

Official Journal

of the European Communities

ISSN 0378-6978

L 202

Volume 39

10 August 1996

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- * **Commission Regulation (EC) No 1620/96 of 9 July 1996 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice** 1
- Commission Regulation (EC) No 1621/96 of 9 August 1996 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal 11
- Commission Regulation (EC) No 1622/96 of 9 August 1996 re-establishing the preferential customs duty on imports of small-flowered roses originating in Israel 12
- Commission Regulation (EC) No 1623/96 of 9 August 1996 amending the import duties in the cereals sector..... 14
- Commission Regulation (EC) No 1624/96 of 9 August 1996 fixing the maximum buying-in price and the quantities of beef to be bought in under the 165th partial invitation to tender as a general intervention measure pursuant to Regulations (EEC) No 1627/89 and (EC) No 1124/96 17
- Commission Regulation (EC) No 1625/96 of 9 August 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables 19
-

II *Acts whose publication is not obligatory*

Commission

96/490/EC:

- * **Commission Decision of 18 July 1996 on certain protective measures with regard to *Gyrodactylus salaris* in salmonids⁽¹⁾** 21

96/491/EC:

- * **Commission Decision of 19 July 1996 on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in Madeira for 1996** 23

96/492/EC:

- * **Commission Decision of 19 July 1996 on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in the Azores for 1996.....** 30

Corrigenda

- Corrigendum to Commission Regulation (CE) No 1573/96 of 6 August 1996 temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated (OJ No L 196 of 7.8.1996)
- 37

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1620/96**of 9 July 1996****opening and providing for the administration of certain tariff quotas for imports
of rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3093/95 of 22 December 1995 laying down the rates of duty to be applied by the Community resulting from negotiations under GATT Article XXIV.6 consequent upon the accession of Austria, Finland and Sweden to the European Community⁽¹⁾, and in particular Article 5 thereof,

Having regard to Council Decision 96/317/EC of 13 May 1996⁽²⁾ concerning the conclusion of the results of the consultations with Thailand under GATT Article XXIII, and in particular Article 3 thereof,

Whereas, under the negotiations conducted pursuant to GATT Article XXIV.6 in the wake of the accession of Austria, Finland and Sweden to the European Union, it was agreed to open from 1 January 1996 annual import quotas for 63 000 tonnes of semi-milled and wholly milled rice covered by CN code 1006 30 at zero duty and for 20 000 tonnes of husked rice covered by CN code 1006 20 at a fixed duty of ECU 88 per tonne; whereas these quotas were included in the European Communities list provided for in Article II (1) (a) of GATT 1994;

Whereas, under the consultations with Thailand pursuant to GATT Article XXIII, it was agreed to open an annual quota for 80 000 tonnes of broken rice covered by CN code 1006 40 00 at an import duty reduced by ECU 28 per tonne; whereas in 1996 that quota is to apply from 1 April to 31 December and to cover 60 000 tonnes;

Whereas the abovementioned commitments provide that the administration of those quotas is to take account of traditional suppliers;

Whereas, with a view to preventing imports under those quotas from causing disturbance in the normal marketing of Community grown rice, such imports should be staggered over the year so they can be absorbed more easily by the Community market;

Whereas the distribution of the quota for 1996 cannot commence before July and whereas, in order to allow the United States administration to finalize the relevant measures, provision should be made for imports from that country to commence from August only;

Whereas the United States Government has not yet forwarded the standard export licence and whereas, consequently, imports from that country will only take place once the licence is available;

Whereas, with a view to the sound administration of the abovementioned quotas and in particular in order to ensure that the quantities fixed are not exceeded, special detailed rules must be laid down to cover the submission of applications and the issue of licences; whereas such detailed rules must either supplement or derogate from Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽³⁾, as last amended by Regulation (EC) No 2137/95⁽⁴⁾;

Whereas it should be stipulated that Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special rules for the application of the system of import and export licences for cereals and rice⁽⁵⁾, as last amended by Regulation (EC) No 2917/95⁽⁶⁾, applies under this Regulation;

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 214, 8. 9. 1995, p. 21.

⁽⁵⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽⁶⁾ OJ No L 305, 19. 12. 1995, p. 53.

⁽¹⁾ OJ No L 334, 30. 12. 1995, p. 1.

⁽²⁾ OJ No L 122, 22. 5. 1996, p. 15.

Whereas the measures provided for in this Regulation are not in accordance with the opinion of the Management Committee for Cereals; whereas, therefore, in accordance with Article 23 (3) of Council Regulation (EEC) No 1766/92⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, they have been notified to the Council as soon as they have been adopted; whereas the Council has not taken a different decision acting on a qualified majority within one month,

HAS ADOPTED THIS REGULATION:

Article 1

1. Annual tariff quotas are hereby opened for imports into the Community of:

- (a) 63 000 tonnes of semi-milled and wholly-milled rice covered by CN code 1006 30 at zero duty;
- (b) 20 000 tonnes of husked rice covered by CN code 1006 20 at a duty of ECU 88 per tonne;
- (c) 80 000 tonnes of broken rice covered by CN code 1006 40 00 with a reduction of ECU 28 per tonne in the duty fixed in the combined nomenclature.

2. However, in 1996 the quota referred to in paragraph 1 (c) shall apply from 1 April to 31 December in respect of 60 000 tonnes.

3. Those quantities shall be broken down by country of origin as follows:

- in the case of the quota referred to in paragraph 1 (a):
 - 38 721 tonnes from the United States of America,
 - 21 455 tonnes from Thailand,
 - 1 019 tonnes from Australia,
 - 1 805 tonnes from other countries;
- in the case of the quota referred to in paragraph 1 (b):
 - 10 429 tonnes from Australia,
 - 7 642 tonnes from the United States of America,
 - 1 812 tonnes from Thailand,
 - 117 tonnes from other countries;
- in the case of the quota referred to in paragraph 1 (c):
 - 41 600 tonnes from Thailand,
 - 12 913 tonnes from Australia,
 - 8 503 tonnes from Guyana,
 - 7 281 tonnes from the United States of America,
 - 9 703 tonnes from other countries.

However, for the period 1 April to 31 December 1996, that quota shall be broken down as follows:

- 31 200 tonnes from Thailand,
- 9 685 tonnes from Australia,
- 6 377 tonnes from Guyana,
- 5 461 tonnes from the United States of America,
- 7 277 tonnes from other countries.

Article 2

1. Import licences shall be issued for those quota quantities under the following tranches, expressed in tonnes:

(a) in the case of the quota referred to in Article 1 (1) (a):

	January	April	July	September
United States	9 681	19 360	9 680	—
Thailand	5 364	10 727	5 364	—
Australia	—	1 019	—	—
Other countries	—	1 805	—	—
	15 045	32 911	15 044	—

(b) in the case of the quota referred to in Article 1 (1) (b):

	January	April	July	September
Australia	2 608	5 214	2 607	—
United States	1 911	3 821	1 910	—
Thailand	—	1 812	—	—
Other countries	—	117	—	—
	4 519	10 964	4 517	—

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 126, 24. 5. 1996, p. 37.

(c) in the case of the quota referred to in Article 1 (1) (c):

	January	April	July	September
Thailand	10 400	20 800	10 400	—
Australia	3 229	6 456	3 228	—
Guyana	2 126	4 251	2 126	—
United States	1 820	3 640	1 821	—
Other countries	2 425	4 853	2 425	—
	20 000	40 000	20 000	—

2. However, the breakdown for 1996 shall be as follows:

(a) in the case of the quota referred to in Article 1 (1) (a):

	July	August	September
United States	—	19 361	19 360
Thailand	21 455	—	—
Australia	1 019	—	—
Other countries	1 805	—	—
	24 279	19 361	19 360

(b) in the case of the quota referred to in Article 1 (1) (b):

	July	August	September
Australia	10 429	—	—
United States	—	3 821	3 821
Thailand	1 793	—	—
Other countries	136	—	—
	12 358	3 821	3 821

(c) in the case of the quota referred to in Article 1 (1) (c):

	July	August	September
Thailand	31 200	—	—
Australia	9 685	—	—
Guyana	6 377	—	—
United States	—	5 461	—
Other countries	7 277	—	—
	54 539	5 461	—

3. Quantities not covered by import licences issued in respect of the first, second and third tranches shall be carried over to the following tranches of the relevant quota.

For quantities not covered by import licences issued under the September tranche, import licence applications may be submitted in respect of all countries of origin covered by the relevant quota under an additional tranche in October pursuant to Article 4 (1), except as regards the quantities set out in Article 2 (1) (c) and (2) (c).

Article 3

1. Where import licence applications are submitted in respect of rice and broken rice originating in Thailand and rice originating in Australia and the United States under the arrangements laid down in Article 1 they shall be accompanied by export licences completed in accordance with the model set out in Annexes I and II and issued by the competent body in the countries as indicated therein.

2. The body issuing the import licence shall keep the original of the export licence and shall deliver a copy thereof to the customs authorities on release for free circulation of the product to be imported.

Article 4

1. Licence applications shall be lodged with the competent authority in the Member State concerned in the first five working days of the month corresponding to each tranche.

2. Notwithstanding Article 10 of Commission Regulation (EC) No 1162/95, the security for the import licences shall be:

- ECU 46 per tonne for the quotas provided for in Article 1 (1) (a),
- ECU 22 per tonne for the quotas provided for in Article 1 (1) (b),
- ECU 5 per tonne for the quotas provided for in Article 1 (1) (c).

3. The country of origin shall be entered in section 8 of licence applications and of the import licences and the word 'yes' shall be marked with a cross.

4. Section 24 of the licences shall bear one of the following entries:

(a) in the case of the quota referred to in Article 1 (a):

- Exención del derecho de aduana [Reglamento (CE) n° 1620/96]
- Toldfri (Forordning (EF) nr. 1620/96)
- Zollfrei (Verordnung (EG) Nr. 1620/96)
- Ατελώς [Κανονισμός (ΕΚ) αριθ. 1620/96]
- Exemption from customs duty (Regulation (EC) No 1620/96)
- Exemption du droit de douane [Règlement (CE) n° 1620/96]

- Esenzione del dazio doganale [Regolamento (CE) n. 1620/96]
- Vrijgesteld van douanerecht (Verordening (EG) nr. 1620/96)
- Isenção de direito aduaneiro (Regulamento (CE) n° 1620/96)
- Tullivapaa [asetuksen (EY) N:o 1620/96]
- Tullfri (förrordning (EG) nr 1620/96);

(b) in the case of the quota referred to in Article 1 (b):

- Derecho de aduana reducido 88 ecus/t [Reglamento (CE) n° 1620/96]
- Nedsatt told 88 ECU/t (Forordning (EF) nr. 1620/96)
- Ermäßigter Zollsatz von 88 ECU/Tonne (Verordnung (EG) Nr. 1620/96)
- Δασμός μειωμένος σε 88 Ecu/τόνο [Κανονισμός (ΕΚ) αριθ. 1620/96]
- Reduced duty to ECU 88 per tonne (Regulation (EC) No 1620/96)
- Droit réduit à 88 écus par tonne [Règlement (CE) n° 1620/96]
- Dazio ridotto a 88 ECU/t [Regolamento (CE) n. 1620/96]
- Verminderd douanerecht van 88 ecu/ton (Verordening (EG) nr. 1620/96)
- Direito reduzido 88 Ecu/t (Regulamento (CE) n° 1620/96)
- Tulli, joka on alennettu 88 ecuun/t [asetus (EY) N:o 1620/96]
- Tullsatsen nedsatt till 88 ecu/ton (förrordning (EG) nr 1620/96);

(c) in the case of the quota referred to in Article 1 (c):

- Derecho de aduana reducido de 28 ecus/t [Reglamento (CE) n° 1620/96]
- Reduceret afgift med 28 ECU/t (Forordning (EF) nr. 1620/96)
- Um 28 ECU/Tonne ermäßigter Zollsatz (Verordnung (EG) Nr. 1620/96)
- Δασμός μειωμένος κατά 28 Ecu/τόνο [Κανονισμός (ΕΚ) αριθ. 1620/96]
- Reduced duty by ECU 28 per tonne (Regulation (EC) No 1620/96)
- Droit réduit de 28 écus par tonne [Règlement (CE) n° 1620/96]
- Dazio ridotto di 28 ECU/t [Regolamento (CE) n. 1620/96]
- Douanerecht verminderd met 28 ecu/ton (Verordening (EG) nr. 1620/96)
- Direito reduzido de 28 Ecu/t (Regulamento (CE) n° 1620/96)
- Tulli, jota on alennettu 28 ecua/t [asetus (EY) N:o 1620/96]
- Tullsatsen nedsatt med 28 ecu/ton (förrordning (EG) nr 1620/96).

5. Import licence applications shall be admissible only where the following conditions are fulfilled:

- applications must be submitted by natural or legal persons who have, at least in one of the three years preceding the date of submission of the application, been engaged in trade in rice or submitted import licence applications covering rice and were entered in a public registry of a Member State,
- applicants must submit their applications in the Member State where they are entered in a public registry. Where applications are submitted by the same person in two or more Member States, none of those applications shall be admissible.

Article 5

1. Within two working days of the closing date for the submission of licence applications, the Member States shall notify the Commission of the quantities covered by import licence applications, broken down by CN code and country of origin.

Such notification shall also be made where no application has been submitted in a Member State.

The above information must be notified separately from that relating to other import licence applications covering rice and in accordance with the same procedure.

2. Within 10 days of the closing date for the submission of licence applications, the Commission shall:

- decide what percentage of quantities covered by applications may be imported. Where the quantities applied for exceed those available in respect of the tranche and country of origin in question, it shall set a single percentage reduction to be applied to those quantities,
- fix the quantities available under the following tranche and, where appropriate, under the additional tranche in October.

The Commission shall notify the Member States of its decision as soon as possible.

3. If the reduction referred to in the first indent of paragraph 2 of this Article results in one or more quantities of less than 20 tonnes per application, the Member State shall allocate the total of these quantities by drawing lots among the importers concerned in 20 tonne lots and, where applicable, the remaining lot.

Article 6

1. Within three working days of the date of notification by the Commission, import licences shall be issued

for the quantities resulting from the application of Article 5 (2).

Where the quantities covered by import licences issued are lower than those applied for, the security fixed in Article 4 (2) shall be reduced proportionately.

2. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights accruing under import licences shall not be transmissible.

Article 7

1. The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not apply.

2. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not exceed that set out in sections 17 and 18 of the import licences.

To that end the figure '0' shall be entered in section 19 of the licences.

3. Article 33 (5) of Regulation (EEC) No 3719/88 shall apply.

4. The term of validity of the licences shall be fixed in accordance with Article 6 (1) of Regulation (EC) No 1162/95. However, it may not extend beyond 31 December of the year of issue.

Article 8

The Member States shall notify the Commission by telex:

- (a) within two working days of their issue, of the quantities, broken down by CN code, covered by the import licences issued, with details of the date, the country of origin and the name and address of the holder;
- (b) by the last working day of each month following the month of release for free circulation, of the quantities, broken down by CN code and country of origin, actually released for free circulation.

Such notifications must also be made where no licence has been issued and no imports have taken place.

Article 9

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, 9 July 1996.

For the Commission
Franz FISCHLER
Member of the Commission

Export certificate No

**DEPARTMENT OF FOREIGN TRADE
MINISTRY OF COMMERCE
GOVERNMENT OF THAILAND**

Export certificate subject to Regulation (EC) No . . . /96

Special form either for semi-milled or milled rice (Code No 1006 30), husked rice (code No 1006 20), or broken rice (code No 1006 40 00)

1. Exporter (name, address and country)	2. Importer (name, address and country)
Name:	Name:
Address:	Address:
Country:	Country:

3. Shipped per	4. Country/Countries of destination in EC
<input type="checkbox"/> Conventional <input type="checkbox"/> Container	

5. Type of Thai rice/R.S. Code No	6. Weight metric tonnes	7. Packing
	Gross weight: Net weight:	

8. No and date of invoice	9. No and date of B/L

We hereby certify that the abovementioned products are produced in and are exported from Thailand.

Department of Foreign Trade

.....
Name and signature of authorized official and stamp

Date of issue

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE AND IN ANY CASE ONLY UNTIL 31 DECEMBER OF THE YEAR OF ISSUE

For use of EC authorities

Serial No

COMMONWEALTH OF AUSTRALIA
REPRESENTED BY THE
DEPARTMENT OF PRIMARY INDUSTRIES AND ENERGY

Export certificate

for semi-milled or milled rice (code No 1006 30) and husked rice (code No 1006 20)

1. Exporter	2. Importer
Name:	Name:
Address:	Address:
Country:	Country:

3. Country/Countries of destination in EU	4. Type of rice/specification	5. Consignment weight metric tonnes
	Milled Semi-milled Husked	Net weight:

Department of Primary Industries and Energy

by its Delegate

.....
Signature

Date of issue

For use by EU authorities

COMMISSION REGULATION (EC) No 1621/96
of 9 August 1996
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

Having regard to Commission Regulation (EC) No 1036/96 of 10 June 1996 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat for the period 1 July 1996 to 30 June 1997⁽¹⁾, and in particular Article 5 (3) thereof,

Whereas Commission Regulation (EC) No 1036/96 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2 (f);

Whereas Article 2 (f) of Regulation (EC) No 1036/96 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1996 to 30 June 1997 at 10 000 tonnes;

Whereas the quantities for which import licence applications have been submitted exceed the quantities available; whereas, pursuant to Article 5 (3) of Regulation (EC) No 1036/96, a single percentage reduction in the quantities applied for should be fixed;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 August 1996 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2 (f) of Regulation (EC) No 1036/96 shall be granted up to 62,673 % of the quantity applied for.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 1036/96, during the first five days of September 1996 for 833 tonnes.

Article 2

This Regulation shall enter into force on 11 August 1996.

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

Done at Brussels, 9 August 1996.

For the Commission

Hans VAN DEN BROEK

Member of the Commission

⁽¹⁾ OJ No L 138, 11. 6. 1996, p. 1.

COMMISSION REGULATION (EC) No 1622/96

of 9 August 1996

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EC) No 1981/94⁽³⁾, as last amended by Commission Regulation (EC) No 1099/96⁽⁴⁾, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

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

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

Whereas Commission Regulation (EC) No 667/96⁽⁵⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

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

down detailed rules for the application of these arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾, as last amended by Regulation (EC) No 150/95⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾, as last amended by Regulation (EC) No 1482/96⁽¹¹⁾;

Whereas the preferential customs duty fixed for small-flowered roses originating in Israel by Regulation (EC) No 1981/94 was suspended by Commission Regulation (EC) No 1394/96⁽¹²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 10 August 1996.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 79, 29. 3. 1996, p. 6.

⁽³⁾ OJ No L 199, 2. 8. 1994, p. 1.

⁽⁴⁾ OJ No L 146, 20. 6. 1996, p. 8.

⁽⁵⁾ OJ No L 92, 13. 4. 1996, p. 11.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁷⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹¹⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽¹²⁾ OJ No L 179, 18. 7. 1996, p. 42.

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

Done at Brussels, 9 August 1996.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

COMMISSION REGULATION (EC) No 1623/96
of 9 August 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 1540/96⁽⁴⁾, as amended by Regulation (EC) No 1550/96⁽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 1540/96,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EC) No 1540/96 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 10 August 1996.

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

Done at Brussels, 9 August 1996.

For the Commission
Hans VAN DEN BROEK
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 191, 1. 8. 1996, p. 26.

⁽⁵⁾ OJ No L 192, 2. 8. 1996, p. 8.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (ECU/tonne)	Import duty by sea from other ports ⁽²⁾ (ECU/tonne)
1001 10 00	Durum wheat ⁽¹⁾	0,14	0,00
1001 90 91	Common wheat seed	22,95	12,95
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	22,95	12,95
	medium quality	38,01	28,01
	low quality	53,91	43,91
1002 00 00	Rye	64,33	54,33
1003 00 10	Barley, seed	64,33	54,33
1003 00 90	Barley, other ⁽³⁾	64,33	54,33
1005 10 90	Maize seed other than hybrid	57,45	47,45
1005 90 00	Maize other than seed ⁽³⁾	57,45	47,45
1007 00 90	Grain sorghum other than hybrids for sowing	78,44	68,44

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

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

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

⁽³⁾ The importer may benefit from a flat-rate reduction of ECU 14 or 8 per tonne, where the conditions laid down in Article 2 (5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties (period from 31. 7. 1996 to 8. 8. 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)	133,19	134,59	124,94	111,05	176,87 ⁽¹⁾	112,83 ⁽¹⁾
Gulf premium (ECU/tonne)	—	13,06	6,81	31,20	—	—
Great lake premium (ECU/tonne)	20,91	—	—	—	—	—

⁽¹⁾ Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: ECU 9,08 per tonne; Great Lakes — Rotterdam: ECU 17,69 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 1624/96

of 9 August 1996

fixing the maximum buying-in price and the quantities of beef to be bought in under the 165th partial invitation to tender as a general intervention measure pursuant to Regulations (EEC) No 1627/89 and (EC) No 1124/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1357/96⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef⁽³⁾, as last amended by Regulation (EC) No 307/96⁽⁴⁾, an invitation to tender was opened pursuant to Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EC) No 1401/96⁽⁶⁾;

Whereas, in accordance with Article 13 (1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 14 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in paragraph 1 of that Article, are to be accepted;

Whereas, once tenders submitted in respect of the 165th partial invitation to tender have been considered and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughtering, the maximum buying-in price and the quantities which may be bought in should be fixed;

Whereas, following the buying in of forequarters, the price of such products should be defined on the basis of carcass prices;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate, depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

Whereas the scale of the quantities awarded warrants the application of the possibility provided for in Article 16 (2) of Regulation (EEC) No 2456/93 of extending the period during which the intervention products are to be delivered;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the 165th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be ECU 253 per 100 kg carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcass price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 26 347 tonnes,
- the quantities offered at a price greater than ECU 226 and less than ECU 241 shall be multiplied by a coefficient of 50 %, in accordance with Article 13 (3) of Regulation (EEC) No 2456/93, and those offered at a price greater than or equal to ECU 241 shall be multiplied by a coefficient of 30 %;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 175, 13. 7. 1996, p. 9.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 43, 21. 2. 1996, p. 3.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 180, 19. 7. 1996, p. 14.

(b) for category C:

- the maximum buying-in price shall be ECU 253 per 100 kg carcasses or half-carcasses of quality R3,
- the price of forequarters shall be derived from the carcass price using the coefficient 0,80 for the straight cut,
- the maximum quantity of carcasses, half-carcasses or forequarters accepted shall be 13 963 tonnes,
- the quantities offered at a price greater than ECU 226 and less than ECU 241 shall be multiplied by a coefficient of 50 % in accordance with Article 13

(3) of Regulation (EEC) No 2456/93 and those offered at a price greater than or equal to ECU 241 shall be multiplied by a coefficient of 25 %.

Article 2

The first sentence of Article 16 (2) of Regulation (EEC) No 2456/93 notwithstanding, the time limit for delivery to intervention stores is extended by one week.

Article 3

This Regulation shall enter into force on 12 August 1996.

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

Done at Brussels, 9 August 1996.

For the Commission
Hans VAN DEN BROEK
Member of the Commission

COMMISSION REGULATION (EC) No 1625/96
of 9 August 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 10 August 1996.

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

Done at Brussels, 9 August 1996.

For the Commission

Hans VAN DEN BROEK

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 9 August 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>			
CN code	Third country code (!)	Standard import value	CN code	Third country code (!)	Standard import value	
0702 00 35	052	69,4		388	86,0	
	060	80,2		400	79,5	
	064	70,8		404	63,6	
	066	60,3		416	72,7	
	068	80,3		508	113,5	
	204	86,8		512	101,7	
	208	44,0		524	100,3	
	212	97,5		528	90,8	
	624	95,8		624	86,5	
	999	76,1		728	107,3	
	ex 0707 00 25	052		62,4	800	133,6
		053		156,2	804	87,8
		060		61,0	999	91,1
066		53,8	0808 20 57	039	104,1	
068		69,1		052	82,6	
204		144,3		064	72,5	
624		87,1	388	61,2		
999	90,6	400	70,4			
0709 90 79	052	54,3	512	88,5		
	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	107,9	804	73,0		
	204	88,8	999	87,6		
	220	74,0	0809 20 69	052	185,6	
	388	70,3		061	182,0	
	400	68,2		064	137,1	
	512	80,0		066	73,7	
	520	66,5		068	91,0	
	524	66,1	400	168,5		
	528	64,6	600	94,9		
	600	96,5	616	138,9		
	624	48,9	624	63,7		
999	75,6	676	166,2			
0806 10 40	052	83,3	999	130,2		
	064	75,6	0809 30 41, 0809 30 49	052	53,9	
	066	49,4		220	121,8	
	220	110,8		624	106,8	
	400	156,8	999	94,2		
	412	145,2	0809 40 30	052	78,8	
	508	307,2		064	67,3	
	512	186,0		066	62,5	
	600	80,8		068	61,2	
	624	77,2		400	143,5	
	999	127,2	624	180,7		
0808 10 92, 0808 10 94, 0808 10 98	039	121,0	676	68,6		
	052	64,0	999	94,7		
	064	78,6				
	070	90,2				
	284	72,1				

(!) 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'.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 July 1996

on certain protective measures with regard to *Gyrodactylus salaris* in salmonids

(Text with EEA relevance)

(96/490/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 thereof,

Whereas *Gyrodactylus salaris* is an external parasite of salmonids which is able to cause serious mortalities in *Salmo salar*;

Whereas experience has shown that the disease can spread from infected regions to previously uninfected regions through commercial transfers of salmon and other salmonids; whereas the disease can also spread between rivers through natural migration of salmonids;

Whereas it is necessary to prevent the spread of the disease from regions in the Community possibly infected with *Gyrodactylus salaris*;

Whereas the introduction of the parasite into regions with salmon stocks which are highly susceptible to *Gyrodactylus salaris* could lead to important losses of such

salmon; whereas it is therefore necessary to lay down the measures necessary to prevent such introduction;

Whereas procedures must be established in order to protect regions with highly susceptible salmon stocks or which are presumably free of *Gyrodactylus salaris*;

Whereas in Annex I point V.E of the Act of Accession of Austria, Finland and Sweden, it is foreseen that as regards fish, and eggs and gametes thereof, intended for farming or restocking, consignments to or from Finland shall not be authorized during a transitional period of three years from the date of entry into force of the Accession Treaty;

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

HAS ADOPTED THIS DECISION:

Article 1

The introduction into the regions referred to in the Annex of live salmonids originating from outside these regions shall not be allowed.

Article 2

The introduction of salmonid ova for breeding purposes into the regions referred to in Annex originating from outside these regions, shall be subject to the application to the ova of disinfection procedures ensuring the elimination of parasites belonging to the species *G. salaris*.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

Article 3

1. In the case of the movement of live salmonids between the regions referred to in the Annex, the health attestation in point VI of the movement document referred to in Annex E, Chapter 1 of Council Directive 91/67/EEC shall be completed with the following sentence:

'The fish belonging to the present consignment originate in one of the regions referred to in the Annex to Commission Decision 96/490/EC on certain protective measures with regard to *Gyrodactylus salaris* in salmonids.'

2. In the case of consignments of ova of salmonids originating from outside the regions referred to in the Annex and introduced for breeding purposes into one of these regions, the health attestation in point VI of the movement document referred to in Annex E, Chapter 1 of Council Directive 91/67/EEC⁽¹⁾ shall be completed with the following sentence:

'The eggs belonging to the present consignment have been disinfected as required by Commission Decision 96/490/EC on certain protective measures with regard to *Gyrodactylus salaris* in salmonids.'

Article 4

The competent authorities of the Member States responsible for the regions referred to in the Annex shall submit

their salmonid livestock to surveillance testing and laboratory examination in order to verify the absence of *Gyrodactylus salaris* and present, before 1 July 1997, all the results thereof to the Commission.

Article 5

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 6

This Decision will be reviewed before 1 July 1997.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

*ANNEX***REGIONS**

Great Britain
Northern Ireland
The Isle of Man
Ireland
Guernsey

⁽¹⁾ OJ No L 46, 19. 2. 1996, p. 1.

COMMISSION DECISION

of 19 July 1996

on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in Madeira for 1996

(Only the Portuguese text is authentic)

(96/491/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

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 33 (3) thereof,

The Community's financial contribution to the official programme for the control of organisms harmful to plants and plant products on the Island of Madeira presented for 1996 by the relevant Portuguese authorities is hereby approved.

Article 2

Whereas Commission Decision 93/522/EEC ⁽³⁾ defines what measures are eligible for Community financing as regards programmes for the control of organisms harmful to plants and plant products in the French overseas departments, the Azores and Madeira;

The official programme is made up of three sub-programmes:

1. a sub-programme for the autocidal control of the fruit fly (*Ceratitidis capitata* Wied);
2. a sub-programme for the control of the white citrus fly (*Aleurothrixus floccosus* Maskell);
3. a sub-programme for the control of (*Trialeurodes vaporariorum* Westwood).

Whereas specific agricultural production conditions in Madeira call for particular attention, and action must be taken or reinforced as regards crop production, in particular the phytosanitary aspects for this region;

Article 3

Whereas the action to be taken or reinforced on the phytosanitary side is particularly costly;

The Community contribution to financing the programme is limited to 75 % maximum of expenditure on eligible measures as defined by Commission Decision 93/522/EEC, and is set for 1996 at ECU 600 000 out of total expenditure of ECU 800 000 (VAT excluded).

The schedule of programme costs and their financing is set out as Annex I to this Decision. In the case when the total eligible expenditure for 1996 presented by Portugal would be less than the forecast amount of ECU 800 000, the Community's contribution would be reduced in proportion.

The Community reimbursement will be made in accordance with the provisions of the first paragraph of this Article and the financial rate of the ecu on 1 March 1996, i.e. ECU 1 = Esc 196,329.

Whereas the Community's financial contribution may cover up to 75 % of eligible expenditure, protective measures for bananas excluded;

Whereas the technical information provided by Portugal has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;

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

Article 4

A first instalment of ECU 250 000 shall be paid to Portugal immediately after the official notification of the present Decision.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 251, 8. 10. 1993, p. 35.

Article 5

The Community assistance shall relate to the eligible measures associated with the operations covered by the programme set up in Portugal by provisions for which the necessary financial resources have been committed between 1 January and 30 September 1996. The final date for payments in connection with the operations shall be 31 December 1995, and non-compliance without justification of delay shall entail loss of entitlement to Community financing.

In the case where a request for extension of the final date for payment is necessary, the responsible official authorities have to introduce this request before the final date and present the justification concerning this request.

Article 6

Specific provisions relating to the financing of the programme, provisions on compliance with Community

policies and the information to be provided to the Commission by Portugal are set out in Annex II.

Article 7

Public contracts in connection with investments covered by this Decision must be awarded in compliance with Community law, in particular the Directives coordinating procedures for awarding public works and supply contracts, and Articles 30, 52 and 59 of the EC Treaty.

Article 8

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 19 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

FINANCIAL TABLE FOR 1996

(in ECU) (1)

	Eligible expenditure 1996		
	EC	Madeira	Total
<i>Ceratitis capitata</i>	481 577	160 525	642 102
<i>Aleurobrixus floccosus</i>	49 661	16 554	66 215
<i>Trialeurodes vaporarium</i>	68 762	22 921	91 683
Total	600 000	200 000	800 000

(1) ECU 1 = Esc 196,329 (1 March 1996).

ANNEX II

I. PROVISIONS ON THE IMPLEMENTATION OF THE PROGRAMME

A. Provisions on the financial implementation

1. The Commission's intention is to establish real cooperation with the authorities responsible for the implementation of the programme. In line with the programme these authorities are those indicated below.

Commitment and payments

2. Portugal guarantees that, for all action co-financed by the Community, all public and private bodies involved in its management and implementation shall keep accounts in standard form of all transactions in order to facilitate monitoring of expenditure by the Community and the national authorities responsible for surveillance.
3. The initial budgetary commitment shall be based on an indicative financial plan; this commitment shall be made for one year.
4. The commitment will be made when the decision approving assistance is adopted by the Standing Committee on Plant Health under procedure 16a of Council Directive 77/93/EEC⁽¹⁾, as last amended by Commission Directive 96/14/EC⁽²⁾.
5. Following commitment a first advance of not more than ECU 250 000 shall be paid.
6. The balance of the amount committed of 350 000 is paid upon presentation to the Commission of the final report of activity and the detailed total expenditure incurred and after it has been approved by the Commission.

Authorities responsible for the implementation of the programme

— Central administration:

Instituto de Protecção da Produção
Agro-Alimentar (IPPAA)
Centro Nacional de Protecção da Produção Agrícola (CNPPA)
Quinta do Marquês
P-2580 Oeiras

— Local administration:

Região Autónoma da Madeira
Secretaria Regional da Agricultura, Florestas e Pescas
Direcção Regional da Agricultura
Av. Arriaga, 21 A
Edifício Golden Gate, 4.º piso
P-9000 Funchal

7. The actual expenditure incurred shall be notified to the Community broken down by type of action or sub-programme in a way demonstrating the link between the indicative financial plan and expenditure actually incurred. If Portugal keeps suitable computerized accounts this will be acceptable.
8. All payments of aid granted by the Community under this Decision shall be made to the authority designated by Portugal, which will also be responsible for repayment to the Community of any excess amount.
9. All commitments and payments shall be made in ecu.

Financial schedules for Community support frameworks and amounts of Community aid shall be expressed in ecu at the rate fixed by this Decision. Payment shall be made to the following account:

Banco de Fomento Exterior
No de conta 70/30/005156/0
NIB 000900700000005156002
Titular: Governo da Região Autónoma da Madeira
Endereço: Av. de Zarco
P-9000 Funchal

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.

Financial control

10. Inspections may be carried out by the Commission or the Court of Auditors should it so request. Portugal and the Commission shall immediately exchange all relevant information in regard to the outcome of an inspection.
11. For three years following the last payment relating to the assistance the authority responsible for implementation shall keep available to the Commission all documentary evidence of expenditure incurred.
12. When it submits applications for payment Portugal shall make available to the Commission all official reports relating to supervision of the measures in question.

Reduction, suspension and withdrawal of aid

13. Portugal and the recipients of aid shall declare that Community funds are used for the intended purposes. If implementation of a measure appears to require only part of the financial assistance allotted the Commission shall immediately recover the amount due. In cases of dispute the Commission shall examine the case within the partnership framework, asking Portugal or the other authorities designated by Portugal for implementation of the measure to submit their comments within two months.
14. The Commission may reduce or suspend aid for a measure if the examination confirms the existence of an irregularity, in particular of a substantial modification affecting the nature or conditions of implementation of the measure for which approval by the Commission has not been sought.

Recovery of undue payments

15. All sums unduly paid must be reimbursed to the Community by the designated authority indicated in point 8. Interest may be levied on sums not reimbursed. If for any reason the designated authority indicated in point 8 does not reimburse the Community, Portugal shall pay the amount to the Commission.

Prevention and detection of irregularities

16. The partners shall observe a code of conduct drawn up by Portugal in order to ensure that any irregularity in the provision of the assistance programme is detected. Portugal shall ensure that:
 - suitable action is taken in this area,
 - any amount unduly paid as a result of an irregularity is recovered,
 - action is taken to prevent irregularities.

B. Monitoring and assessment*I. Monitoring Committee*

1. Establishment

Independent of the financing of this action, a monitoring committee for the programme shall be set up by Portugal and the Commission. It shall regularly review implementation of the programme and, in appropriate cases, propose any adjustments required.

2. The Committee shall establish its own internal procedures within one month of the notification of the present decision to Portugal.

3. Competence of Monitoring Committee

The Committee:

- shall have as its general responsibility the satisfactory progress of the programme towards attainment of the objectives set. Its competence shall embrace the programme measures within the limits of the Community aid granted. It shall keep watch on respect for the regulatory provisions, including those on eligibility of operations and projects,
- shall, on the basis of information on the selection of projects already approved and implemented, reach an opinion on application of the selection criteria set out in the programme,
- shall propose any action required to accelerate implementation of the programme in the light of the information furnished periodically by the interim monitoring and assessment indicators,

- may, in agreement with the Commission representative(s), adjust the financing plans within a limit of 15 % of the Community contribution to a sub-programme or measure for the entire period, or 20 % for any year, provided that the total amount scheduled in the programme is not exceeded. Care must be taken to see that the main objectives of the programme are not thereby compromised,
- shall give its opinion on the adjustments proposed to the Commission,
- shall issue an opinion on technical assistance projects scheduled in the operational programme,
- shall give its opinion on draft annual implementation reports,
- shall report regularly to the Standing Committee on Plant Health on the progress of the programme and expenditure incurred, at least twice during the relevant period.

II. *Monitoring and assessment of the programme during the implementation period (continuous monitoring and assessment)*

1. The national agency responsible for implementation shall also be responsible for continuous monitoring and assessment of the programme.
2. Continuous monitoring means an information system on the state of progress of the programme. Continuous monitoring will cover the measures contained in the programme. It involves reference to the financial and physical indicators structured so as to permit assessment of the correspondence between expenditure on each measure and predefined physical indicators showing the degree of realization.
3. Continuous assessment of the programme will involve analysis of the quantitative results of implementation on the basis of operational, legal and procedural considerations. The purpose is to guarantee correspondence between measures and programme objectives.

Implementation report and scrutiny of the programme

4. Portugal shall notify to the Commission, within one month of adoption of the programme, the name of the authority responsible for compilation and presentation of the final implementation report.

The final report shall contain a concise evaluation of the entire programme (degree of achievement of physical and qualitative objectives and of progress accomplished) and an assessment of the immediate phytosanitary and economic impact.

The final report on the present programme will be presented by the competent authority to the Commission before 31 March 1997 and shall thereafter be presented to the Standing Committee on Plant Health within six weeks.

5. The Commission may jointly with Portugal call in an independent assessor who shall, on the basis of the continuous monitoring, carry out the continuous assessment defined at 3. He may submit proposals for adjustment of the sub-programmes and/or measures, modification of the selection criteria for projects, etc., in the light of difficulties encountered in the course of implementation. On the basis of monitoring of management he shall issue an opinion on the administrative measures to be taken. To guarantee the assessor's impartiality the Commission will not pay the entire cost of employing him.

C. **Information and publicity**

In the framework of this programme, the agency appointed as responsible for the programme shall ensure that it is adequately publicized.

It shall in particular take action to:

- make potential recipients and professional organizations aware of the possibilities offered under the programme measures,
- make the general public aware of the Community's role in the programme.

Portugal and the agency responsible for implementation shall consult the Commission on initiatives envisaged in this area, possibly through the Monitoring Committee. They shall regularly notify the Commission of information and publicity measures adopted, either by a final report or through the Monitoring Committee.

The national legal provisions on confidentiality of information shall be complied with.

II. COMPLIANCE WITH COMMUNITY POLICIES

Community policies applying in this field must be complied with.

The programme shall be implemented in accordance with the provisions on coordination of and compliance with Community policies. The following information must be supplied by Portugal.

1. Award of public contracts

The 'public contracts' ⁽¹⁾ questionnaire must be completed for:

- public contracts above the ceilings set by the 'supplies' and 'works' Directives that are awarded by contract-awarding authorities as defined in these Directives and are not covered by the exemptions specified therein,
- public contracts below these ceilings where they constitute components of a single piece of work or of uniform supplies of a value above the ceiling. By 'a single piece of work' is meant a product of building or civil engineering works intended in itself to fulfil an economic or technical function.

The ceilings in force are the ones at the date of the notification of this Decision.

2. Protection of the environment

(a) *General information*

- description of the main environmental features and problems of the region concerned, giving a description of the important conservation areas (sensitive zones),
- a comprehensive description of the major beneficial and harmful effects that the programme, given the investments planned, is likely to have on the environment,
- a description of the action planned to prevent, reduce or offset any serious harmful effects on the environment,
- a report on consultations with the responsible environmental authorities (opinion of the Ministry of the Environment or its equivalent) and, if there were any such consultations, with the public concerned.

(b) *Description of planned activities*

For programme measures liable to have a significantly harmful effect on the environment:

- the procedures which will be applied for assessing individual projects during implementation of the programme,
- the mechanisms planned for monitoring environmental impact during implementation, assessing results and eliminating, reducing or offsetting harmful effects.

⁽¹⁾ Notice C(88) 2510 to the Member States, on monitoring of compliance with procurement rules in the case of projects and programme financed by the Structural Funds and financial instruments (OJ No C 22, 28. 1. 1989, p. 3).

COMMISSION DECISION

of 19 July 1996

on the Community's financial contribution to a programme for the control of organisms harmful to plants and plant products in the Azores for 1996

(Only the Portuguese text is authentic)

(96/492/EC)

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 the Commission Regulation (EC) No 2537/95 ⁽²⁾, and in particular Article 33 (3) thereof,

Whereas Commission Decision 93/522/EEC ⁽³⁾ defines what measures are eligible for Community financing as regards programmes for the control of organisms harmful to plants and plant products in the French overseas departments, the Azores and Madeira;

Whereas agricultural production conditions in the Azores call for particular attention, and action must be taken or reinforced as regards crop production, in particular the phytosanitary aspects for this region;

Whereas action to be taken or reinforced on the phytosanitary side is particularly costly;

Whereas the programme of action has been presented to the Commission by the relevant Portuguese authorities; whereas this programme specifies the objectives to be achieved, the measures to be carried out, their duration and their cost so that the Community may contribute to financing them;

Whereas the Community's financial contribution may cover up to 75 % of eligible expenditure, protective measures for bananas excluded;

Whereas the technical information provided by Portugal has enabled the Standing Committee on Plant Health to analyse the situation accurately and comprehensively;

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 Community's financial contribution to the official programme for the control of organisms harmful to plants and plant products on the Azores presented for 1996 by the relevant Portuguese authorities is hereby approved.

Article 2

The official programme shall relate to the control of *Popillia Japonica* New on the island of Terceira in order to avoid its spread to other parts of the Community and to progressively tend to its total eradication on this island.

Article 3

The Community contribution to financing the programme is limited to 75 % maximum expenditure on eligible measures as defined by Decision 93/522/EEC, and is set for 1996 at ECU 500 000 out of total expenditure of ECU 667 246 (VAT excluded).

The schedule of programme costs and their financing is set out as Annex I to this Decision. If the total eligible expenditure for 1996 presented by Portugal was less than the forecast amount of ECU 667 246, the Community's contribution would be reduced in proportion.

The Community will reimburse up to the amount specified in the first paragraph, at the financial rate of the ecu on 1 March 1996, i.e. ECU 1 = Esc 196,329.

Article 4

An advance of ECU 200 000 shall be paid to Portugal.

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 260, 31. 10. 1995, p. 10.

⁽³⁾ OJ No L 251, 8. 10. 1993, p. 35.

Article 5

The Community assistance shall relate to the eligible measures associated with the operations covered by the programme set up in Portugal by provisions for which the necessary financial resources have been committed between 1 August and 31 December 1996. The final date for payments in connection with the operations shall be 31 July 1997, and non-compliance without justification of delay shall entail loss of entitlement to Community financing.

In the case where a request for extension of the final date for payment is necessary, the responsible official authorities have to introduce this request before the final date and present the justification concerning this request.

Article 6

Specific provisions relating to the financing of the programme, provisions on compliance with Community

policies and the information to be provided by Portugal shall be set out in Annex II.

Article 7

Public contracts in connection with investments covered by this Decision must be awarded in compliance with Community law, in particular the Directives coordinating procedures for awarding public works and supply contracts, and Articles 30, 52 and 59 of the EC Treaty.

Article 8

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 19 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

FINANCIAL TABLE FOR 1996

(in ECU) (1)

	Eligible expenditure for 1996		
	EC	National	Total
Allocation by action:			
— biological control	437 036	146 168	583 204
— quarantine	3 820	1 273	5 093
— chemical control	4 202	1 401	5 603
— technical training	47 942	15 981	63 923
— operating expenses (collective control)	7 000	2 423	9 423
Total	500 000	167 246	667 246

(1) ECU 1 = Esc 196,329 (1 March 1996).

ANNEX II

I. PROVISIONS ON THE IMPLEMENTATION OF THE PROGRAMME

A. Provisions on the financial implementation

1. The Commission's intention is to establish real cooperation with the authorities responsible for the implementation of the programme. In line with the programme those authorities are indicated below.

Commitment and payments

2. Portugal guarantees that, for all action co-financed by the Community, all public and private bodies involved in the management and implementation of the programme will keep suitable accounts in standard form of all transactions in order to facilitate monitoring of expenditure by the Community and the national authorities responsible for surveillance.
3. The initial budgetary commitment shall be based on an indicative financial plan; this commitment shall be made for one year.
4. The commitment will be made when the decision approving assistance is adopted by the Standing Committee on Plant Health under the procedure provided for in Article 16a of Council Directive 77/93/EEC⁽¹⁾, as last amended by Commission Directive 96/14/EC⁽²⁾.
5. Following commitment a first advance of ECU 200 000 of the amount shall be paid.
6. The balance of the amount committed is paid in two instalments of ECU 150 000. The first instalment of the balance is paid upon presentation to the Commission of an interim report of activity and after it has been approved by the Commission. The second and final instalment of the balance will be paid after presentation of the details of total expenditure incurred to the Commission and subject to its approval.

Authorities responsible for the implementation of the programme

— Central administration:

Instituto de Protecção da Produção
Agro-Alimentar (IPPAA)
Centro Nacional de Protecção da Produção Agrícola (CNPPA)
Quinta do Marquês
P-2780 Oeiras

— Local administration:

Região Autónoma dos Açores
Secretaria Regional da Agricultura e Pescas
Direcção Regional do Desenvolvimento Agrário
Vinha Brava
P-9700 Angra do Heroísmo, Ilha Terceira

7. The actual expenditure incurred shall be notified to the Commission broken down by type of action or sub-programme in a way demonstrating the link between the indicative financial plan and expenditure actually incurred. If Portugal keeps suitable computerized accounts this will be acceptable.
8. All payments of aid granted by the Community under this Decision shall be made to the authority designated by Portugal, which will also be responsible for repayment to the Community of any excess amount.
9. All commitments and payments shall be made in ecus.

Financial schedules for Community support frameworks and amounts of Community aid shall be expressed in ecus at the rate fixed by this Decision. Payment shall be made to the following account:

Banco Comercial dos Açores
Rua de Sé — 9700 Angra do Heroísmo
No conta — 6/312/3637875
NIB — 001200060312363787541
Titular — Direcção Regional do Desenvolvimento Agrario

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 68, 19. 3. 1996, p. 24.

Financial control

10. Inspections may be carried out by the Commission or the Court of Auditors of the European Communities should it so request. Portugal and the Commission shall immediately exchange all relevant information in regard to the outcome of an inspection.
11. For three years following the last payment relating to the assistance the authority responsible for implementation shall keep available to the Commission all documentary evidence of expenditure incurred.
12. When it submits applications for payment Portugal shall make available to the Commission all official reports relating to supervision of the measures in question.

Reduction, suspension and withdrawal of aid

13. Portugal and the recipients of aid shall declare that Community funds are used for the intended purposes. If implementation of a measure appears to require only part of the financial assistance allotted the Commission shall immediately recover the amount due. In cases of dispute the Commission shall examine the case within the partnership framework, asking Portugal or the other authorities designated by Portugal for implementation of the measure to submit their comments within two months.
14. The Commission may reduce or suspend aid for a measure if the examination confirms the existence of an irregularity, in particular of a substantial modification affecting the nature or conditions of implementation of the measure for which approval by the Commission has not been sought.

Recovery of undue payments

15. All sums unduly paid must be reimbursed to the Community by the designated authority indicated in point 8. Interest may be levied on sums not reimbursed. If for any reason the designated authority indicated in point 8 does not reimburse the Community, Portugal shall pay the amount to the Community.

Prevention and detection of irregularities

16. The partners shall observe a code of conduct drawn up by Portugal in order to ensure that any irregularity in the provision of the assistance programme is detected. Portugal shall ensure that:
 - suitable action is taken in this area,
 - any amount unduly paid as a result of an irregularity is recovered,
 - action is taken to prevent irregularities.

B. Monitoring and assessment*I. Monitoring Committee***1. Establishment**

A Monitoring Committee for the programme shall be set up by Portugal and the Commission. It shall review implementation of the programme at regular intervals and, in appropriate cases, propose any adjustments required.

2. The composition, operation and frequency of meetings of the Committee shall be decided by the Commission within one month of the notification of this Decision to Portugal.

3. Competence of Monitoring Committee

The Committee:

- shall have as its general responsibility the satisfactory progress of the programme towards attainment of the objectives set. Its competence shall embrace the programme measures and the Community aid granted. It shall keep watch on respect for the regulatory provisions, including those on eligibility of operations and projects,
- shall, on the basis of information on the selection of projects already approved and implemented, reach an opinion on application of the selection criteria set out in the programme,
- shall propose any action required to accelerate implementation of the programme in the event of time lost as shown by the information furnished periodically by the interim monitoring and assessment indicators,

- may, in agreement with the Commission representative(s), adjust the financing plans within a limit of 15 % of the Community contribution to a sub-programme or measure for the entire period, or 20 % for any year, provided that the total amount scheduled in the programme is not exceeded. Care must be taken to see that the main objectives of the programme are not thereby jeopardized,
- shall give its opinion on the adjustments proposed to the Commission,
- shall issue an opinion on technical assistance projects scheduled in the programme,
- shall give its opinion on draft final implementation report,
- shall report regularly and at least twice during the relevant period to the Standing Committee on Plant Health on progress of the programme and expenditure incurred.

II. *Monitoring and assessment of the programme during the implementation period (continuous monitoring and assessment)*

1. The national agency responsible for implementation shall also be responsible for continuous monitoring and assessment of the programme.
2. Continuous monitoring means an information system on the state of progress of the programme. Continuous monitoring will cover the measures contained in the programme. It involves reference to the financial and physical indicators structured so as to permit assessment of the correspondence between expenditure on each measure and predefined physical indicators showing the degree of realization.
3. Continuous assessment of an operational programme will involve analysis of the quantitative results of implementation on the basis of operational, legal and procedural considerations. The purpose is to guarantee correspondence between measures and programme objectives.

Implementation report and scrutiny of the programme

4. Portugal shall notify to the Commission, within one month of adoption of the programme, the name of the authority responsible for compilation and presentation of the final implementation report.

The final report shall contain a concise evaluation of the entire programme (degree of achievement of physical and qualitative objectives and of progress accomplished). A first assessment of the immediate phytosanitary and economic impact should be made on the basis of the indicators agreed.

The final report on the present programme will be presented by the competent authorities to the Commission before 31 October 1997 and shall thereafter be presented to the Standing Committee on Plant Health within six weeks.

5. The Commission may jointly with Portugal call in an independent assessor who shall, on the basis of the continuous monitoring, carry out the continuous assessment defined at 3. He may submit proposals for adjustment of the sub-programmes and/or measures, modification of the selection criteria for projects, etc., in the light of difficulties encountered in the course of implementation. On the basis of monitoring of management he shall issue an opinion on the administrative measures to be taken.

C. Information and publicity

In the framework of this programme, the agency appointed as responsible for the programme shall ensure that it is adequately publicized.

It shall in particular take action to:

- make potential recipients and professional organizations aware of the possibilities offered under the programme measures,
- make the general public aware of the Community's role in the programme.

Portugal and the agency responsible for implementation shall consult the Commission on initiatives envisaged in this area, possibly through the Monitoring Committee. They shall regularly notify the Commission of information and publicity measures adopted, either by a final report or through the Monitoring Committee.

The national legal provisions on confidentiality of information shall be complied with.

II. COMPLIANCE WITH COMMUNITY POLICIES

Community policies applying in this field must be complied with.

The programme shall be implemented in accordance with the provisions on coordination of and compliance with Community policies. The following information must be supplied by Portugal.

1. Award of public contracts

The 'public contracts' ⁽¹⁾ questionnaire must be completed for:

- public contracts above the ceilings set by the 'supplies' and 'works' Directives that are awarded by contract-awarding authorities as defined in these Directives and are not covered by the exemptions specified therein,
- public contracts below these ceilings where they constitute components of a single piece of work or of uniform supplies of a value above the ceiling. By 'a single piece of work' is meant a complex of building or civil engineering works intended in itself to fulfil an economic or technical function.

The ceilings in force are the ones at the date of the notification of this Decision.

2. Protection of the environment

(a) *General information*

- description of the main environmental features and problems of the region concerned, giving a description of the important conservation areas (sensitive zones),
- a comprehensive description of the major beneficial and harmful effects that the programme, given the investments planned, is likely to have on the environment,
- a description of the action planned to prevent, reduce or offset any serious harmful effects on the environment,
- a report on consultations with the responsible environmental authorities (opinion of the Ministry of the Environment or its equivalent) and, if there were any such consultations, with the public concerned.

(b) *Description of planned activities*

For programme measures liable to have a significantly harmful effect on the environment:

- the procedures which will be applied for assessing individual projects during implementation of the programme,
- the mechanisms planned for monitoring environmental impact during implementation, assessing results and eliminating, reducing or offsetting harmful effects.

⁽¹⁾ Notice C(88) 2510 to the Member States, on monitoring of compliance with procurement rules in the case of projects and programme financed by the Structural Funds and financial instruments (OJ No C 22, 28. 1. 1989, p. 3).

CORRIGENDA

Corrigendum to Commission Regulation (CE) No 1573/96 of 6 August 1996 temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated

(Official Journal of the European Communities No L 196 of 7 August 1996)

Page 4, Article 1 (1):

for: 'for the period from 7 August 1996,'

read: 'for the 7 August 1996,'
