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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1926/96
of 7 October 1996**

establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the agreements on free trade and trade-related matters with Estonia, Latvia and Lithuania, to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreements on free trade and trade-related matters concluded between the European Communities, of the one part, and the Republic of Estonia⁽¹⁾, the Republic of Latvia⁽²⁾ and the Republic of Lithuania⁽³⁾, respectively, of the other part, provide for concessions for certain agricultural products originating in those countries; whereas those concessions involve reductions in the variable levies under tariff quotas and reductions in customs duties;

Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations⁽⁴⁾, the Community undertook to turn all variable agricultural levies and other non-tariff barriers into their tariff equivalent and to replace them by fixed customs duties from 1 July 1995;

Whereas the replacement of variable levies and other barriers by customs duties affects the concessions granted pursuant to the free trade agreements and could reduce the preferential access to the Community market granted to Estonia, Latvia and Lithuania;

Whereas, in accordance with the Directives concerning agricultural products adopted on 27 June 1996, negotiations are currently under way with the countries concerned for the conclusion of additional protocols to the Agreements on free trade and trade-related matters;

whereas 'interim' additional protocols will cover solely the trade-related aspects of the additional; whereas, because of the excessively tight deadlines, however, such interim additional protocols could not enter into force on 1 July 1996;

Whereas it is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Agreements on free trade and trade-related matters; whereas the adjustment should take effect from 1 July 1996,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation provides, as an autonomous and transitional measure, for the opening of tariff quotas and the adjustment of concessions for certain agricultural products provided for in the Agreements on free trade and trade-related matters with the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania.

Article 2

1. The arrangements for import into the Community applicable to certain agricultural products originating in Estonia as set out in Annexes Ia, Ib and Ic to this Regulation shall replace those set out in Annexes III, IV and V to the Agreements on free trade and trade-related matters between the European Communities, of the one part, and Estonia, of the other part.

2. On the date of entry into force of the interim additional protocol adjusting the Agreement referred to in paragraph 1, the concessions provided for in that protocol shall replace those referred to in Annex Ia, Ib and Ic to this Regulation.

⁽¹⁾ OJ No L 373, 31. 12. 1994, p. 1.

⁽²⁾ OJ No L 374, 31. 12. 1994, p. 1.

⁽³⁾ OJ No L 375, 31. 12. 1994, p. 1.

⁽⁴⁾ OJ No L 336, 23. 12. 1994, p. 22.

3. In the case of products originating in Estonia, the Commission may reduce the specific amount applicable, within the quota opened under the GATT of 169 000 head of live cattle, to ECU 399 per tonne.

Article 3

1. The arrangements for import into the Community applicable to certain agricultural products originating in Latvia as set out in Annexes IIa, IIb and IIc to this Regulation shall replace those set out in Annexes VII, VIII and IX to the Agreement on free trade and trade-related matters between the European Communities, of the one part, and Latvia, of the other part.

2. On the date of entry into force of the interim additional protocol adjusting the Agreement referred to in paragraph 1, the concessions provided for in that protocol shall replace those referred to in Annexes IIa, IIb, and IIc to this Regulation.

3. In the case of products originating in Latvia, the Commission may reduce the specific amount applicable within the quota opened under the GATT of 169 000 head of live cattle to ECU 399 per tonne.

Article 4

1. The arrangements for import into the Community applicable to certain agricultural products originating in Lithuania as set out in Annexes IIIa and IIIb to this Regulation shall replace those set out in Annexes IX, X and XI to the Agreement on free trade and trade-related matters between the European Communities, of the one part, and Lithuania, of the other part.

2. On the date of entry into force of the interim additional protocol adjusting the Agreement referred to in paragraph 1, the concessions provided for in that protocol shall replace those referred to in Annexes IIIa and IIIb to this Regulation.

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

Done at Luxembourg, 7 October 1996.

For the Council

The President

P. RABBITTE

3. In the case of products originating in Lithuania, the Commission may reduce the specific amount applicable within the quota opened under the GATT of 169 000 head of live cattle to ECU 399 per tonne.

Article 5

The Commission shall adopt detailed rules for the application of this Regulation:

- in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92⁽¹⁾, and the corresponding provisions of the other Regulations on the common organization of the markets, or
- in accordance with the procedure laid down in Article 6 of Regulation (EC) No 2178/95⁽²⁾.

Article 6

The concessions provided for in the annexes to this Regulation, in the form of tariff quotas with an Order Number, shall replace the Annex to Commission Regulation (EC) No 2382/95⁽³⁾ and Annex VI to Regulation (EC) No 2178/95.

Article 7

The Protocol concerning the definition of the concept of originating products and methods of administrative cooperation annexed to the Agreements in question, concluded between the Community and each of the Baltic Republics, shall apply to the measures provided for in this Regulation.

Article 8

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

It shall apply from 1 July 1996.

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

⁽²⁾ OJ No L 223, 20. 9. 1995, p. 1. Regulation as last amended by Council Regulation (EC) No 921/96 (OJ No L 126, 24. 5. 1996, p. 1).

⁽³⁾ OJ No L 244, 12. 10. 1995, p. 44.

ANNEX I (a)

ESTONIA

Imports into the Community of the following products originating in Estonia shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0102 90 41 0102 90 49 0102 90 05	Live bovine animals: 160 kg < live weight < 300 kg live weight < 80 kg	20	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	(3)	
	ex 0102 90	Heifers and cows of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % ad valorem	5 000 head	5 000 head	5 000 head	5 000 head	5 000 head	(4)	
	0201 0202	Meat of bovines, fresh, chilled or frozen	20	1 500	1 575	1 725	1 800	1 875	(5)	
	0203	Meat of domestic swine, fresh, chilled or frozen	20	1 000	1 050	1 150	1 200	1 250	(6)	
	0204	Meat of sheep or goats	free	100	105	115	120	125	(7)	
	0207 11 30 0207 11 90 0207 12 10 0207 12 90 0207 13 50 0207 13 60 0207 14 50 0207 14 60	Chicken carcasses; breast of chicken; legs of chicken	20	500	525	575	600	625		
	0208 90 40	Other meat: meat of elk	free	unlimited	unlimited	unlimited	unlimited	unlimited		

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	20	1 500	1 575	1 650	1 725	1 800	1 875	
	0405 10 11 0405 10 19	Butter	20	800	840	880	920	960	1 000	
	0406	Cheeses	20	800	840	880	920	960	1 000	
	0409 00 00	Natural honey	64	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	0601 10 00	Bulbs, tuberous roots, corms, crowns and rhizomes, dormant	64	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	0602 10 90	Other live plants (including their roots), cuttings and slips	50	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	0602 20 90	Unrooted cuttings and slips Other Edible fruit trees, shrubs and bushes, other	64	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	0602 90 91 ex 0602 90 30	Flowering plants with buds Strawberry plants	92 64	unlimited unlimited	unlimited unlimited	unlimited unlimited	unlimited unlimited	unlimited unlimited	unlimited unlimited	
09.6448	0701	Potatoes, fresh or chilled	20	1 000	1 050	1 100	1 150	1 200	1 250	
09.6454	0704	Cabbages	20	200	210	220	230	240	250	
09.6461	0707 00 25 0707 00 30	Cucumbers, fresh or chilled (from 16 May to 31 October)	20	150	158	166	174	182	190	
09.6449	0712 90 05	Dried potatoes	20	60	63	66	69	72	75	
09.6459	0808	Apples, pears and quinces, fresh	20	200	210	220	230	240	250	

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities				Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	
	0809 40 90	Sloes	47	unlimited	unlimited	unlimited	unlimited	unlimited	
	0810 30 10	Blackcurrants, fresh	82	unlimited	unlimited	unlimited	unlimited	unlimited	(7)
	0810 40 30	Bilberries of the species <i>Vaccinium myrtillus</i>	free	unlimited	unlimited	unlimited	unlimited	unlimited	
	0810 40 50	Fruit of the species <i>Vaccinium macrocarpon</i> and <i>Vaccinium corymbosum</i>	74	unlimited	unlimited	unlimited	unlimited	unlimited	
	0810 90 80	Other berries	42	unlimited	unlimited	unlimited	unlimited	unlimited	
	1601 00	Sausages and similar products	20	500	550	575	600	625	
09.6462		Apple juice of a density not exceeding 1,33 g/cm ³ at 20 °C:	20	50	56	59	62	65	(6)
	2009 70 30	Of a value exceeding ECU 18 per 100 kg net weight, containing added sugar							
	2009 70 93	Of a value not exceeding ECU 18 per 100 kg net weight, with an added sugar content not exceeding 30 % by weight							
	2009 70 99	Not containing added sugar							

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) The quota for this product is opened in the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. In case imports into the Community of live bovine domestic animals may exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

(4) The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. The applied duty is 6 %.

(5) The quota for the product is globally opened for Estonia, Latvia and Lithuania. The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

(6) Excluded tenderloins presented alone.

(7) Subject to minimum import price arrangements.

(8) Global quota with pear juice CN code 2009 80 50 and 2009 80 69.

ANNEX I (b)

ESTONIA

Imports into the Community of the following products originating in Estonia shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Basic quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0408 11	Dried egg yolks	20	100	110	115	120	125		
09.6463	0602 30 00	Rhododendrus and azaleas	20	700	770	805	840	875		
	0602 40	Roses, live plant	50	unlimited	unlimited	unlimited	unlimited	unlimited		
	0602 90	Other live plants	50	unlimited	unlimited	unlimited	unlimited	unlimited		
09.6464	0603 90	Cut flowers, other than fresh	20	50	56	59	62	65		
	0604 91 21 0604 91 29	Christmas trees	50	unlimited	unlimited	unlimited	unlimited	unlimited		
	0604 91 90 0604 99	Conifer branches, fresh, other than fresh	50 free	unlimited unlimited	unlimited unlimited	unlimited unlimited	unlimited unlimited	unlimited unlimited		
09.6465	0703 10	Onions and shallots	20	100	100	100	100	100		
	0709 51 30	Chanterelles	free	unlimited	unlimited	unlimited	unlimited	unlimited		
	0709 51 90	Mushrooms, fresh, other than <i>Agaricus</i>	52	unlimited	unlimited	unlimited	unlimited	unlimited		
09.6466	0711 40 00	Cucumbers and gherkins, provisionally preserved	20	50	56	59	62	65		
	0810 10	Strawberries, fresh	50	unlimited	unlimited	unlimited	unlimited	unlimited	(3)	
	0810 30 30	Redcurrants, fresh	82	unlimited	unlimited	unlimited	unlimited	unlimited	(3)	

Order No	CN Code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Base quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
09.6462	2009 80 50 2009 80 69	Pear juice of a density not exceeding 1,33 g/cm ³ at 20 °C: Of a value exceeding ECU 18 per 100 kg net weight, containing added sugar Not containing added sugar	20	50	53	56	59	62	65	(³)
09.6470	2207 10 00	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher	20	50	53	56	59	62	65	

(¹) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(²) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(³) Subject to minimum import price arrangements.

(⁴) This concession is subject to the approval by the Council of the new version of Protocol No 4 on rules of origins.

(⁵) Global quota with Apple juice CN code 2009 70 30, 2009 70 93 and 2009 70 99.

*Annex to Annex Ia and Ib***Minimum import price arrangement for certain soft fruit for processing**

1. Minimum import prices are fixed for each marketing year for the following products:

CN Code	Description
0810 10	Strawberries, fresh
0810 30 10	Blackcurrants, fresh
0810 30 30	Redcurrants, fresh
0811 20	Berries, frozen
0811 10	Strawberries, frozen

The minimum import prices are fixed by the Community in consultation with Estonia taking into consideration the price evolution, imported quantities and market development in the Community.

2. The minimum import prices shall be respected in accordance with the following criteria:
- during each three-month period of the marketing year the average unit value for each product listed in paragraph 1, imported into the Community, shall not be lower than the minimum import price for that product,
 - during any period of two weeks the average unit value for each product listed in paragraph 1, imported in the Community shall not be lower than 90 % of the minimum import price for that product, in so far as the quantities imported during this period are not less than 4 % of the normal annual import.
3. In case of non-respect of one of these criteria the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from Estonia.
-

ANNEX I (c)

ESTONIA

Imports into the Community of the following products originating in Estonia shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities				
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	
	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	20	1 500	1 575	1 650	1 725	1 800	1 875
	0405 10 11 0405 10 19	Butter	20	700	735	770	805	840	875
09.6448	0701	Potatoes, fresh or chilled	20	800	850	900	950	1 000	1 050

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

ANNEX II (a)

LATVIA

Imports into the Community of the following products originating in Latvia shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0102 90 41 0102 90 49 0102 90 05	Live bovine animals: 160 kg < live weight < 300 kg live weight < 80 kg	20	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	(3)	
	ex 0102 90	Heifers and cows of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % ad valorem	5 000 head	5 000 head	5 000 head	5 000 head	5 000 head	(4)	
	0201 0202	Meat of bovines, fresh, chilled or frozen	20	1 575	1 650	1 725	1 800	1 875	(5)	
	0203	Meat of domestic swine, fresh, chilled or frozen	20	1 050	1 100	1 150	1 200	1 250	(6)	
	0204	Meat of sheep or goats	free	105	110	115	120	125	(7)	
	0207 11 30 0207 11 90 0207 12 10 0207 12 90 0207 13 50 0207 13 60 0207 14 50 0207 14 60	Chicken carcasses; breast of chicken; legs of chicken	20	500	550	575	600	625		

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities				Specific provisions
					from 1. 7. 1996 to 30. 6. 1997 (tonnes)	from 1. 7. 1997 to 30. 6. 1998 (tonnes)	from 1. 7. 1998 to 30. 6. 1999 (tonnes)	from 1. 7. 1999 to 30. 6. 2000 (tonnes)	
	0810 40 50	Fruit of the species <i>Vaccinium macrocarpon</i> and <i>Vaccinium corymbosum</i>	74	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited
	0810 40 90	Other berries	42	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited
	ex 0909 40	Seeds of caraway	free	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited
	1601 00 91	Sausages, dry or for spreading uncooked	20	200	220	230	240	250	
	1602 50 10	Prepared or preserved bovine meat	20	200	220	230	240	250	
	2009 70 30	Apple juice of a density not exceeding 1,33 g/cm ³ at 20 °C:	67	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited
	2009 70 93	Of a value exceeding ECU 18 per 100 kg net weight, containing added sugar							
		Of a value not exceeding ECU 18 per 100 kg net weight, with an added sugar content not exceeding 30 % by weight							
	2009 70 99	Not containing added sugar							

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) The quota for this product is opened in the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. In case imports into the Community of live bovine domestic animals may exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

(4) The quota for this product is opened for the Czech Republic, the Slovak Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. The applied duty is 6 %.

(5) The quota for the product is globally opened for Estonia, Latvia and Lithuania. The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

(6) Excluded tenderloins presented alone.

ANNEX II (b)

LATVIA

Imports into the Community of the following products originating in Latvia shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities				Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	
09.6471	0811 10	Strawberries, frozen	20	200	220	230	240	250	(3)
09.6472	1104 12 90	Oats, flaked	20	300	330	345	360	375	
09.6473	1108 13	Potato starch	20	400	440	460	480	500	
09.6474	2001 10	Preserved cucumbers and gherkins	20	150	166	174	182	190	
09.6475	2005 90 75	Sauerkraut	20	110	122	128	134	140	

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) Subject to minimum import price arrangements.

*Annex to Annex II(b)***Minimum import price arrangement for certain soft fruit for processing**

1. Minimum import prices are fixed for each marketing year for the following products:

CN Code	Description
0811 10	Strawberries, frozen

The minimum import prices are fixed by the Community in consultation with Latvia taking into consideration the price evolution, imported quantities and market development in the Community.

2. The minimum import prices shall be respected in accordance with the following criteria:
- during each three-month period of the marketing year the average unit value for each product listed in paragraph 1, imported into the Community, shall not be lower than the minimum import price for that product,
 - during any period of two weeks the average unit value for each product listed in paragraph 1, imported in the Community shall not be lower than 90 % of the minimum import price for that product, in so far as the quantities imported during this period are not less than 4 % of the normal annual import.
3. In case of non-respect of one of these criteria the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from Latvia.
-

ANNEX II (c)

LATVIA

Imports into the Community of the following products originating in Latvia shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities				Specific provisions
					from 1. 7. 1996 to 30. 6. 1997 (tonnes)	from 1. 7. 1997 to 30. 6. 1998 (tonnes)	from 1. 7. 1998 to 30. 6. 1999 (tonnes)	from 1. 7. 1999 to 30. 6. 2000 (tonnes)	
09.6456	0704 90 10	White cabbages and red cabbages	20	158	166	174	182	190	
	0405 10	Butter	20	460	—	—	—	—	(3)

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) This quantity represents the carry-over of the non-utilized 1995 quota.

ANNEX III (a)

LITHUANIA

Imports into the Community of the following products originating in Lithuania shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Basic quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0101 19 10 0101 19 90	Live horses: Horses for slaughter Other	free 64	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	0102 90 41 0102 90 49 0102 90 05	Live bovine animals: 160 kg < live weight < 300 kg live weight < 80 kg	20	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	153 000 head 178 000 head	(3)	
	ex 0102 90	Heifers and cows of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % ad valorem	5 000 head	5 000 head	5 000 head	5 000 head	5 000 head	(4)	
	0204	Meat of sheep or goats	free	105	110	115	120	125	(5)	
	0201 0202	Meat of bovines, fresh, chilled or frozen	20	1 575	1 650	1 725	1 800	1 875	(6)	
	0203	Meat of domestic swine, fresh, chilled or frozen	20	1 050	1 100	1 150	1 200	1 250	(6)	
	0206 22 90 0206 41 99	Edible offal of bovine animals, swine, sheep, goats, horse, asses, mules or hinnies, fresh, chilled or frozen	free free	unlimited	unlimited	unlimited	unlimited	unlimited		

Order No	CN Code	Description (°)	Applicable duty (% of MFN) (°)	Base quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0207 34 0207 36 61 0207 36 65	Fatty livers of geese or ducks, fresh, chilled or frozen	free	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited
	0207 11 30 0207 11 90 0207 12 10 0207 12 90 0207 13 50 0207 13 60 0207 14 50 0207 14 60	Chicken carcasses; breast of chicken; legs of chicken	20	500	550	575	600	625		
	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	20	3 500	3 850	4 025	4 200	4 375		
	0402 99 11	Milk or cream, condensed, added sugar	20	200	220	230	240	250		
	0405 10 11 0405 10 19	Butter	20	1 200	1 320	1 380	1 440	1 500		
	0406 90	Cheeses	20	1 400	1 540	1 610	1 680	1 750		
	0409 00 00	Natural honey	64	unlimited	unlimited	unlimited	unlimited	unlimited		
	0601 10 00	Bulbs, tuberous roots, corms, crowns and rhizomes, dormant	64	unlimited	unlimited	unlimited	unlimited	unlimited		
09.6452	0702 00	Tomatoes	20	100	110	115	120	125		
09.6453	0703 20 00	Garlic	20	100	110	115	120	125		

Order No	CN Code	Description (1)	Applicable duty (% of MFN) (2)	Base quantity (tonnes)	Annual quantities					Specific provisions
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)	from 1.7.2000 (tonnes)	
	0707 00 25 0707 00 30	Cucumbers, fresh or chilled (from 16 May to 31 October)	80	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	0709 51 30	Chanterelles	free	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
09.6460	0808 10 10	Cider apples in bulk	20	1 000	1 100	1 150	1 200	1 250		
	0810 30 10	Blackcurrants, fresh	80	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	(7)
	1502 00 90	Fats of bovine animals	64	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	
	2009 70 30 2009 70 93 2009 70 99	Apple juice of a density not exceeding 1,33 g/cm ³ at 20 °C; Of a value exceeding ECU 18 per 100 kg net weight, containing added sugar Of a value not exceeding ECU 18 per 100 kg net weight, with an added sugar content not exceeding 30 % by weight Not containing added sugar	67	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) The quota for this product is opened in the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. In case imports into the Community of live bovine domestic animals may exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

(4) The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. The applied duty is 6 %.

(5) The quota for the product is globally opened for Estonia, Latvia and Lithuania. The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

(6) Excluded tenderloins presented alone.

(7) Subject to minimum import price arrangements.

*Annex to Annex III(a)***Minimum import price arrangement for certain soft fruit for processing**

1. Minimum import prices are fixed for each marketing year for the following products:

CN Code	Description
0810 30 11	Blackcurrants, fresh

The minimum import prices are fixed by the Community in consultation with Lithuania taking into consideration the price evolution, imported quantities and market development in the Community.

2. The minimum import prices shall be respected in accordance with the following criteria:
- during each three-month period of the marketing year the average unit value for each product listed in paragraph 1, imported into the Community, shall not be lower than the minimum import price for that product,
 - during any period of two weeks the average unit value for each product listed in paragraph 1, imported in the Community shall not be lower than 90 % of the minimum import price for that product, in so far as the quantities imported during this period are not less than 4 % of the normal annual import.
3. In case of non-respect of one of these criteria the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from Lithuania.
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ANNEX III (b)

LITHUANIA

Imports into the Community of the following products originating in Lithuania shall be subject to the concessions set out below (MFN = most favoured nations duty):

Order No	CN Code	Description (1)	Applicable duty (% of MFN) ⁽²⁾	Base quantity (tonnes)	Annual quantities				Specific provisions	
					from 1.7.1996 to 30.6.1997 (tonnes)	from 1.7.1997 to 30.6.1998 (tonnes)	from 1.7.1998 to 30.6.1999 (tonnes)	from 1.7.1999 to 30.6.2000 (tonnes)		from 1.7.2000 (tonnes)
	0402 99 11	Milk or cream, condensed, added sugar	20	—	10	20	30	40	50	

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

COMMISSION REGULATION (EC) No 1927/96
of 7 October 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 (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation 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 vegetable oil to certain beneficiaries;

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⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; 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 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, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 1101/95 (A1); 1098/95 (A2)
2. **Programme**: 1995
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501, CA Den Haag (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**: A1: Peru; A2: Guatemala
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 (under IIIA. (1) (a))
8. **Total quantity (tonnes)**: 600
9. **Number of lots**: one, in two parts (A1: 60 tonnes; A2: 540 tonnes)
10. **Packaging and marking** (4) (6): see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA. (2) (1), IIIA. (2) (3) and IIIA. (3))
five-litre metal canister, without cardboard cross-pieces
Language to be used for the marking: Spanish
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**: 25. 11 — 15. 12. 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)] 22. 10. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: [12 noon (Brussels time)] 5. 11. 1996
 - (b) period for making the goods available at the port of shipment: 9 — 29. 12. 1996
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (5): Bureau de l'aide alimentaire, Attn. Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (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) 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.
- (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 (and Expiry date; A2: the sanitary certificate must be legalized by the diplomatic representation in the country of origin of goods).

COMMISSION REGULATION (EC) No 1928/96
of 7 October 1996
on the supply of cereals as food aid

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

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security⁽¹⁾, and in particular Article 24 (1) (b) thereof,

Whereas the abovementioned Regulation 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 cereals to certain beneficiaries;

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⁽²⁾, as amended by Regulation (EEC) No 790/91⁽³⁾; 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

Cereals 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 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, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 166, 5. 7. 1996, p. 1.

⁽²⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 1102/95 (A1); 1118/95 (A2); 1119/95 (A3)
2. **Programme**: 1995
3. **Recipient** ⁽²⁾: Euronaïd, Postbus 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: to be designated by the recipient
5. **Place or country of destination**: A1: Peru; A2 and A3: Madagascar
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B (1) (a))
8. **Total quantity (tonnes)**: 420
9. **Number of lots**: one in three parts (A1: 80 tonnes; A2: 160 tonnes; A3: 180 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁸⁾ ⁽⁹⁾ ⁽¹¹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under II.B (2) (d) and II.B (3))
Language to be used for the marking: A1: Spanish; A2 + A3: French
11. **Method of mobilization**: the Community market
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**: 11. 11 — 1. 12. 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) on 22. 10. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 5. 11. 1996
 - (b) period for making the goods available at the port of shipment: 25. 11 — 15. 12. 1996
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 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, à l'attention de Monsieur 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⁾: refund applicable on 18. 10. 1996, fixed by Commission Regulation (EC) No 1864/96 (OJ No L 247, 28. 9. 1996, p. 12)

LOT B

1. **Operation No** (1): 1100/95 (B1); 1120/95 (B2)
2. **Programme**: 1995
3. **Recipient** (2): Euronaid, Postbus 12, NL-2501 CA Den Haag (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** (3): to be designated by the recipient
5. **Place or country of destination**: B1: Peru; B2: Madagascar
6. **Product to be mobilized**: oat flakes
7. **Characteristics and quality of the goods** (4) (7): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B (1) (e))
8. **Total quantity (tonnes)**: 71,725
9. **Number of lots**: one, in two parts (B1: 48 tonnes; B2: 23,725 tonnes)
10. **Packaging and marking** (6) (8) (9) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B (2) (f) and II.B (3))
Language to be used for the marking: B1: Spanish; B2: French
11. **Method of mobilization**: the Community market
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**: 11. 11. — 1. 12. 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) on 22. 10. 1996
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 5. 11. 1996
 - (b) period for making the goods available at the port of shipment: 25. 11 — 15. 12. 1996
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 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, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 130, bureau 7/46, 200 rue de la Loi/Wetstraat, 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): refund applicable on 18. 10. 1996, fixed by Commission Regulation (EC) No 1864/96 (OJ No L 247, 28. 9 1996, p. 12)

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) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as last amended by Regulation (EC) No 1482/96 (OJ No L 188, 27. 7. 1996, p. 22), shall not apply to this amount.
- (5) The supplier should send a duplicate of the original invoice to Willis Corroon Scheuer, PO box 1315, NL-1000 Amsterdam.
- (6) Shipment to take place in 20-foot containers condition FCL/FCL each containing 20 tonnes net (lot A) and 12 tonnes net (lot B).
- The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall 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 paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.
- (7) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate (plus expiry date),
 - lot A: fumigation certificate (the cargo shall be fumigated before shipment with phosphinegas).
- (8) Notwithstanding OJ No C 114, point II.B(3)(c) is replaced by the following: 'the words "European Community".'
- (9) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (10) See fourth amendment to OJ No C 114 published in OJ No C 272, 21. 10. 1992, p. 6.
- (11) See second amendment to OJ No C 114 published in OJ No C 135, 26. 5. 1992, p. 20.

COMMISSION REGULATION (EC) No 1929/96
of 7 October 1996

amending Regulation (EC) No 1713/95 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Agreements on free trade between the Community and the Baltic States and providing for reimbursement of import duties charged between 1 July and 30 September 1996

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1926/96 of 7 October 1996 granting certain concessions in the form of Community tariff quotas for certain agricultural products and adjusting on a unilateral and temporary basis certain agricultural concessions provided for in the Agreements on free trade with Estonia, Latvia and Lithuania in line with the Agreement on Agriculture concluded in the Uruguay Round of multilateral trade negotiations⁽¹⁾, and in particular Article 5 thereof,

Whereas Regulation (EC) No 1926/96 adjusts on a unilateral and temporary basis the agricultural concessions in the Agreements on free trade concluded between the European Communities and their Member States of the one part and the Republics of Estonia, Latvia and Lithuania of the other; whereas these adjustments apply to the period running from 1 July 1996 until the interim additional protocols to these Agreements at present being negotiated enter into force;

Whereas Commission Regulation (EC) No 1713/95⁽²⁾, as amended by Regulation (EC) No 1891/96⁽³⁾, sets rules for application to milk and milk products of the arrangements laid down in these Agreements; whereas it should be amended in line with the provisions on milk products adopted by Regulation (EC) No 1926/96;

Whereas because of a delay in adopting Regulation (EC) No 1926/96 licences for the third quarter of 1996 were issued on the basis of the old annual quantities; whereas the quantities available for that quarter included quantities carried over from the previous quarter; whereas the new annual quantities are set for the 12 month period from 1 July; whereas the quantities available for the

period 1 October to 31 December 1996 should be explicitly indicated; whereas these quantities include the difference between 25 % of the old annual quantities and 25 % of the new ones and also the quantities carried over from the third quarter; whereas the quantities carried over are however restricted to those for which licences were not issued and also to a maximum of 25 % of the old annual quantity for the products concerned;

Whereas the duty rate reduction of 80 % instead of 60 % applies from 1 July 1996; whereas it is accordingly necessary to reimburse operators for imports made on the basis of licences issued during the third quarter of the year; whereas, however, reimbursement must be limited to 25 % of the old annual quantities; whereas it is therefore necessary to set a coefficient for products for which licences for more than 25 % of the old annual quantity were issued;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1713/95 is amended as follows:

1. the wording of Article 2 is replaced by:

‘From 1 July 1996 the quantities indicated in Annex I shall be staggered over the year as follows:

- 25 % in the period 1 July to 30 September,
- 25 % in the period 1 October to 31 December,
- 25 % in the period 1 January to 31 March,
- 25 % in the period 1 April to 30 June.

The quantities available for the period 1 October to 31 December 1996 shall however be as indicated in Annex Ia’;

2. Annex I is replaced by Annex I to this Regulation;

⁽¹⁾ See page 1 of this Official Journal.

⁽²⁾ OJ No L 163, 14. 7. 1995, p. 5.

⁽³⁾ OJ No L 249, 1. 10. 1996, p. 33.

3. Annex II to this Regulation is added as Annex Ia.

Article 2

Operators who imported products on the basis of licences issued for the period 1 July to 30 September 1996 shall on request be reimbursed the difference between 60 and 80 % of the customs duty on presentation of the import licence and declaration of entry for free circulation. Reim-

bursement shall however be restricted to the quantities imported subject to the coefficient shown in Annex III.

Article 3

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

It shall apply with effect from 1 July 1996.

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

Done at Brussels, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

ANNEX I

A. PRODUCTS ORIGINATING IN ESTONIA

Duty rate reduction of 80 % from 1 July 1996

CN code	Description (1)	Duty applicable (% of MFN) (2)	Annual quantity				
			From 1.7.1996 to 30.6.1997 (tonnes)	From 1.7.1997 to 30.6.1998 (tonnes)	From 1.7.1998 to 30.6.1999 (tonnes)	From 1.7.1999 to 30.6.2000 (tonnes)	From 1.7.2000 (tonnes)
0402 10 19 0402 21 19	Skimmed-milk powder Whole-milk powder	20	3 150	3 300	3 450	3 600	3 750
0405 10 11 0405 10 19	Butter	20	1 575	1 650	1 725	1 800	1 875
0406	Cheeses	20	840	880	920	960	1 000

B. PRODUCTS ORIGINATING IN LATVIA

Duty rate reduction of 80 % from 1 July 1996

CN code	Description (1)	Duty applicable (% of MFN) (2)	Annual quantity				
			From 1.7.1996 to 30.6.1997 (tonnes)	From 1.7.1997 to 30.6.1998 (tonnes)	From 1.7.1998 to 30.6.1999 (tonnes)	From 1.7.1999 to 30.6.2000 (tonnes)	From 1.7.2000 (tonnes)
0402 10 19 0402 21 19	Skimmed-milk powder Whole-milk powder	20	2 625	2 750	2 875	3 000	3 125
ex 0402 29	Milk or cream other than in powder, containing added sugar	20	210	220	230	240	250
0405 10	Butter	20	1 405	990	1 035	1 080	1 125
0406	Cheeses	20	1 260	1 320	1 380	1 440	1 500

C. PRODUCTS ORIGINATING IN LITHUANIA

Duty rate reduction of 80 % from 1 July 1996

CN code	Description (1)	Duty applicable (% of MFN) ⁽²⁾	Annual quantity				
			From 1.7.1996 to 30.6.1997 (tonnes)	From 1.7.1997 to 30.6.1998 (tonnes)	From 1.7.1998 to 30.6.1999 (tonnes)	From 1.7.1999 to 30.6.2000 (tonnes)	From 1.7.2000 (tonnes)
0402 10 19 0402 21 19	Skimmed-milk powder Whole-milk powder	20	3 675	3 850	4 025	4 200	4 375
0402 99 11	Milk or cream, condensed, containing added sugar	20	220	240	260	280	300
0405 10 11 0405 10 19	Butter	20	1 260	1 320	1 380	1 440	1 500
0406	Cheeses	20	1 470	1 540	1 610	1 680	1 750

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the product description is to be considered as having no more than indicative value, eligibility for preferential treatment being determined by the coverage of the CN code. Where ex CN codes are indicated eligibility is to be determined by reference to the CN code and description taken together.

(2) Where an MFN minimum duty exists the applicable minimum duty is the MFN minimum duty multiplied by the percentage indicated in this column.

ANNEX II

ANNEX Ia

Quantities available for period 1 October to 31 December 1996

Country	Estonia		Latvia			Lithuania					
	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 Cheeses	0402 10 19 0402 21 19	ex 0402 29	0405 10 Butter	0406 Cheeses	0402 10 19 0402 21 19	0402 99 11	0405 10 11 0405 10 19 Butter	0406 90 Cheeses
Quantity available (tonnes)	1 262,5	600	420	1 237,792	105	490	630	1 425,415	110	355	560'

ANNEX III

Coefficient to be applied to volumes of imported products for which reimbursement of customs duty is sought under Article 2

Country	Republic of Estonia			Republic of Latvia				Republic of Lithuania					
	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 90 Cheeses	0402 10 19 0402 21 19	0406 10	0405 10 11 0405 10 19 Butter	0406 90 21 0406 90 23	0402 29 99	0402 10 19 0402 21 19	0405 10 11 0405 10 19 Butter	0406 10 80	0406 30 31 0406 30 39 0406 90 01	0402 29 99
In %	84	100	100	100	100	77,2	100	100	100	95,9	100	70	100

COMMISSION REGULATION (EC) No 1930/96
of 7 October 1996

**on the rate of interest to be used for calculating the costs of financing
intervention measures comprising buying in, storage and disposal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section⁽¹⁾, as last amended by Regulation (EC) No 1259/96⁽²⁾, and in particular Article 5 thereof,

Whereas Article 3 of Commission Regulation (EEC) No 411/88⁽³⁾, as last amended by Regulation (EEC) No 1644/89⁽⁴⁾, lays down that the uniform interest rate used for calculating the costs of financing intervention measures is to correspond to the interest rates for the ecu for three months' and 12 months' forward rates recorded by the Statistical Office of the European Communities on the Euromarkets with a weighting of one-third and two-thirds respectively;

Whereas the Commission fixes this rate before the beginning of each EAGGF Guarantee Section accounting year on the basis of the rates recorded in the six months preceding fixing;

Whereas Article 4 (1) of Regulation (EEC) No 411/88 lays down that if the rate of interest costs borne by a Member State is lower for at least six months than the uniform interest rate fixed for the Community a specific interest rate is to be fixed for that Member State; whereas the Member State notified these costs to the Commission before the end of the accounting year; whereas, where no costs are notified by a Member State, the rate to be applied is determined on the basis of the reference interest rates set out in the Annex to the said Regulation;

Whereas Article 5 of Regulation (EEC) No 1883/78 provides for the fixing of a specific interest rate, determined by the Commission in accordance with the rules laid down in that Regulation, for a Member State in respect of which the rate of interest borne is more than twice the uniform interest rate;

Whereas the interest rates for the 1996 accounting year must be set, in line with those provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

For expenditure incurred during the 1996 EAGGF Guarantee Section accounting year:

1. the interest rate referred to in Article 3 of Regulation (EEC) No 411/88 shall be 6,3 %;
2. the specific interest rate referred to in Article 4 of Regulation (EEC) No 411/88 shall be: 5,4 % for Austria, 5,6 % for Belgium and Luxembourg, 6,1 % for Finland and Ireland.
3. the specific interest rate referred to in the third subparagraph of Article 5 of Regulation (EEC) No 1883/78 shall be: 12,2 % for Greece.

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 with effect from 1 October 1995.

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

Done at Brussels, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 163, 2. 7. 1996, p. 10.

⁽³⁾ OJ No L 40, 13. 2. 1988, p. 25.

⁽⁴⁾ OJ No L 162, 13. 6. 1989, p. 18.

COMMISSION REGULATION (EC) No 1931/96

of 7 October 1996

derogating from and amending Regulation (EEC) No 2456/93 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards public intervention

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 1588/96 ⁽²⁾, and in particular Articles 6 (7) and 22a (3) thereof,

Whereas, because of the current reduced consumption of beef and veal in the Community, prices continue to be low; whereas the situation calls for support measures;

Whereas, to that end, certain derogations should be made from Commission Regulation (EEC) No 2456/93 ⁽³⁾, as last amended by Regulation (EC) No 307/96 ⁽⁴⁾, in respect of invitations to tender opened in October, November and December 1996;

Whereas, in order to allow intervention to provide a full response to the serious situation on the market, the list of eligible qualities laid down in that Regulation should be extended; whereas that Regulation should also be supplemented, on an exceptional and temporary basis and in the interests of fairness, to allow the buying-in of young bovine carcasses in conformation classes S and E in those Member States where production of those classes predominates and their market prices are regularly recorded;

Whereas, in order to deal with the further disturbance of the market which may result from the entry onto the market of substantial numbers of store animals during the final quarter of 1996, the necessary support measures should be adopted and intervention buying of carcasses from such animals permitted, without, however, derogating from Article 5 (2) of Regulation (EEC) No 805/68; whereas, in particular, the buying-in price for such carcasses should be increased to take account of the difference in market prices between them and carcasses of animals finished in the usual way offered for intervention; whereas animals of purely dairy breeds sent for early slaughter, which does not reduce production, should be excluded from these special arrangements; whereas, furthermore, in order to prevent animals which are almost

finished being offered for intervention, a limit should be placed on the weight of carcasses eligible for the arrangements;

Whereas, by way of exception, for April to September, the maximum weight provided for in Article 4 (2) (h) of Regulation (EEC) No 2456/93 was not applicable; whereas there should be a gradual return to the weight limit initially laid down; whereas, however, in order to soften the impact of this change for farmers, the buying-in of bullocks, which reach their slaughter weight more slowly and therefore later in the year, above the maximum weight should be allowed as a transitional measure, whilst at the same time limiting their buying-in price to the maximum weight authorized for October and November;

Whereas, in view of the difficult situation currently facing the beef sector, the increase to be applied to the average market price in order to calculate the maximum buying-in price should be temporarily adjusted to take account, in particular, of increased costs and reduced receipts in the sector;

Whereas, in the light of experience, the delivery period for products should begin after publication of the Regulation setting out the results of the invitation to tender rather than directly following the end of the tender submission period;

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

1. Notwithstanding the first subparagraph of Article 4 (1) of Regulation (EEC) No 2456/93:

- (a) products in category A classed as O2 and O3 and products in category C classed as O3 and O4 in accordance with the Community classification scale shall be accepted into intervention.

The difference between the intervention price for R3 quality and that for O4 quality shall be ECU 30 per 100 kilograms.

The coefficient to be used for converting tenders submitted for quality R3 into tenders for quality O4 shall be 0,914 (middle class);

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 206, 16. 8. 1996, p. 23.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 43, 21. 2. 1996, p. 3.

(b) the additional products which may be bought into intervention, although not included in Annex III to that Regulation, shall be as follows:

AUSTRIA

- category C, class R2 and class R3,
- category C, class O2 and class O3,

UNITED KINGDOM

Great Britain

- category A, class U2 and class U3
- category A, class R2 and class R3
- category C, class U3 and class U4

Northern Ireland

- category A, class U2 and class U3
- category A, class R2 and class R3;

(c) products in category A falling within conformation classes S2, S3, E2 and E3 in accordance with the Community classification scale may be accepted into intervention in those Member States which regularly record the prices for those qualities and in which, in 1995, classes S and E represented at least 50 % of the number of animals slaughtered in category A.

The coefficients to be used for converting from quality R3 to qualities S2, S3, E2 and E3 shall be 1,356, 1,304, 1,228 and 1,156 (middle class) respectively.

2. Where carcasses and half-carcasses submitted for intervention are the carcasses of animals aged less than 10 months of breeds other than those referred to in Annex II to Commission Regulation (EEC) No 3886/92⁽¹⁾ of a carcase weight of less than 200 kilograms:

- the coefficient to be used for converting from quality R3 to the other qualities shall be 1,00,
- the prices awarded shall be increased by 23 %.

In this case:

- each tender shall indicate, in addition to the quantity offered, the quantity of carcasses or half-carcasses of animals aged less than 10 months,
- the intervention agencies shall specify, when they forward the tenders to the Commission, which ones are covered by this paragraph and the quantities concerned for each of those tenders,
- the products bought in under this paragraph shall not be boned except in the United Kingdom and shall be stored separately by invitation to tender or by month in easily-identifiable lots,
- paragraph 3 (b) shall not apply,
- the coefficients referred to in Article 13 (3) of Regulation (EEC) No 2456/93 may also be differentiated

within a Member State, depending on whether or not this paragraph is applicable.

3. Notwithstanding Article 4 (2) of Regulation (EEC) No 2456/93:

- (a) carcasses and half-carcasses of castrated animals reared in the United Kingdom which are more than 30 months old may not be bought into intervention;
- (b) forequarters obtained from carcasses or half-carcasses referred to in that paragraph may be bought into intervention.

4. Notwithstanding Article 4 (2) (h) of Regulation (EEC) No 2456/93, the maximum weight of the carcasses referred to in the above provision shall be:

- (a) 390 kilograms for carcasses of animals of categories A and C, conformation classes U, R and O.

However, for category C, for invitations to tender in October and November 1996, carcasses of a weight greater than the abovementioned levels may be bought into intervention; in that case, the buying-in price shall be paid only up to the maximum weight referred to above or, in the case of forequarters, up to 40 % of the maximum weight referred to above;

- (b) 480 kilograms for carcasses of animals of category A, conformation classes S and E.

5. Notwithstanding Article 14 (1) of Regulation (EEC) No 2456/93:

- (a) the increase applicable to the average market price, according to the first sentence, shall be ECU 14 per 100 kilograms carcase weight;
- (b) the increase applicable to the average market price, according to the second sentence, shall be ECU 7 per 100 kilograms carcase weight.

Article 2

The first sentence of Article 16 (2) of Regulation (EEC) No 2456/93 is hereby replaced by the following:

'Successful tenderers shall deliver the products not later than 17 days after the first working day following publication of the Regulation fixing the maximum buying-in price and the quantities of beef bought into intervention.'

Article 3

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

Article 1 shall apply to invitations to tender opened during October, November and December 1996 with the exception of paragraph 2 which shall apply only to invitations to tender opened during October 1996.

⁽¹⁾ OJ No L 391, 31. 12. 1992, p. 20.

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

Done at Brussels, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1932/96
of 7 October 1996

amending Regulation (EC) No 1178/96 increasing to 550 000 tonnes the quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened

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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas Commission Regulation (EC) No 1178/96⁽⁵⁾, amended by Regulation (EC) No 1789/96⁽⁶⁾, opened a standing invitation to tender for the export of 350 000 tonnes of rye held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 550 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 1178/96 must therefore be amended;

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

Done at Brussels, 7 October 1996.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1178/96 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 550 000 tonnes of rye to be exported to all third countries.
2. The regions in which the 550 000 tonnes of rye are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 155, 28. 6. 1996, p. 32.

⁽⁶⁾ OJ No L 234, 17. 9. 1996, p. 1.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	198 043
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	14 834
Berlin/Brandenburg/ Mecklenburg-Vorpommern	191 773
Sachsen/Sachsen-Anhalt/Thüringen	145 292'

COMMISSION REGULATION (EC) No 1933/96

of 7 October 1996

amending Regulation (EC) No 1179/96 increasing to 1 180 000 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened

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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas Commission Regulation (EC) No 1179/96⁽⁵⁾, as last amended by Regulation (EC) No 1790/96⁽⁶⁾, opened a standing invitation to tender for the export of 1 100 000 tonnes of barley held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 80 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 180 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 1179/96 must therefore be amended;

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

Done at Brussels, 7 October 1996.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1179/96 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 1 180 000 tonnes of barley to be exported to all third countries.

2. The regions in which the 1 180 000 tonnes of barley are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 155, 28. 6. 1996, p. 37.

⁽⁶⁾ OJ No L 234, 17. 9. 1996, p. 3.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	378 162
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	42 240
Berlin/Brandenburg/ Mecklenburg-Vorpommern	281 221
Sachsen/Sachsen-Anhalt/Thüringen	477 618 ²

COMMISSION REGULATION (EC) No 1934/96
of 7 October 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 vege-
tables⁽¹⁾, as last amended by Regulation (EC) No
1890/96⁽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 Regu-
lation (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 multila-
teral trade negotiations, the criteria whereby the Commis-

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

Whereas, in compliance with the above criteria, the stan-
dard 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 8 October 1996.

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

Done at Brussels, 7 October 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 249, 1. 10. 1996, p. 29.

⁽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 7 October 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 40	052	89,5	0808 10 92, 0808 10 94, 0808 10 98	220	110,8
	060	80,2		400	141,1
	064	70,8		412	58,5
	066	54,0		508	307,2
	068	80,3		512	186,0
	204	86,8		600	88,5
	208	44,0		624	67,7
	212	97,5		999	115,1
	400	170,4			
	624	95,8		039	121,0
	999	86,9		052	55,2
				064	47,1
	ex 0707 00 30	052		82,8	070
053		156,2	284	72,1	
060		61,0	388	45,8	
066		53,8	400	83,2	
068		69,1	404	72,2	
204		144,3	416	72,7	
624		87,1	508	113,5	
999		93,5	512	131,1	
0709 90 79	052	54,3	524	100,3	
	204	77,5	528	53,0	
	412	54,2	624	86,5	
	508	42,9	728	107,3	
	624	151,9	800	141,3	
	999	76,2	804	58,9	
0805 30 30	052	71,6	0808 20 57	999	85,4
	204	88,8		039	104,1
	220	74,0		052	73,0
	388	70,0		064	74,4
	400	68,2		388	57,2
	512	66,7		400	70,4
	520	66,5		512	88,7
	524	67,3		528	132,9
	528	64,5		624	79,0
	600	96,5		728	115,4
	624	48,9		800	84,0
	999	71,2		804	73,0
				999	86,6
0806 10 40	052	92,1			
	064	49,5			
	066	49,4			

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 June 1996

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards fixed fire-fighting systems

(Text with EEA relevance)

(96/577/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures pursuant to Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacture is a necessary and sufficient condition for attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of Section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of Section 2 of Annex III, and in the first possibility with continuous surveillance, of point (ii) of Section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products set out in Annex I shall have their conformity attested by a procedure whereby, in addition to a

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 2

The procedure for attesting conformity as set out in Annex II shall be indicated in mandates for harmonized standards.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

*ANNEX I***FIRE ALARM/DETECTION, FIXED FIRE-FIGHTING, FIRE AND SMOKE CONTROL AND EXPLOSION SUPPRESSION PRODUCTS**

- Fire detection and fire alarm systems-kits: combined fire detection and alarm systems-kits, fire detection systems-kits, fire alarm systems-kits, fire call systems-kits.
 - Fire detection and fire alarm system components: smoke, heat and flame detectors, control and indicating devices, alarm transmission routing devices, short circuit isolators, alarm devices, power supplies, input/output devices, manual call points.
 - Self-contained smoke detectors/alarms.
 - Fire suppression and extinguishing systems-kits: first aid hose systems, dry and wet fire-fighting hydrant systems, sprinkler and water spray systems-kits, foam extinguishing systems-kits, dry powder extinguishing systems-kits, gaseous extinguishing systems (including CO₂ extinguishing systems)-kits.
 - Fire suppression and extinguishing system components: fire hydrants, water flow detectors/switches, pressure detectors/switches, landing valves, inlet breeching, fire-fighting pumps and pump sets, nozzles/sprinklers/outlets.
 - Explosion suppression systems-kits.
 - Explosion suppression system components: detectors, suppressors, explosion sensors, explosion relief products.
 - Fire and smoke control installations-kits: smoke and heat exhaust ventilation systems-kits, pressure differential system-kits.
 - Fire and smoke control installation components: smoke curtains, dampers, ducts, powered ventilators, natural ventilators, control panels, emergency control panels, power supplies.
-

ANNEX II

PRODUCT FAMILY

FIRE ALARM/DETECTION, FIXED FIRE-FIGHTING, FIRE AND SMOKE CONTROL AND EXPLOSION SUPPRESSION PRODUCTS (1/1)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, European Committee for Standardization/European Committee for Electrotechnical Standardization (CEN/Cenelec) are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es) (Resistance to fire) (1)	Attestation of conformity system(s)
Kits for installation	Fire safety		1 (2)
<i>Fire detection/fire alarm</i>			
Combined fire detection and fire alarm systems-kits		—	
Fire detection systems-kits		—	
Fire alarm systems-kits		—	
Fire call systems-kits		—	
<i>Fire suppression and extinguishing</i>			
First aid hose systems-kits		—	
Dry and wet fire-fighting hydrant systems		—	
Sprinklers and water spray systems-kits		—	
Foam systems-kits		—	
Dry powder systems-kits		—	
Gaseous systems (including CO ₂ systems)-kits		—	
<i>Explosion suppression</i>			
Explosion suppression systems-kits		—	
<i>Fire control installations</i>			
Smoke and heat exhaust ventilation systems-kits		—	
Pressure differential systems-kits		—	
Self-contained smoke detectors/alarms		—	
Components		Fire safety	
<i>Fire detection/fire alarm</i>			
Smoke, heat and flame detectors	—		
Control and indicating devices	—		
Alarm transmission routing devices	—		
Short circuit isolators	—		
Alarm devices	—		
Power supplies	—		
Input/output devices	—		
Manual call points	—		
<i>Fixed suppression and extinguishing</i>			
Fire hydrants	—		
Water flow detectors/switches	—		
Pressure detectors/switches	—		
Landing valves	—		
Inlet breeching	—		
Fire-fighting pumps and pump sets	—		
Nozzles/sprinklers/outlets	—		

Product(s)	Intended use(s)	Level(s) or class(es) (Resistance to fire) ⁽¹⁾	Attestation of conformity system(s)
<i>Explosion suppression</i>			
Detectors		—	
Suppressors		—	
Explosion sensors		—	
Explosion relief products		—	
<i>Fire control</i>			
Smoke curtains		—	
Dampers		see DI2	
Ducts		see DI2	
Powered ventilators		—	
Natural ventilators		—	
Control panels and emergency control panels		—	
Power supplies		—	

⁽¹⁾ See provisions in Interpretative Document No 2 and/or 'Horizontal complement to the mandates in respect of resistance to fire'.

⁽²⁾ System 1: See Annex III Section 2 point (i) of Directive 89/106/EEC, without audit-testing of samples.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION

of 24 June 1996

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards sanitary appliances

(Text with EEA relevance)

(96/578/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures under Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is therefore required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with

continuous surveillance, of point (ii) of section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products and families of products set out in Annex I shall have their conformity attested by a procedure whereby the manufacturer has under its sole responsibility a factory production control system ensuring that the product is in conformity with the relevant technical specifications.

Article 2

The products set out in Annex II shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 3

The procedure for attesting conformity as set out in Annex III shall be indicated in mandates for harmonized standards.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

*ANNEX I***SANITARY APPLIANCES**

Sinks, basins and communal troughs; bath tubs; shower trays; bidets; urinals; water closet bowls or pans; earth, chemical and composting closets; macerating toilets; squatting toilets; flushing cisterns; whirlpool baths; shower and bath screens or enclosures.

Modular public toilets and toilet pods with finishes using materials classified in reaction to fire classes A, B or C and for which the reaction to fire performance is not susceptible to change during the production process (in general, those made with non-combustible raw materials), as well as with materials classified in classes D, E or F.

*ANNEX II***SANITARY APPLIANCES**

Modular public toilets and toilet pods with finishes using materials classified in reaction to fire classes A, B or C for which the reaction to fire performance is susceptible to change during the production process (in general, those made with combustible raw materials).

ANNEX III

PRODUCT FAMILY

SANITARY APPLIANCES (1/1)

System of attestation of conformity

For the product(s) and intended use(s) listed below, European Committee for Standardization/European Committee for Electrotechnical Standardization (CEN/Cenelec) are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es) Reaction to fire ⁽¹⁾	Attestation of conformity system(s)
Sinks, basins and communal troughs; bath tubs and shower trays; bidets; urinals; water closet bowls or pans; earth, chemical and composting closets; macerating toilets; squatting toilets; flushing cisterns; whirlpool baths; shower and bath screens and enclosures and preformed toilet modules	Personal hygiene	—	4 ^(*)
Modular public toilets, and prefabricated toilet pods	Personal hygiene	A, B or C ^(?) A, B or C ^(?) D, E or F	1 ^(?) 3 ^(*) 4 ^(*)

⁽¹⁾ For reaction to fire, see Commission Decision 94/611/EC (OJ No L 241, 16. 9. 1994, p. 25)

⁽²⁾ Materials for which the reaction to fire performance is susceptible to change during the production process (in general, those made with combustible raw materials).

⁽³⁾ Materials for which the reaction to fire performance is not susceptible to change during the production process (in general, those made with non-combustible raw materials).

^(?) System 1: See Annex III section 2 point (i) of Directive 89/106/EEC, without audit-testing of samples.

^(*) System 3: See Annex III section 2 point (ii) of Directive 89/106/EEC, second possibility.

^(*) System 4: See Annex III section 2 point (ii) of Directive 89/106/EEC, third possibility.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3. of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION

of 24 June 1996

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards circulation fixtures

(Text with EEA relevance)

(96/579/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures under Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is therefore required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with

continuous surveillance, of point (ii) of section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products and families of products set out in Annex I shall have their conformity attested by a procedure whereby the manufacturer has under its sole responsibility a factory production control system ensuring that the product is in conformity with the relevant technical specifications.

Article 2

The products set out in Annex II shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 3

The procedure for attesting conformity as set out in Annex III shall be indicated in mandates for harmonized standards.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

*ANNEX I***CIRCULATION FIXTURES**

- Road traffic noise reducing devices and barriers; and
- anti-glare screens.

*ANNEX II***CIRCULATION FIXTURES**

- Road marking products:
 - permanent marking tapes and preformed markings,
 - traffic paints, hot applied thermoplastics, cold applied plastics (with or without antiskid aggregates) including premixed glass beads,
 - traffic paints, hot applied thermoplastics, cold applied plastics (to be used for road marking) put on the market with indications on types and proportions of dropped-on glass beads and/or anti-skid aggregates,
 - retro-reflecting road studs.
 - Road traffic signs and traffic control devices installed permanently for vehicular and pedestrian traffic uses:
 - permanent traffic signs,
 - traffic bollards,
 - marker posts,
 - traffic lights and fixed danger lamps,
 - permanent warning devices and delineators,
 - variable message traffic signs.
 - Road lighting columns.
 - Vehicle restraint systems:
 - crash cushions,
 - transition barriers,
 - cables,
 - parapets.
 - Pedestrian restraint systems including pedestrian bridge parapets.
-

ANNEX III

PRODUCT FAMILY

CIRCULATION FIXTURES (1/2)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, European Committee for Standardization/European Committee for Electrotechnical Standardization (CEN/Cenelec) are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
<ul style="list-style-type: none"> — Road marking products: <ul style="list-style-type: none"> — permanent marking tapes and preformed markings, — traffic paints, hot applied thermoplastics, cold applied plastics (with or without anti-skid aggregates) including pre-mixed glass beads, — traffic paints, hot applied thermoplastics, cold applied plastics (to be used for road marking) put on the market with indications on types and proportions of dropped-on glass beads and/or anti-skid aggregates, — retroreflecting road studs. — Road traffic signs and traffic control devices installed permanently for vehicular and pedestrian traffic uses: <ul style="list-style-type: none"> — permanent traffic signs, — traffic bollards, — marker posts, — traffic lights and fixed danger lamps, — permanent warning devices and delineators, — variable message traffic signs. — Road lighting columns. — Vehicle restraint systems: <ul style="list-style-type: none"> — crash cushions, — transition barriers, — cables, — parapets. — Pedestrian restraint systems including pedestrian bridge parapets. 	For circulation areas		1 (!)

(!) System 1: See Annex III Section 2 point (i) of Directive 89/106/EEC, without audit-testing of samples.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

PRODUCT FAMILY

CIRCULATION FIXTURES (2/2)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, European Committee for Standardization /European Committee for Electrotechnical Standardization (CEN/Cenelec) are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
<ul style="list-style-type: none"> — Road traffic noise reducing devices and barriers — Anti-glare screens 	For circulation areas		3 ⁽¹⁾

⁽¹⁾ System 3: See Annex III section 2 point (ii) of Directive 89/106/EEC, second possibility.

The specifications for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION

of 24 June 1996

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards curtain walling

(Text with EEA relevance)

(96/580/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures under Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is therefore required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with

continuous surveillance, of point (ii) of section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products and families of products set out in Annex I shall have their conformity attested by a procedure whereby the manufacturer has under its sole responsibility a factory production control system ensuring that the product is in conformity with the relevant technical specifications.

Article 2

The products set out in Annex II shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 3

The procedure for attesting conformity as set out in Annex III shall be indicated in mandates for harmonized standards.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

*ANNEX I***CURTAIN WALLING**

Curtain wall kits to be used either as external walls not subject to reaction to fire requirements or as external walls subject to reaction to fire requirements but not being in any of the circumstances mentioned for these products in Annex II.

*ANNEX II***CURTAIN WALLING**

Curtain wall kits to be used as external walls subject to reaction to fire requirements, classified under one of the Euroclasses A, B or C where the reaction to fire performance of the components is either susceptible to change during the production process (in general, those made with combustible raw materials) or has been altered by means of incorporation of certain agents, like fire retardants, but only when these components are likely to be exposed to fire in their end-use situation.

ANNEX III

PRODUCT FAMILY:

CURTAIN WALLING (1/1)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, European Committee for Standardization/European Committee for Electrotechnical Standardization (CEN/Cenelec) are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es) (Reaction to fire) ⁽¹⁾	Attestation of conformity system(s)
Curtain wall kits	As external walls subject to reaction to fire requirements	A, B, C ⁽²⁾	1 ⁽⁴⁾
		A, B or C ⁽³⁾ D, E or F	3 ⁽⁵⁾
	As external walls not subject to reaction to fire requirements	—	3 ⁽⁵⁾

⁽¹⁾ For reaction to fire, see Commission Decision 94/611/EC (OJ No L 241, 16. 9. 1994, p. 25).

⁽²⁾ Materials for which the reaction to fire performance is susceptible to change during the production process (in general, those made with combustible raw materials) or has been altered by means of incorporation of certain agents, like fire retardants.

⁽³⁾ Materials for which the reaction to fire performance is not susceptible to change during the production process (in general, those made with non-combustible raw materials).

⁽⁴⁾ System 1: See Annex III Section 2 point (i) of Directive 89/106/EEC, without audit-testing of samples.

⁽⁵⁾ System 3: See Annex III Section 2 point (ii) of Directive 89/106/EEC, second possibility.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION

of 24 June 1996

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards geotextiles

(Text with EEA relevance)

(96/581/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures under Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is therefore required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with

continuous surveillance, of point (ii) of section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products and families of products set out in Annex I shall have their conformity attested by a procedure whereby the manufacturer has under its sole responsibility a factory production control system ensuring that the product is in conformity with the relevant technical specifications.

Article 2

The products set out in Annex II shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 3

The procedure for attesting conformity as set out in Annex III shall be indicated in mandates for harmonized standards.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

*ANNEX I***GEOTEXTILES**

- Geosynthetics (membranes and textiles), geocomposites, geogrids, geomembranes and geonets used in all works:
 - as separating layer.

*ANNEX II***GEOTEXTILES**

- Geosynthetics (membranes and textiles), geocomposites, geogrids, geomembranes and geonets to be used in roads, railways, foundations and walls, drainage systems, erosion control, reservoirs and dams, canals, tunnels and underground structures, liquid waste disposal or containment, for solid waste storage or waste disposal:
 - as fluid or gas barriers,
 - as protective layer,
 - for drainage and filtration,
 - for reinforcement.
-

ANNEX III

PRODUCT FAMILY

GEOTEXTILES (1/2)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/CENELEC are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es) (Reaction to fire)	Attestation of conformity system(s)
Geosynthetics (membranes and textiles), geotextiles, geocomposites, geogrids, geomembranes and geonets used: — as fluid or gas barriers — as protective layer — for drainage and/or filtration — for reinforcement	In roads, railways, foundations and walls, drainage systems, erosion control, reservoirs and dams, canals, tunnels and underground structures, liquid waste disposal or containment, for solid waste storage or waste disposal	—	2+ (1)

(1) System 2+: See Annex III Section 2 point (ii) of Directive 89/106/EEC, first possibility, including certification of the factory production control by an approved body on the basis of its continuous surveillance, assessment and approval.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member state has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

PRODUCT FAMILY

GEOTEXTILES (2/2)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/CENELEC are requested to specify the following system(s) of attestation of conformity in the relevant harmonized standard(s):

Product(s)	Intended use(s)	Level(s) or class(es) (Reaction to fire)	Attestation of conformity system(s)
Geosynthetics (membranes and textiles), geotextiles, geocomposites, geogrids, geomembranes and geonets used: — as protective layer	In all works	—	4 (1)

(1) System 4: See Annex III Section 2 point (ii) of Directive 89/106/EEC, third possibility.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member state has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION

of 24 June 1996

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards structural sealant glazing systems and metal anchors for concrete

(Text with EEA relevance)

(96/582/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures pursuant to Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in point (a) of Article 13 (3) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second

and third possibilities of point (ii) of Section 2 of Annex III, and the procedure referred to in point (b) of Article 13 (3) corresponds to the systems set out in point (i) of Section 2 of Annex III, and in the first possibility with continuous surveillance, of point (ii) of Section 2 of Annex III;

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

HAS ADOPTED THIS DECISION:

Article 1

The products set out in Annex I shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

Article 2

The procedure for attesting conformity as set out in Annex II shall be indicated in mandates for guidelines for European technical approval.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 12.

⁽²⁾ OJ No L 220, 30. 8. 1993, p. 1.

*ANNEX I***STRUCTURAL SEALANT GLAZING SYSTEMS (CURTAIN WALLING)**

- Structural sealant glazing kits of types I, II, III and IV ⁽¹⁾ to be used as external walls and roofs.

METAL ANCHORS FOR USE IN CONCRETE (MECHANICAL FASTENERS)

- Metal anchors for use in concrete (heavy-duty type) to be used for fixing and/or supporting concrete structural elements or heavy units such as cladding and suspended ceilings.

⁽¹⁾ Type I: With mechanical means of transferring the self-weight of the panels to the sealant support frame and thence to the structure. Devices are used to reduce danger in the event of a sealant failure.
Type II: With mechanical means of transferring the self-weight of the panels to the sealant support frame and thence to the structure. Total reliance on the structural sealant for the transfer of all other actions.
Type III: With transfer of the self-weight of the panels to the sealant support frame and thence to the structure by means of the structural seal. Devices are used to reduce danger in the event of sealant failure.
Type IV: Total reliance on the structural sealant for the transfer of all actions, including self-weight of the panels to the sealant support frame and thence to the structure.

ANNEX II

PRODUCT:

STRUCTURAL SEALANT GLAZING SYSTEMS (1/1)

PRODUCT FAMILY

CURTAIN WALLING

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, European Organization for Technical Approval (EOTA) is requested to specify the following system(s) of attestation of conformity in the relevant guidelines for European technical approval:

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
Structural sealant glazing kits, Types II and IV ⁽¹⁾	External walls and roofs	—	1 ⁽²⁾
Structural sealant glazing kits, Types I and III ⁽²⁾			2+ ^(*)

⁽¹⁾ Type II: With mechanical means of transferring the self-weight of the panels to the sealant support frame and thence to the structure. Total reliance on the structural sealant for the transfer of all other actions.

Type IV: Total reliance on the structural sealant for the transfer of all actions, including self-weight of the panels to the sealant support frame and thence to the structure.

⁽²⁾ System 1: See Annex III Section 2 point (i) of Directive 89/106/EEC, without audit-testing of samples.

⁽³⁾ Type I: With mechanical means of transferring the self-weight of the panels to the sealant support frame and thence to the structure. Devices are used to reduce danger in the event of a sealant failure.

Type III: With transfer of the self-weight of the panels to the sealant support frame and thence to the structure by means of the structural seal. Devices are used to reduce danger in the event of sealant failure.

^(*) System 2+: See Annex III Section 2 point (ii) of Directive 89/106/EEC, first possibility, including certification of the factory production control by an approved body on the basis of its continuous surveillance, assessment and approval.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

PRODUCT:

METAL ANCHORS FOR USE IN CONCRETE (1/1)

PRODUCT FAMILY

MECHANICAL FASTENERS

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, European Organization for Technical Approval (EOTA) is requested to specify the following system(s) of attestation of conformity in the relevant guidelines for European technical approval:

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
Metal anchors for use in concrete (heavy-duty type)	For fixing and/or supporting concrete structural elements or heavy units such as cladding and suspended ceilings		1 (!)

(!) System 1: See Annex III section 2 point (i) of Directive 89/106/EEC, without audit-testing of samples.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic (see Article 2 (1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.