

# Official Journal

## of the European Communities

ISSN 0378-6978

L 286

Volume 39

8 November 1996

English edition

## Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 2138/96****of 7 November 1996****temporarily suspending the issuing of export licences for certain milk products and determining what proportion of the amounts covered by pending applications for export licences may be allocated**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EC) No 1587/96<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products<sup>(3)</sup>, as last amended by Regulation (EC) No 1875/96<sup>(4)</sup>, and in particular Article 8 (3) thereof,

Whereas the market in certain milk products is currently subject to uncertainty; whereas licence applications of a speculative nature should be avoided which may lead to distortions of competition between operators and potentially disrupt the continuity of exports of these products for the remainder of the period in question; whereas the issue of export licenses for the products involved should be

temporarily suspended and licences for some of these products should not be issued in respect of applications pending,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The issue of export licences for milk products falling within CN code 0406 30 is hereby suspended for the period from 8 to 14 November 1996.
2. No licences shall be issued for products falling within CN code 0406 30 for which applications are still pending and against which licences would have been issued from 8 November 1996.

*Article 2*

This Regulation shall enter into force on 8 November 1996.

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

Done at Brussels, 7 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 21.

<sup>(3)</sup> OJ No L 144, 28. 6. 1995, p. 22.

<sup>(4)</sup> OJ No L 247, 28. 9. 1996, p. 36.

**COMMISSION REGULATION (EC) No 2139/96**  
of 7 November 1996

**suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EC) No 1981/94<sup>(3)</sup>, as last amended by Regulation (EC) No 1877/96<sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 1985/96<sup>(5)</sup> fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88<sup>(6)</sup>, as last amended by Regulation (EEC) No 2917/93<sup>(7)</sup>, lays down the detailed rules for the application of the arrangements;

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

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 November 1996 to 31 October 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

HAS ADOPTED THIS REGULATION:

*Article 1*

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

*Article 2*

This Regulation shall enter into force on 8 November 1996 and is applicable until 31 October 1997 at the latest.

<sup>(1)</sup> OJ No L 382, 31. 12. 1987, p. 22.

<sup>(2)</sup> OJ No L 79, 29. 3. 1996, p. 6.

<sup>(3)</sup> OJ No L 199, 2. 8. 1994, p. 1.

<sup>(4)</sup> OJ No L 249, 1. 10. 1996, p. 1.

<sup>(5)</sup> OJ No L 264, 17. 10. 1996, p. 14.

<sup>(6)</sup> OJ No L 72, 18. 3. 1988, p. 16.

<sup>(7)</sup> OJ No L 264, 23. 10. 1993, p. 33.

<sup>(8)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(9)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(10)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(11)</sup> OJ No L 188, 27. 7. 1996, p. 22.

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

Done at Brussels, 7 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 2140/96

of 7 November 1996

## suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of large-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EC) No 1981/94<sup>(3)</sup>, as last amended by Regulation (EC) No 1877/96<sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alterna-

tively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EC) No 1985/96<sup>(5)</sup> fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88<sup>(6)</sup>, as last amended by Regulation (EEC) No 2917/93<sup>(7)</sup>, lays down the detailed rules for the application of the arrangements;

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

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for large-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be re-established;

Whereas the quota for the products in question covers the period 1 November 1996 to 31 October 1997; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest,

<sup>(1)</sup> OJ No L 382, 31. 12. 1987, p. 22.

<sup>(2)</sup> OJ No L 79, 29. 3. 1996, p. 6.

<sup>(3)</sup> OJ No L 199, 2. 8. 1994, p. 1.

<sup>(4)</sup> OJ No L 249, 1. 10. 1996, p. 1.

<sup>(5)</sup> OJ No L 264, 17. 10. 1996, p. 14.

<sup>(6)</sup> OJ No L 72, 18. 3. 1988, p. 16.

<sup>(7)</sup> OJ No L 264, 23. 10. 1993, p. 33.

<sup>(8)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(9)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(10)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(11)</sup> OJ No L 188, 27. 7. 1996, p. 22.

HAS ADOPTED THIS REGULATION:

*Article 1*

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

*Article 2*

This Regulation shall enter into force on 8 November 1996.

It shall apply until 31 October 1997 at the latest.

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

Done at Brussels, 7 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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COMMISSION REGULATION (EC) No 2141/96  
of 7 November 1996

concerning the examination of an application for the transfer of a marketing authorization for a medicinal product falling within the scope of Council Regulation (EC) No 2309/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products<sup>(1)</sup>, and in particular Articles 15 (4) and 37 (4) thereof,

Whereas Commission Regulation (EC) No 542/95 of 10 March 1995 concerning the examination of variations to the terms of a marketing authorization falling within the scope of Council Regulation (EEC) No 2309/93<sup>(2)</sup> applies if the name and/or address of the holder of the marketing authorization changes but the holder of the said authorization remains the same;

Whereas appropriate provisions must therefore be adopted for the examination of an application for the transfer of a marketing authorization for a medicinal product granted in accordance with the provisions of Regulation (EEC) No 2309/93 where the new holder of the authorization is not the previous holder;

Whereas it is necessary in particular to institute an administrative procedure to enable the marketing authorization decision to be quickly amended in that event, provided that the transfer application submitted is valid and the conditions relating to it have been fulfilled;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Medicinal Products for Human Use and the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

This Regulation lays down the procedure for the examination of applications for the transfer of a marketing authorization granted in accordance with Regulation (EC) No 2309/93, except for the situations covered by point 3 of Annex I to Regulation (EC) No 542/95.

<sup>(1)</sup> OJ No L 214, 24. 8. 1993, p. 1.

<sup>(2)</sup> OJ No L 55, 11. 3. 1995, p. 15.

**Definition**

*Article 2*

For the purposes of this Regulation, 'transfer of a marketing authorization' means the procedure of changing the addressee (hereinafter referred to as 'the holder') of the marketing authorization decision adopted pursuant to Article 10 (1) and (2) or Article 32 (1) and (2) of Council Regulation (EEC) No 2309/93, the new holder not being the previous holder.

**Administrative procedure**

*Article 3*

1. To obtain a transfer of a marketing authorization, the holder of this authorization shall submit an application to the European Agency for the Evaluation of Medicinal Products (hereinafter referred to as 'the Agency'), accompanied by the documents mentioned in the Annex to this Regulation.

2. Such an application shall only concern the transfer of one marketing authorization and shall be accompanied by the relevant fee provided for by Council Regulation (EC) No 297/95 on fees payable to the European Agency for the Evaluation of Medicinal Products<sup>(3)</sup>.

*Article 4*

The Agency shall submit, within 30 days following receipt of an application within the meaning of Article 3 (2), an opinion concerning this application to the holder of the marketing authorization, to the person to whom the transfer shall be granted and to the Commission.

*Article 5*

The Agency's opinion referred to in Article 4 can only be unfavourable if the documents submitted in support of the application are incomplete or if it appears that the person to whom the transfer shall be granted is not established within the Community.

<sup>(3)</sup> OJ No L 35, 15. 2. 1995, p. 1.



*Article 6*

In the case of a favourable opinion and without prejudice to the application of other provisions of Community law, the Commission shall immediately amend the decision taken in accordance with Articles 10 or 32 of Regulation (EEC) No 2309/93.

**General and final provisions***Article 7*

1. The transfer of the marketing authorization shall be authorized from the date of notification of the amend-

ment of the Commission decision referred to in Article 6 (2).

2. The date on which the transfer actually takes place shall be set by the Agency by mutual agreement with the holder of the marketing authorization and the person to whom the transfer is to be granted. The Agency shall immediately inform the Commission of this date.

3. The transfer of a marketing authorization shall not affect any of the time limits provided for in Articles 13 and 35 of Regulation (EC) No 2309/93.

*Article 8*

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

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

Done at Brussels, 7 November 1996.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

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## ANNEX

**Documents to be submitted to the Agency for the Evaluation of Medicinal Products pursuant to Article 3 (1)**

The documents mentioned in points 1 to 4 must be authenticated by the signature of the holder of the marketing authorization and by that of the person to whom the transfer is to be granted.

1. The name of the medicinal product concerned by the authorization transfer, the authorization number(s) and the date(s) on which the authorization(s) was(were) granted.
2. The identification (name and address) of the holder of the marketing authorization to be transferred and the identification (name and address) of the person to whom the transfer is to be granted.
3. A document certifying that the complete and up-to-date file concerning the medicinal product or a copy of this file has been made available to or has been transferred to the person to whom the transfer is to be granted.
4. Without prejudice to the final decision, a document stating the date on which the person to whom the transfer is to be granted can actually take over all responsibilities, of the holder of the marketing authorization for the medicinal product concerned, from the previous holder.
5. The person to whom the transfer is to be granted shall provide documents showing his capacity to perform all the responsibilities required of a marketing authorisation holder under Community pharmaceutical legislation, in particular:
  - a document identifying the qualified person within the meaning of Article 21 or Article 43 of Regulation (EEC) No 2309/93, together with a *curriculum vitae* and the address, telephone and fax number,
  - as far as the medicinal products for human use are concerned, a document describing the scientific service in charge of information about the medicinal product within the meaning of Article 13 of Council Directive 92/28/EEC<sup>(1)</sup> including the address, the telephone and fax number.
6. The summary of the product's characteristics, the mock-ups of the outer and primary packaging as well as the leaflet bearing insert the name of the person to whom the transfer is to be granted.

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<sup>(1)</sup> OJ No L 113, 30. 4. 1992, p. 13.

**COMMISSION REGULATION (EC) No 2142/96**  
**of 7 November 1996**  
**correcting Regulation (EC) No 1557/96 setting the trigger levels for additional**  
**import duties on certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1363/95<sup>(2)</sup>, and in particular Article 24 (4) thereof,

Whereas a mistake has crept into the Annex to Commission Regulation (EC) No 1557/96<sup>(3)</sup> as regards the CN codes for tomatoes for the trigger period 1 October to 31 December 1996; whereas the mistake in question should be corrected by the deletion of an extraneous CN code;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In the Annex to Regulation (EC) No 1557/96, the CN code '0702 00 15' opposite tomatoes is hereby deleted.

*Article 2*

This Regulation shall enter into force on the day of 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 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 132, 16. 6. 1995, p. 8.  
<sup>(3)</sup> OJ No L 193, 3. 8. 1996, p. 8.

## COMMISSION REGULATION (EC) No 2143/96

of 7 November 1996

amending Regulation (EEC) No 2385/91 as regards the geographical areas of Germany where sheepmeat producers practising transhumance are regarded as producers in less-favoured areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last amended by Regulation (EC) No 1589/96<sup>(2)</sup>, and in particular Article 5 (9) thereof,

Having regard to Council Regulation (EEC) No 3493/90 of 27 November 1990 laying down general rules for the grant of premiums to sheepmeat and goatmeat producers<sup>(3)</sup>, as last amended by Regulation (EC) No 233/94<sup>(4)</sup>, and in particular Article 1 and Article 2 (4) thereof,

Whereas Regulation (EEC) No 3493/90 lays down the conditions under which farmers practising transhumance are to be regarded as producers in less-favoured areas; whereas, to that end, the said Regulation states in particular that only those farmers are to be taken into account whose holdings are located in geographical areas to be determined on the basis of certain criteria and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 3013/89; whereas Commission Regulation (EEC) No 2385/91 of 6 August 1991 laying down detailed rules for certain special cases regarding the definition of sheepmeat and goatmeat producers and producer groups<sup>(5)</sup>, as last amended by Regulation (EC) No 2569/95<sup>(6)</sup>, establishes the list of those geographical areas; whereas, in the wake of an administrative reorganization in the new Länder of Germany, the geographical demarcation of certain areas has changed as have their names and whereas the list of geographical areas in that Member State should accordingly be adjusted;

Whereas these changes do not imply any foreseeable increase in the number of producers practising transhumance in the areas concerned;

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

Point IV (Federal Republic of Germany) in the Annex to Regulation (EEC) No 2385/91 is hereby amended as follows:

1. The sections headed 'Mecklenburg-Western Pomerania', 'Saxony-Anhalt', 'Thuringia' and 'Saxony' are replaced by the following:

**'Mecklenburg-Western Pomerania** (in the following urban and rural districts):

Bad Doberan  
Demmin  
Güstrow  
Ludwigslust  
Mecklenburg-Strelitz  
Nordvorpommern  
Nordwestmecklenburg  
Ostvorpommern  
Parchim  
Uecker-Randow

**Saxony-Anhalt** (in the following urban and rural districts):

Anhalt-Zerbst  
Sangerhausen  
Weißenfels  
Ohrekreis  
Jerichower Land  
Halberstadt  
Stendal  
Salzwedel

**Thuringia** (in the following urban and rural districts):

Nordhausen  
Kyffhäuser Kreis  
Unstrut-Hainich-Kreis  
Sömmerda  
Wartburg Kreis  
Gotha  
Weimar-Land  
Ilm-Kreis  
Holzlandkreis  
Altenburg  
Erfurt  
Weimar

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 25.

<sup>(3)</sup> OJ No L 337, 4. 12. 1990, p. 7.

<sup>(4)</sup> OJ No L 30, 3. 2. 1994, p. 9.

<sup>(5)</sup> OJ No L 219, 7. 8. 1991, p. 15.

<sup>(6)</sup> OJ No L 262, 1. 11. 1995, p. 32.

Saxony (in the following urban and rural districts):

Torgau-Oschatz  
Delitzsch  
Muldentalkreis  
Riesa-Großenhain  
Meißen-Radebeul  
Sächsische Schweiz  
Bautzen  
Löbau-Zittau  
Niederschlesischer Oberlausitzkreis  
Freiberg  
Chemnitzer Land

Zwickauer Land  
Kamenz'.

2. 'Lüneburg' is inserted under 'Lower Saxony'.

*Article 2*

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

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

Done at Brussels, 7 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 2144/96

of 7 November 1996

establishing the allocation of export licences for cheeses to be exported in 1997 to the United States of America under the additional quota resulting from the GATT Agreements

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

Having regard to Commission Regulation (EC) No 1466/95 of 27 June 1995 laying down special detailed rules of application for export refunds on milk and milk products<sup>(1)</sup>, as last amended by Regulation (EC) No 1875/96<sup>(2)</sup>, and in particular Article 9a (3) thereof,

Whereas Commission Regulation (EC) No 1910/96<sup>(3)</sup> opens the procedure for the allocation of export licences for cheese to be exported in 1997 to the United States of America under the additional quota resulting from the GATT Agreements;

Whereas the applications for provisional licences lodged pursuant to Regulation (EC) No 1910/96 generally relate to quantities of products in each product group greater than those available; whereas the licences should be allocated firstly to applicants whose designated importers are subsidiaries and secondly to other applicants which show an export to the United States of America of the products in question in each of the preceding three years; whereas in order to ensure that, on the one hand, the first allocation does not exhaust the available quantities for a product group, and, on the other hand, that as far as possible the quantities for which an individual licence is granted do not fall below a reasonable level, it is necessary in the light of the applications received to limit the first allocation to a certain percentage of the available quantities

for that product group; whereas on the basis of this approach allocation coefficients for the abovementioned groups of applicants can be fixed; whereas all other applications should be rejected.

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for provisional export licences lodged, pursuant to Regulation (EC) No 1910/96 in respect of the product groups covered by the American cheese quota in the Annex hereto,

- by applicants whose designated importers are subsidiaries shall be accepted insofar as the allocation coefficients indicated in column 4 of the Annex allow,
- by applicants other than those provided for under the first indent which show an export to the United States of America of the products in question during each of the preceding three years shall be accepted insofar as the coefficients in the column 5 of the Annex allow,
- by applicants other than those provided for under the first and second indents above shall be rejected.

*Article 2*

This Regulation shall enter into force on the day of 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 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 144, 28. 6. 1995, p. 22.

<sup>(2)</sup> OJ No L 247, 28. 9. 1996, p. 36.

<sup>(3)</sup> OJ No L 251, 3. 10. 1996, p. 18.

## ANNEX

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States of America		Quantities available for 1997	Allocation coefficients	
Note No	Group	Tonnes	For applications by applicants whose designated importers are subsidiaries	For applications by applicants which show an export to the United States of the products in question during each of the preceding three years
(1)	(2)	(3)	(4)	(5)
16	Not specifically provided for (NSPF)	900	0,340909	0,1995388
17	Blue Mould	150	0,558333	0,550673
18	Cheddar	500	1,0	0,7
20	Edam/Gouda	300	1,0	0,3461538
21	Italian Type	350	0,7	0,16666
22	Swiss or Emmenthaler other than with eye formation	150	0,83333	0,75
25	Swiss or Emmenthaler with eye formation	350	0,5743982	0,5

**COMMISSION REGULATION (EC) No 2145/96**  
**of 7 November 1996**  
**fixing the agricultural conversion rates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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<sup>(1)</sup>, as last amended by Regulation (EC) No 150/95<sup>(2)</sup>, and in particular Articles 3 (2) and 12 thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 2112/96<sup>(3)</sup>;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that, subject to confirmation periods being triggered, the agricultural conversion rate for a currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels;

Whereas monetary gaps were in excess of five points on several occasions during the month of September for the Irish punt;

Whereas under these conditions it is appropriate to reduce rapidly the monetary gaps recorded in relation to representative market rates; whereas a new agricultural conversion rate should be fixed for the Irish punt on the basis of a marked reduction within the meaning of Article 1 of Regulation (EEC) No 3813/92;

Whereas Article 15 (2) of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates<sup>(4)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(5)</sup>, provides that an agricultural conversion rate fixed in advance is to be adjusted in the gap between that rate and the agricultural conversion rate in force at the time of the

operative event applicable for the amount concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The agricultural conversion rates are fixed in Annex I hereto.

*Article 2*

In the case referred to in Article 15 (2) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- Table B, where the latter rate is lower than the rate fixed in advance.

*Article 3*

Regulation (EC) No 2112/96 is hereby repealed.

*Article 4*

This Regulation shall enter into force on the day of 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 November 1996.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(3)</sup> OJ No L 282, 1. 11. 1996, p. 62.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(5)</sup> OJ No L 188, 27. 7. 1996, p. 22.



## ANNEX I

## Agricultural conversion rates

ECU 1 =	39,6411	Belgian and Luxembourg francs
	7,49997	Danish kroner
	1,92441	German marks
	311,761	Greek drachmas
	198,202	Portuguese escudos
	6,61023	French francs
	6,02811	Finnish marks
	2,15852	Dutch guilders
	0,812908	Irish punt
1	973,93	Italian lire
	13,5396	Austrian schillings
	165,198	Spanish pesetas
	8,64446	Swedish kroner
	0,809915	Pound sterling

## ANNEX II

## Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	38,1164	Belgian and Luxembourg francs	ECU 1 =	41,2928	Belgian and Luxembourg francs
	7,21151	Danish kroner		7,81247	Danish kroner
	1,85039	German marks		2,00459	German marks
	299,770	Greek drachmas		324,751	Greek drachmas
	190,579	Portuguese escudos		206,460	Portuguese escudos
	6,35599	French francs		6,88566	French francs
	5,79626	Finnish marks		6,27928	Finnish marks
	2,07550	Dutch guilders		2,24846	Dutch guilders
	0,781642	Irish punt		0,846779	Irish punt
1	898,01	Italian lire	2	056,18	Italian lire
	13,0188	Austrian schillings		14,1038	Austrian schillings
	158,844	Spanish pesetas		172,081	Spanish pesetas
	8,31198	Swedish kroner		9,00465	Swedish kroner
	0,778764	Pound sterling		0,843661	Pound sterling

**COMMISSION REGULATION (EC) No 2146/96**  
**of 7 November 1996**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EC) No 1890/96<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third

countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 November 1996.

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

Done at Brussels, 7 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ No L 249, 1. 10. 1996, p. 29.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 7 November 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 45	204	49,8
	999	49,8
0707 00 35	624	91,4
	999	91,4
0709 90 79	052	88,1
	999	88,1
0805 20 31	204	95,0
	999	95,0
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	61,7
	999	61,7
0805 30 40	052	71,4
	388	66,0
	524	52,6
	528	51,3
	600	61,3
	999	60,5
0806 10 50	052	104,6
	400	258,0
	999	181,3
0808 10 92, 0808 10 94, 0808 10 98	052	68,2
	060	52,9
	064	46,7
	400	80,1
	404	68,1
	999	63,2
0808 20 67	052	72,6
	064	80,8
	999	76,7

<sup>(1)</sup> 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'.