provision should be made for this Regulation to apply immediately;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purpose of applying Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities covered by the forecast supply balance of processed fruit products qualifying for exemption from duty on imports from third countries or for Community aid shall be as set out in the Annex.

2. Without prejudice to a revision of the supply balance during the period concerned, the quantities laid down for the various products listed in Part II of the Annex may be exceeded by up to 20 % provided that the overall quantity is not exceeded.

Article 2

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

It shall apply from 1 July 1995.

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

Done at Brussels, 29 July 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.

ANNEX

Establishing the forecast supply balance of the Canary Islands for products of the processed fruit and vegetable sector for the period of 1 July 1996 to 30 June 1997

<i>(tonnes)</i>		
CN code	Description	Quantity
<i>Part I</i>		
2007 99	Preparations other than homogenized, containing fruit other than citrus fruit	3 750 (1)
<i>Part II</i>		
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or sweetening matter or spirit, not elsewhere specified or included	
2008 20	– pineapples	3 200
2008 30	– citrus fruit	500
2008 40	– pears	1 600
2008 50	– apricots	220
2008 70	– peaches	7 600
2008 80	– strawberries	360
	– other, including mixtures other than those of subheading No 2008 19	
2008 92	– – mixtures	1 850
2008 99	– – other than palm hearts and mixtures	650
	Total	15 980

(1) Of which 833 tonnes for the processing and/or packaging sector.

COMMISSION REGULATION (EC) No 1515/96

of 29 July 1996

reducing the basic price and the buying-in price for apples for the 1996/97 marketing year as a result of the overrun of the intervention threshold for the 1995/96 marketing year

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 1363/95⁽²⁾, and in particular Article 16b (4) thereof,

Whereas Commission Regulation (EC) No 1900/94⁽³⁾, as last amended by Regulation (EC) No 1821/95⁽⁴⁾, fixes the intervention threshold for apples for the 1995/96 marketing year at 281 700 tonnes; whereas, pursuant to Article 2 (2) and (3) of Council Regulation (EEC) No 1121/89 of 27 April 1989 on the introduction of an intervention threshold for apples and cauliflowers⁽⁵⁾, as last amended by Regulation (EC) No 1327/95⁽⁶⁾, if, in the course of the marketing year, intervention measures adopted for apples involve quantities exceeding the intervention threshold fixed for that product and for that marketing year, the basic price and the buying-in price fixed for that product for that product for the following marketing year are reduced by 1 % for each 86 500 tonnes by which the threshold is exceeded;

Whereas, according to the information supplied by the Member States, intervention measures adopted in the

Community in respect of the 1995/96 marketing year related to 609 512 tonnes; whereas the Commission therefore notes an overrun of the intervention threshold fixed for that marketing year of 327 812 tonnes;

Whereas, in view of the foregoing, the basic price and the buying-in price for apples fixed by Council Regulation (EC) No 1542/95⁽⁷⁾ must be reduced by 3 %;

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic price and the buying-in price for apples for the 1996/97 marketing year fixed in Regulation (EC) No 1542/95 are hereby reduced by 3 % and shall be as laid out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 132, 16. 6. 1995, p. 8.

⁽³⁾ OJ No L 194, 29. 7. 1994, p. 14.

⁽⁴⁾ OJ No L 175, 27. 7. 1995, p. 31.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 21.

⁽⁶⁾ OJ No L 128, 13. 6. 1995, p. 8.

⁽⁷⁾ OJ No L 148, 30. 6. 1995, p. 23.

ANNEX

BASIC PRICE AND BUYING-IN PRICE FOR THE 1996/97 MARKETING YEAR AS A RESULT OF THE OVERRUN OF THE INTERVENTION THRESHOLD FIXED FOR THE 1995/96 MARKETING YEAR**Apples**

Period	Basic price	Buying-in price
August	30,43	15,51
September	30,43	15,51
October	30,43	15,65
November	31,29	16,17
December	34,18	17,51
January	37,07	18,84
February	37,07	18,84
March	37,07	18,84
April	37,07	18,84
May	37,07	18,84

These prices refer to:

- apples of the Reine des Reinettes and Verde Doncella varieties, quality class I, size 65 mm or more,
- apples of the Delicious Pilafa, Golden Delicious, James Grieve, Red Delicious, Reinette Grise du Canada and Starking Delicious varieties, quality class I, size 70 mm or more, put up in packaging.

These prices do not take account of the cost of the packaging in which the product is put up.

COMMISSION REGULATION (EC) No 1516/96
of 29 July 1996
amending Annex I to Regulation (EC) No 2771/75 on the common organization
of the market in eggs

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 8 (13) thereof,

Whereas Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EC) No 1192/96 ⁽⁴⁾, contains the combined nomenclature currently in force;

Whereas a number of the descriptions given in Annex I to Regulation (EEC) No 2771/75 no longer correspond to the combined nomenclature; whereas Annex I to that

Regulation should therefore be amended; whereas, in the interests of clarity, those amendments should be incorporated in an Annex replacing Annex I;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2771/75 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 156, 29. 6. 1996, p. 15.

ANNEX

ANNEX I

CN code	Description
ex 0403 10 51 to ex 0403 10 99 ex 0403 90 71 to ex 0403 90 99	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, flavoured or containing added cocoa, whether or not concentrated or containing added sugar or other sweetening matter
1806	Chocolate and other food preparations containing cocoa
ex 1901	Food preparations of goods of heading Nos 0401 to 0404, containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included
1902 11 00	Uncooked pasta, not stuffed or otherwise prepared containing eggs
ex 1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form or in the form of flakes or other worked grains (except flour and meal), precooked or otherwise prepared, not elsewhere specified or included, containing cocoa
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
1905 20	— Gingerbread and the like
1905 30	— Sweet biscuits; waffles and wafers
1905 40	— Rusks, toasted bread and similar toasted products
1905 90	— Other, with the exception of products falling within CN codes 1905 90 10 to 1905 90 30
ex 2105 00	Ice cream and other edible ice, containing cocoa
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:
2208 70	— Liqueurs
3502	Albumins (including concentrates of two or more whey proteins, containing by weight more than 80 % whey proteins, calculated on the dry matter), albuminates and other albumin derivatives:
3502 11 90	— — — Other dried egg albumin
3502 19 90	— — — Other egg albumin'

COMMISSION REGULATION (EC) No 1517/96
of 29 July 1996
amending the import duties in the cereals sector

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

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, and in particular Article 2 (1) thereof,

Whereas the import duties in the cereals sector are fixed by Commission Regulation (EC) No 1366/96⁽⁴⁾, as last amended by Regulation (EC) No 1486/96⁽⁵⁾;

Whereas Article 2 (1) of Regulation (EC) No 1249/96 provides that if during the period of application, the

average import duty calculated differs by ECU 5 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1366/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EC) No 1366/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 30 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

⁽³⁾ OJ No L 161, 29. 6. 1996, p. 125.

⁽⁴⁾ OJ No L 177, 16. 7. 1996, p. 9.

⁽⁵⁾ OJ No L 188, 27. 7. 1996, p. 32.

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 ^(?) (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	15,96	5,96
1001 90 99	Common high quality wheat other than for sowing ^(?)	15,96	5,96
	medium quality	24,87	14,87
	low quality	44,54	34,54
1002 00 00	Rye	51,65	41,65
1003 00 10	Barley, seed	51,65	41,65
1003 00 90	Barley, other ^(?)	51,65	41,65
1005 10 90	Maize seed other than hybrid	52,61	42,61
1005 90 00	Maize other than seed ^(?)	52,61	42,61
1007 00 90	Grain sorghum other than hybrids for sowing	65,76	55,76

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

^(?) For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2 (4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

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

^(?) The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties (period from 15. 7. 1996 to 26. 7. 1996):

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	US barley 2
Quotation (ECU/tonne)	140,61	146,13	133,86	114,68	179,15 (¹)	125,29 (¹)
Gulf premium (ECU/tonne)	—	14,53	7,16	32,38	—	—
Great lake premium (ECU/tonne)	20,38	—	—	—	—	—

(¹) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 9,19 per tonne; Great Lakes — Rotterdam: ECU 17,80 per tonne.

3. Subsidy (third paragraph of Article 4 (2) of Regulation (EC) No 1249/96: ECU 0,00 per tonne).

COMMISSION REGULATION (EC) No 1518/96
of 29 July 1996

amending representative prices and additional duties for the import of certain
products in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81
of 30 June 1981 on the common organization of the
markets in the sugar sector⁽¹⁾, as last amended by
Commission Regulation (EC) No 1126/96⁽²⁾,

Having regard to Commission Regulation (EC) No
1423/95 of 23 June 1995 laying down detailed imple-
menting rules for the import of products in the sugar
sector other than molasses⁽³⁾, as last amended by Regula-
tion (EC) No 1127/96⁽⁴⁾, and in particular the second
subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and
additional duties applicable to the import of white sugar,
raw sugar and certain syrups are fixed by Commission
Regulation (EC) No 1195/96⁽⁵⁾, as last amended by Regu-
lation (EC) No 1438/96⁽⁶⁾;

Whereas it follows from applying the general and detailed
fixing rules contained in Regulation (EC) No 1423/95 to
the information known to the Commission that the repre-
sentative prices and additional duties at present in force
should be altered to the amounts set out in the Annex
hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports
of the products referred to in Article 1 of Regulation (EC)
No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 150, 25. 6. 1996, p. 3.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 150, 25. 6. 1996, p. 12.

⁽⁵⁾ OJ No L 161, 29. 6. 1996, p. 3.

⁽⁶⁾ OJ No L 184, 24. 7. 1996, p. 30.

ANNEX

to the Commission Regulation of 29 July 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,85	3,87
1701 11 90 ⁽¹⁾	24,85	9,11
1701 12 10 ⁽¹⁾	24,85	3,70
1701 12 90 ⁽¹⁾	24,85	8,68
1701 91 00 ⁽²⁾	29,01	10,73
1701 99 10 ⁽²⁾	29,01	6,21
1701 99 90 ⁽²⁾	29,01	6,21
1702 90 99 ⁽³⁾	0,29	0,36

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1519/96
of 29 July 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 30 July 1996.

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

Done at Brussels, 29 July 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 29 July 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 ⁽¹⁾	Standard import value	CN code	Third country code ⁽¹⁾	Standard import value	
0702 00 35	052	76,2		388	95,9	
	060	80,2		400	79,8	
	064	70,8		404	63,6	
	066	60,3		416	72,7	
	068	80,3		508	113,5	
	204	86,8		512	92,3	
	208	44,0		524	100,3	
	212	97,5		528	86,7	
	624	95,8		624	86,5	
	999	76,9		728	107,3	
	ex 0707 00 25	052		62,4	800	151,0
		053		156,2	804	105,2
		060		61,0	999	92,9
066		53,8	0808 20 51	039	104,1	
068		69,1	052	138,2		
204		144,3	064	72,5		
624		87,1	388	79,0		
999		90,6	400	70,4		
0709 90 77	052	54,3	512	89,5		
	204	77,5	528	132,9		
	412	54,2	624	79,0		
	624	151,9	728	115,4		
	999	84,5	800	84,0		
0805 30 30	052	133,7	804	73,0		
	204	88,8	999	94,4		
	220	74,0	0809 10 40	052	144,4	
	388	68,9	061	51,3		
	400	68,2	064	115,4		
	512	54,8	091	57,0		
	520	66,5	400	338,0		
	524	68,9	999	141,2		
	528	64,4	0809 20 59	052	183,8	
	600	96,5	061	182,0		
	624	48,9	064	137,1		
0806 10 40	999	75,8	066	73,7		
	052	114,6	068	91,0		
	064	75,6	400	216,6		
	066	49,4	600	94,9		
	220	110,8	616	171,8		
	400	157,1	624	63,7		
	412	134,1	676	166,2		
	508	307,2	999	138,1		
	512	186,0	0809 30 31, 0809 30 39	052	63,1	
	600	151,1	220	121,8		
	624	126,0	624	106,8		
	999	141,2	999	97,2		
	0808 10 71, 0808 10 73, 0808 10 79	039	119,4	0809 40 30	052	78,8
052		64,0	064	83,5		
064		78,6	066	84,9		
070		90,2	068	61,2		
284		72,1	400	143,5		
			624	185,7		
			676	68,6		
			999	100,9		

⁽¹⁾ 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 1520/96
of 29 July 1996

fixing the maximum export refunds for olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2544/95⁽³⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾, as amended by Regulation (EC) No 1380/95⁽⁵⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽⁶⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EC) No 2544/95 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current

situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 July 1996.

Article 2

This Regulation shall enter into force on 30 July 1996.

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

Done at Brussels, 29 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 260, 31. 10. 1995, p. 38.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁶⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 29 July 1996 fixing the maximum export refunds for olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2544/95

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	41,15
1509 10 90 900	—
1509 90 00 100	47,95
1509 90 00 900	—
1510 00 90 100	9,00
1510 00 90 900	—

(1) 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 amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1521/96
of 29 July 1996
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94⁽²⁾, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72⁽³⁾, as last amended by Regulation (EEC) No 2962/77⁽⁴⁾;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market

situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as last amended by Regulation (EC) No 150/95⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EC) No 2853/95⁽⁸⁾;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾, as amended by Regulation (EC) No 1380/95⁽¹⁰⁾, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96⁽¹¹⁾; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 July 1996.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁴⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 299, 12. 12. 1995, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹⁰⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽¹¹⁾ OJ No L 65, 15. 3. 1996, p. 1.

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

Done at Brussels, 29 July 1996.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 July 1996 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	36,00
1509 10 90 900	0,00
1509 90 00 100	42,50
1509 90 00 900	0,00
1510 00 90 100	6,00
1510 00 90 900	0,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

⁽²⁾ 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 amended Commission Regulation (EEC) No 3846/87.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 June 1996

recognizing in principle the completeness of the dossier submitted for detailed examination in view of the possible inclusion of quinoxifen in Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market

(Text with EEA relevance)

(96/457/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽¹⁾, as last amended by Commission Directive 96/12/EC⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Directive 91/414/EEC has provided for the development of a Community list of authorized pesticide active substances;

Whereas DowElanco Europe introduced on 1 August 1995 a dossier to the United Kingdom authorities in view of obtaining the inclusion of the active substance quinoxifen in Annex I to the Directive; whereas the United Kingdom authorities indicated to the Commission the results of a first examination of the completeness of the dossier with regard to the data and information requirements provided for in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive; whereas subsequently, in accordance with the provisions of Article 6 (2), the dossier was submitted by the applicant to the Commission and the other Member States;

Whereas the Commission referred the dossier to the Standing Committee on Plant Health in the meeting of

the working group 'legislation' thereof on 20 March 1996, during which the Member States confirmed the receipt of the dossier;

Whereas Article 6 (3) of the Directive requires it being confirmed at the level of the Community that the dossier is to be considered as satisfying, in principle, the data and information requirements provided for in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive;

Whereas such confirmation is necessary in order to pursue the detailed examination of the dossier as well as in order to open to the Member States the possibility of granting provisional authorization for plant protection products containing this active substance in due respect of the conditions laid down in Article 8 (1) of the Directive, and in particular the condition to make a detailed assessment of the active substance and the plant protection product with regard to the requirements of the Directive;

Whereas such decision does not prejudice that further data or information may be requested from the applicant where it would appear during the detailed examination that such information or data are required for a decision to be taken;

Whereas it is understood between the Member States and the Commission that the United Kingdom will pursue the detailed examination of the dossier and report the conclusions of its examination accompanied by any recommendations on the inclusion or non-inclusion and any conditions related thereto to the Commission as soon

⁽¹⁾ OJ No L 230, 19. 8. 1991, p. 1.

⁽²⁾ OJ No L 65, 15. 3. 1996, p. 20.

as possible and at the latest within a period of one year; whereas on receipt of this report the detailed examination will be continued with the expertise from all Member States within the framework of the Standing Committee on Plant Health;

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

HAS ADOPTED THIS DECISION:

Article 1

The dossier submitted by DowElanco Europe to the Commission and the Member States with a view to the inclusion of quinoxifen as active substance in Annex I to

Directive 91/414/EEC and which was referred to the Standing Committee on Plant Health on 20 March 1996, is considered as satisfying in principle the date and information requirements provided for in Annex II and, for a plant protection product containing the active substance concerned, in Annex III to the Directive.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 June 1996.

For the Commission

Ritt BJERREGAARD

Member of the Commission
